

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 5, 1987

The House of Representatives convened at 11:00 a.m. and was called to order by Fred C. Norton, Speaker of the House.

Prayer was offered by Pastor Paul Ratzloff, Champlin Community Church, Champlin, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Anderson, R., was excused until 11:30 a.m. Wagenius was excused until 11:45 a.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1174, 1304, 1419 and 1421 and S. F. Nos. 823, 1078, 170, 317 and 557 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 28, 1987

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

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 28, relating to financial institutions; extending the EFT law to terminals located on the premises of a financial institution; providing options for a financial institution relating to the availability of an electronic financial terminal for other financial institutions; permitting certain advertising relating to an electronic financial terminal; amending Minnesota Statutes 1986, sections 47.61, subdivision 3; 47.63; 47.64, subdivisions 1, 3, and 4; and 47.67.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 30, 1987

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

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 235, 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.

H. F. No. 505, relating to state lands; authorizing conveyance of certain state easement.

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

H. F. No. 1028, relating to labor; regulating mediation, fact finding, and other functions of the bureau of mediation services; providing for violations of the labor union democracy act; amending Minnesota Statutes 1986, sections 179.02, subdivision 2, and by adding a subdivision; 179.07; 179.08; 179.083; 179.22; 179.38; proposing coding for new law in Minnesota Statutes, chapter 179; repealing Minnesota Statutes 1986, sections 179.05; 179.23; and 179.24.

H. F. No. 1049, 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.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 30, 1987

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

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Resolution:

H. F. No. 567, A resolution memorializing the President and Congress to give states more authority to regulate interstate pipelines and to improve federal regulation of pipelines.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 30, 1987

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1987 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1987</i>	<i>Date Filed 1987</i>
	28	41	April 28, 1987	April 29, 1987
	235	42	April 30, 1987	April 30, 1987
	505	43	April 30, 1987	April 30, 1987
	557	44	April 30, 1987	April 30, 1987
	1028	45	April 30, 1987	April 30, 1987
	1049	46	April 30, 1987	April 30, 1987
73		47	April 29, 1987	April 30, 1987
136		48	April 29, 1987	April 30, 1987
440		49	April 28, 1987	April 29, 1987
725		50	April 30, 1987	April 30, 1987
1067		51	April 29, 1987	April 30, 1987
	567	Resolution No. 5		April 30, 1987

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 1315, A bill for an act relating to state agencies; establishing an office of information systems management; amending Minnesota Statutes 1986, section 16B.41.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [STATE DEPARTMENTS; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1987," "1988," and "1989," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1987, June 30, 1988, or June 30, 1989, respectively.

SUMMARY BY FUND

	1987	1988	1989	TOTAL
General				
	\$3,666,500	\$467,124,000	\$460,422,600	\$ 927,546,600
Special Revenue				
	395,000	55,917,300	68,461,800	124,379,100
Game and Fish				
		37,778,200	38,383,000	76,161,200
Trunk Highway				
	284,755	7,463,600	5,792,700	13,256,300
Highway User				
		2,423,700	1,640,400	4,064,100
Workers' Comp.				
	18,300	11,879,700	10,976,800	22,856,500
Environmental				
		2,325,600	2,325,600	4,651,200
Metro Landfill Abatement				
		1,134,000	1,134,000	2,268,000
Metro Landfill Contingency				
		670,000	170,000	840,000
Minnesota Resources				
		7,951,700	7,964,500	15,916,200
Motor Vehicle Transfer				
		2,850,600	2,885,600	5,736,200
Water Pollution Control				
		5,843,300	7,168,300	13,011,600
Transfers to Other Direct				
(.....)	(5,068,300)	(4,765,200)	(9,833,500)	
TOTAL				
\$	\$598,293,400	\$602,560,100	\$1,200,853,500	

APPROPRIATIONS
Available for the Year
Ending June 30

	1988	1989
	\$	\$
Sec. 2. LEGISLATURE		
Subdivision 1. Total for this section	34,235,500	34,835,900
Summary by Fund		
General		
	\$34,208,000	\$34,813,200
Trunk Highway		
	\$ 27,500	\$ 22,700
Subd. 2. Senate	10,578,700	9,023,900
Subd. 3. House of Representatives	15,607,000	17,161,800
Subd. 4. Legislative Coordinating Commission	5,107,600	5,681,900
The amounts that may be spent from this appropriation for each activity are as follows:		
(a) Legislative Reference Library		
	1988	1989
	\$ 727,700	\$ 757,000
(b) Revisor of Statutes		
	\$ 3,010,300	\$ 3,418,400
(c) Legislative Commission on the Economic Status of Women		
	\$ 123,500	\$ 130,300
(d) Legislative Commission on Economic Development Strategy		
	\$ 0	\$ 0
(e) Legislative Commission on Employee Relations		
	\$ 95,800	\$ 96,200
(f) Legislative Commission on Energy		
	\$ 0	\$ 0

	1988	1989
	\$	\$
(g) Great Lakes Commission		
\$ 37,200	\$ 42,200	
(h) Legislative Commission on Pen- sions and Retirement		
\$ 505,600	\$ 563,700	
(i) Legislative Commission on Public Education		
\$ 0	\$ 0	
(j) Legislative Commission to Review Administrative Rules		
\$ 117,800	\$ 122,700	
(k) Legislative Commission on Waste Management		
\$ 113,500	\$ 118,600	
(l) Mississippi River Parkway Commission		
\$ 27,500	\$ 22,700	

This appropriation is from the trunk highway fund.

(m) Legislative Coordinating Commis- sion - General Support		
\$ 348,700	\$ 410,100	

\$50,000 the first year and \$50,000 the second year are reserved for unanticipated costs of agencies in this subdivision and subdivision 5. The legislative coordinating commission may transfer necessary amounts from this appropriation to the appropriations of the agencies concerned, and the amounts transferred are appropriated to those agencies to be spent by them. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$70,200 the first year and \$74,400 the second year are for the state contribution to the national conference of state legislatures.

	1988	1989
	\$	\$
Notwithstanding any contrary provisions, \$300,000 of the \$600,000 appropriated to the tax study commission in a bill styled as H.F. No. 529 is instead appropriated to the Legislative Coordinating Commission for the Legislative Commission on Fiscal Policy created in Minnesota Statutes, section 3.885.		

Subd. 5. Legislative Audit Commission	2,942,200	2,968,300
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Legislative Audit Commission		
	\$ 15,000	\$ 15,500
(b) Legislative Auditor		
	\$ 2,927,200	\$ 2,952,800

Sec. 3. SUPREME COURT

Subdivision 1. Total Appropriation	8,908,200	9,185,400
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Summary by Fund

General		
	\$ 6,211,400	\$ 6,186,500
Special Revenue		
	\$ 2,696,800	\$ 2,998,900

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Supreme Court Operations

Total Appropriation	2,528,800	2,484,600
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Summary by Fund

General		
	\$ 2,528,800	\$ 2,484,600

\$2,100 the first year and \$2,200 the second year are for a contingent account for expenses necessary for the

	1988	1989
normal operation of the court for which no other reimbursement is provided.	\$	\$

Subd. 3. Family Farm Legal Assistance		
	\$ 850,000	\$ 850,000

This amount is from the family farm civil surcharge special revenue fund.

Subd. 4. Legal Services Surcharge Grant		
	\$ 1,276,400	\$ 1,347,800

\$1,276,400 the first year and \$1,347,800 the second year are from the legal services account in the special revenue fund for legal services to low-income clients. Any unencumbered balance remaining of the legal services appropriation in the first year does not cancel but is available for the second year of the biennium.

\$50,000 is available to the supreme court to study gender bias throughout the state judicial system and to prepare a report for the chair of the house appropriations committee and the chair of the senate finance committee by June 30, 1989.

Subd. 5. State Court Administrator

Total Appropriation	3,430,600	3,649,500
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Summary by Fund

General	\$ 2,959,400	\$ 2,953,600
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Special	\$ 471,200	\$ 695,900
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Subd. 6. State Law Library

Total Appropriation	822,400	853,500
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Summary by Fund		1988	1989
		\$	\$
General			
	\$ 723,200	\$ 748,300	
Special Revenue			
	\$ 99,200	\$ 105,200	
Sec. 4. COURT OF APPEALS		3,169,200	3,164,100
Sec. 5. TRIAL COURTS		17,885,400	18,206,200
Sec. 6. BOARD ON JUDICIAL STANDARDS		154,800	154,700
Approved Complement - 2			
Sec. 7. BOARD OF PUBLIC DE- FENSE		803,400	1,044,100
Approved Complement - 1			
Of this appropriation, \$239,300 the first year and \$478,700 the second year are for the purpose of providing legal services to the indigent residents of distressed counties as defined under Minnesota Statutes, section 297A.257.			
Sec. 8. PUBLIC DEFENDER		1,457,800	1,466,300
Approved Complement - 28			
During the biennium, legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions.			
None of this appropriation shall be used to pay for lawsuits against public agencies or public officials to change social or public policy.			
Sec. 9. GOVERNOR			
Subdivision 1. Total Appropriation		2,095,500	2,104,100

The amounts that may be spent for each activity are as follows:

	1988	1989
	\$	\$
(a) Committee on Appointments		
\$ 87,700	\$ 87,600	
(b) Governor's Residence		
\$ 280,900	\$ 280,600	
<p>\$10,000 each year is to provide part-time staff assistance to the governor's residence council established in Minnesota Statutes, section 16B.27.</p>		
(c) General Support		
\$ 14,500	\$ 14,500	
<p>\$14,500 the first year and \$14,500 the second year are for personal expenses connected with the office of the governor.</p>		
(d) Interstate Representation and Cooperation		
\$ 78,800	\$ 84,300	

This appropriation is for membership dues of the national governors association.

Sec. 10. LIEUTENANT GOVERNOR	275,900	276,600
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Sec. 11. SECRETARY OF STATE

Subdivision 1. Total Appropriation	1,916,700	2,049,500
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Approved Complement - 52.5 46.5

The appropriations in this section are from the special revenue fund.

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

Subd. 2. Elections and Publications		
\$ 264,300	\$ 540,900	

Subd. 3. Uniform Commercial Code		
\$ 182,000	\$ 168,500	

Subd. 4. Business Services		
\$ 780,500	\$ 729,800	

	1988	1989
	\$	\$
<p>\$228,100 and 4 positions the first year and 3 positions the second year are available until June 30, 1989, for the purpose of implementing the provision under Minnesota Statutes, section 302A.821 that requires every domestic corporation to file a domestic corporate annual report along with its corporate income tax filing.</p>		
Subd. 5. Administration		
\$ 354,500	\$ 357,300	
Subd. 6. Fiscal Operations		
\$ 141,600	\$ 140,500	
Subd. 7. Data Services		
\$ 193,800	\$ 112,500	
Sec. 12. STATE AUDITOR	467,500	467,100

\$80,000 the first year and \$80,000 the second year must be subtracted from the total police and fire state aid otherwise payable to police and fire relief associations pursuant to Minnesota Statutes, sections 69.011 to 69.051 and deposited into the state auditor's revolving fund for the costs and expenses incurred by the state auditor in making review of the audits and examinations of relief associations. The amount of \$80,000 the first year and \$80,000 the second year to be subtracted out of the police state aid and the firefighters' state aid shall be divided proportionally according to the total estimated costs of the audits or examinations of the police and firefighters' relief associations as determined by the state auditor.

\$22,500 the first year and \$22,500 the second year for the costs and expenses of the central office staff attached to the constitutional office function shall be paid for from the audit practice revolving fund.

	1988	1989
	\$	\$
General - 7.0		
Revolving - 121.0		
Police and fire relief aids - 2.0		
\$77,300 the first year and \$77,300 the second year are for an account the auditor may bill for costs associated with conducting single audits of federal funds. During the biennium, this account may be used only when no other billing mechanism is feasible.		
During the biennium ending June 30, 1989, the commissioner of finance shall not approve any rate increase for the state auditor beyond those in effect on January 1, 1987, except for adjustments necessitated by salary increases, indirect cost assessments, and other verifiably escalating expenses associated with performing their reimbursable audits.		
\$218,100 the first year and \$217,900 the second year must be subtracted from the amount that would otherwise be payable as local government aid under Minnesota Statutes, chapter 477A, in order to fund the government information division.		
Sec. 13. STATE TREASURER	513,900	512,600
Approved Complement - 12		
Sec. 14. ATTORNEY GENERAL		
Subdivision 1. Total Appropriation	18,340,000	18,233,300
Approved Complement - 389.5		
General - 364.8		
Federal - 6.7		

	1988	1989
Special Revenue - 18	\$	\$

Summary by Fund

General	\$17,500,000	\$17,393,300
Special Revenue	\$ 840,000	\$ 840,000

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

Subd. 2. Public Administration
\$ 1,366,600 \$ 1,354,300

Subd. 3. Public Resources
\$ 3,488,300 \$ 3,500,600

Subd. 4. Public Assistance
\$ 2,620,400 \$ 2,621,300

Of this appropriation, \$840,000 and 18 positions the first year and \$840,000 and 18 positions the second year are from the special revenue fund.

Subd. 5. Public Protection
\$ 6,592,500 \$ 6,586,400

Subd. 6. Legal Policy and Administration
\$ 4,272,200 \$ 4,170,700

The duties and responsibilities of the department of human rights are transferred to the attorney general under Minnesota Statutes, section 15.039.

The approved complement includes 54 positions for functions related to enforcement, education, outreach and contract compliance, and nonmanagement staff support for the administration activity transferred from the department of human rights to the attorney general. The five positions in the office of the commissioner and the management level positions for the ad-

	1988	1989
ministration and enforcement activities are abolished and may not be transferred.	\$	\$

Sec. 15. INVESTMENT BOARD	1,602,300	1,600,600
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Approved Complement - 25

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

Sec. 16. ADMINISTRATIVE HEARINGS	2,940,700	2,782,400
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The approved complement of the office shall be reduced by four workers' compensation judges and two workers' compensation support staff on June 30, 1989.

Approved Complement - 70.5

Revolving - 18.5

Workers' Compensation - 52

This appropriation is from the workers' compensation special compensation fund for considering workers' compensation claims.

Sec. 17. ADMINISTRATION

Subdivision 1. Total Appropriation	17,210,600	16,890,600
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	1988	1989
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Approved Complement -	849.1	842.1
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General-	196.6	189.6
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Special Revenue-	43.6	43.6
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Building-	7	7
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		1988	1989
		\$	\$
Gift-	1	1	
Revolving-	600.9	600.9	

Summary by Fund

General	\$15,445,300	\$15,093,600
Special Revenue	\$ 1,453,200	\$ 1,484,900
Building	\$ 312,100	\$ 312,100

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Operations Management

\$ 3,658,200	\$ 3,471,900
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Where economically advantageous, legislators and legislative staff should attempt to utilize the department's travel management services for legislative business to benefit from economies of scale and to simplify the making of travel arrangements.

The commissioner shall report to the legislature by January 1, 1988, on whether bonding requirements applicable to small businesses are an impediment to those businesses in obtaining state contracts. If the bonding requirements are found to be impediments to obtaining state contracts, the commissioner shall also include in the report proposals for altering the bonding requirements to alleviate the impediments.

Subd. 3. Information Management

\$ 2,399,400	\$2,228,000
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	1988	1989
	\$	\$
\$163,500 and a complement of three in the first year are for the purpose of the establishment and development of statewide information management under Minnesota Statutes, section 16B.41.		

\$158,800 the first year and \$158,800 the second year must be subtracted from the amount that would otherwise be payable to local government aid under Minnesota Statutes, chapter 477A, in order to fund the local government records program and the inter-governmental information systems.

The commissioner shall use the authority under Minnesota Statutes, section 16B.48, subdivision 2, clause (5) to charge local units of government assessments equal to the department's costs for helping local governments manage records and implement records retention schedules.

In those instances where state agencies have need for the same or similar computer data, the commissioner shall ensure that the most efficient and cost effective method of producing and storing data for or sharing data between those agencies is used.

Subd. 4. Property Management		
	\$ 6,970,400	\$ 7,196,500

Summary by Fund

General	\$ 5,205,100	\$ 5,399,500
Special Revenue	\$ 1,453,200	\$ 1,484,900
Building	\$ 312,100	\$ 312,100

	1988	1989
	\$	\$
Of the total appropriation for their program \$350,000 is made available in fiscal year 1988 and \$350,000 in fiscal year 1989 to fund capitol area repairs and replacements. Any unencumbered balance at the end of fiscal year 1988 shall not cancel to the general fund but shall be made available for use in fiscal year 1989.		

The commissioner shall study and prepare a report for the legislature by January 1, 1988, on the competing policies and the costs of leasing space in privately-owned buildings versus constructing new state buildings to house state departments and agencies.

\$340,400 the first year and \$534,000 the second year are for office space costs of the legislature and veterans organizations for ceremonial space, and for statutorily free space.

The commissioner shall contract with a private organization to do a needs assessment and prepare a report for the legislature by January 1, 1988, on the feasibility of providing in the capitol complex area a privately-run child day care and latch-key center for children of state employees and visitors to the state capitol. If the report indicates that such a center is feasible, the commissioner shall submit to the legislature by March 1, 1988, a list of recommended sites within the capitol complex area for locating the center.

Subd. 5. Administrative Management

\$ 4,182,600	\$ 3,994,200
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\$2,000 the first year and \$2,000 the second year are for the state employees' band.

\$75,000 of the fiscal year 1988 appropriation is to fund a management study of veterans affairs. Any unencumbered

	1988	1989
balance at the end of fiscal year 1988 shall not cancel to the general fund but instead shall be made available in fiscal year 1989 for the study.	\$	\$

\$229,300 the first year and \$229,300 the second year is for block grants to public television stations.

\$404,100 the first year and \$404,100 the second year is for matching grants to public television stations.

\$1,135,900 the first year and \$1,135,900 the second year is for public television equipment needs. Equipment grant allocations shall be based on the recommendations of the Minnesota public television association.

\$211,100 the first year and \$211,100 the second year is for operational grants to public educational radio stations who are members of the Association of Minnesota Public Educational Radio Stations under Minnesota Statutes, section 139.19.

\$115,900 the first year and \$115,900 the second year is for public educational radio stations who are members of the Association of Minnesota Public Educational Radio Stations for equipment needs.

\$15,000 in the first year is for KAWE-TV to conduct an engineering study for the placement of a remote transmitter in a portion of northwestern Minnesota.

\$21,400 the first year is to conduct a survey to determine the number and listening pattern of listeners to stations that are members of the Association of Minnesota Public Educational Radio Stations. The results of the survey must be submitted to the senate fi-

	1988	1989
	\$	\$
nance committee and house of representatives appropriations committee.		

If an appropriation for either year for grants to public television or radio stations is not sufficient, the appropriation for the other year is available for it.

\$100,000 the first year is for equipment grants to affiliate stations of Minnesota Public Radio, Incorporated.

If the amounts allocated to public broadcasting are to be reduced for reasons relating to budget shortfalls, the reduction shall not exceed the average of the reduction for all state agencies.

The commissioner, in consultation with representatives of public broadcasting stations, must prepare a report for the legislature by January 1, 1988, recommending specific criteria for awarding operational and equipment grants to public broadcasting stations.

Sec. 18. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	172,000	167,000
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	1988	1989
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Approved Complement-

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Sec. 19. FINANCE

Subdivision 1. Total Appropriation	8,509,500	8,085,900
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Approved Complement - 124

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

\$141,000 the first year to cover costs associated with modifying the state's personnel/payroll systems. Any unencumbered balance remaining in

1988

1989

\$

\$

the first year does not cancel but is available for the second year of the biennium.

\$400,000 is appropriated from the general fund to the commissioner of finance for payment of the general fund costs associated with layoffs of employees in the executive branch as defined in Minnesota Statutes, section 43A.02, subdivision 22. The appropriation is available to cover severance costs, liquidated vacation leave, unemployment compensation costs and employer-paid health insurance for early retirees under Minnesota Statutes, section 43A.24. To be eligible to receive a portion of the appropriation, a state agency must, after developing a spending plan and giving layoff notices to employees, certify to the commissioner of finance by January 1, 1988, the general fund costs the agency will incur as a result of employee layoffs. The commissioner of finance shall by February 1, 1988, transfer the necessary amounts to each eligible agency. If the appropriation is insufficient to cover the general fund layoff costs of all eligible agencies, the commissioner shall distribute the money on a pro rata basis according to each eligible agency's portion of the total layoff costs.

\$500,000 is appropriated in the second year for a grant to the Minnesota zoo as a one-for-one matching grant for funds donated through fund raising activities.

The department of finance shall reflect the reimbursement of statewide indirect costs and human services federal reimbursement costs as expenditure reductions in the general fund budgeted fund balance as they would be reported in conformity with generally accepted accounting principles.

	1988	1989
	\$	\$
Amounts paid to the department of finance pursuant to Minnesota Statutes, section 13.03, subdivision 3, for the costs of searching for and retrieving government data and for making, certifying and compiling the copies of the data, are appropriated to the department of finance to be added to the appropriations from which the costs were paid.		

The governor's budget recommendations submitted to the legislature in January, 1989 must include as general fund revenue and appropriations for fiscal years 1990 and 1991 all revenues and expenditures previously accounted for in the statewide accounting system in other operating funds. This requirement does not apply (1) to revenues and expenditures which, under the constitution, must be accounted for in funds other than the general fund; or (2) to revenues and expenditures which are related to specific user fees that provide a primary benefit to individual fee payers, as opposed to the general community.

Notwithstanding the provision of Minnesota Statutes, section 16A.11, the commissioner of finance shall consult with and seek the recommendations of the chair of the house appropriations committee and the chair of the senate finance committee as well as their respective division and subcommittee chairs prior to adopting a format for the 1989-1991 biennial budget document. The commissioner of finance shall not adopt a format for the 1989-1991 biennial budget until the commissioner has received the recommendations of the chair of the house appropriations committee and the chair of the senate finance committee. Appropriations provided to the department of finance to upgrade the current biennial budget system shall only be expended upon

	1988	1989
	\$	\$
receipt of the recommendations of the chair of the house appropriations committee and the chair of the senate finance committee. These recommendations are advisory only.		

Sec. 20. EMPLOYEE RELATIONS

Subdivision 1. Total Appropriation	5,024,200	5,255,800
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	1988	1989
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Approved Complement-		
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	118	119
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General-		
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	103	104
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Special Revenue-		
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	6	6
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Revolving-		
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	9	9
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Administration

\$ 1,672,100	\$ 1,697,000
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Subd. 3. Equal Opportunity

\$ 205,100	\$ 204,900
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Subd. 4. Labor Relations

\$ 464,800	\$ 464,100
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Subd. 5. Personnel

\$ 2,682,200	\$ 2,889,800
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The three positions to implement recommendations to accelerate the hiring process and improve the suitability of available job candidates are available until June 30, 1989.

Sec. 21. REVENUE

Subdivision 1. Total Appropriation	57,333,100	54,930,800
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	1988	1989	\$	\$
Approved Complement-				
	1,142.2	1,178.2		
General-				
	1,006.2	1,043.2		
Highway User-				
	39	39		
Special Revenue-				
	97	97		

Summary by Fund

General	\$51,222,500	\$48,847,200
Special Revenue	\$ 4,617,800	\$ 4,588,200
Highway User	\$ 1,492,800	\$ 1,495,400

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Revenue Administration

\$13,768,000 \$10,222,000

\$7,391,000 the first year and \$3,594,700 the second year are for development and operation of new integrated computer systems. After the commissioner of revenue begins to spend the appropriation, the commissioner shall report every three months describing the progress made and the money spent in the development and operation of new integrated computer systems. The report must be submitted to the committee on finance of the senate and the committee on appropriations of the house of representatives. Any unencumbered balance on this appropriation remaining in the first year does not cancel and is available for the second year.

	1988	1989
	\$	\$
\$39,800 the first year and \$39,700 the second year are from the special revenue fund.		

Subd. 3. Tax Policy

	\$ 2,848,400	\$ 2,841,100
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\$131,500 for the first year and \$131,300 for the second year is from the special revenue fund.

Subd. 4. Taxpayer Service

	\$ 7,580,300	\$ 7,565,800
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Summary by Fund

General

	\$ 5,794,400	\$ 5,784,900
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Highway User

	\$ 1,492,800	\$ 1,495,400
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Special Revenue

	\$ 293,100	\$ 285,500
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\$30,000 the first year and \$30,000 the second year are for state-paid tuition for required assessor training.

Subd. 5. Operations

	\$11,106,100	\$11,125,400
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Subd. 6. Tax Compliance

	\$22,030,300	\$23,176,500
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Notwithstanding any contrary provisions, \$1,900,000 of the \$4,000,000 appropriated to the commissioner of revenue in a bill styled as H.F. No. 529 must be used by the department of revenue for compliance initiatives. Of this amount, \$570,000 the first year is for the automated collection system. If this system is not fully operational by August 1, 1988, the general fund appropriation for the department shall be reduced by \$570,000.

	1988	1989
	\$	\$
Summary by Fund		
General		
	\$17,876,900	\$19,044,800
Special Revenue		
	\$ 4,153,400	\$ 4,131,700

The first \$4,153,400 of corporate income tax receipts in the first year and the first \$4,131,700 of corporate income tax receipts in the second year must be credited to the special revenue fund.

Sec. 22. TAX COURT	402,400	401,900
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Approved Complement - 6

Sec. 23. NATURAL RESOURCES

Subdivision 1. Total Appropriation	109,575,500	109,590,900
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	1988	1989
Approved Complement-	1,657	1,657
General-	956	956
Special Revenue-	119	119
Game and Fish-	539	539
Federal-	43	43

Summary by Fund		
General		
	\$48,242,800	\$47,512,700
Con. Con.		
	\$ 250,000	\$ 250,000
Cross Country Ski		
	\$ 180,000	\$ 180,000

		1988	1989
		\$	\$
Forest Management			
	\$ 5,697,200	\$ 5,697,300	
Nongame Wildlife			
	\$ 1,309,800	\$ 1,313,600	
Snowmobile			
	\$ 3,800,800	\$ 3,926,200	
State Park M. & O.			
	\$ 3,944,400	\$ 3,944,400	
All Terrain			
	\$ 650,000	\$ 650,000	
Water Recreation			
	\$ 7,265,200	\$ 7,348,700	
Wildlife Acquis.			
	\$ 1,086,500	\$ 1,086,500	
Game and Fish			
	\$36,107,700	\$36,712,500	
Water Pollution Control			
	\$ 700,000	\$ 625,000	
Wild Rice			
	\$ 30,000	\$ 30,000	
Trust Suspense			
	\$ 311,100	\$ 189,000	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

On July 1, 1987, the commissioner of finance must reduce the general fund appropriation to the department of natural resources by \$3,000,000 the first year for the purposes of paying for firefighting deficiencies incurred by the department during fiscal year 1987. If the general fund appropriation the first year is insufficient to meet the \$3,000,000 spending reduction, the appropriation for the second year is available.

	1988	1989
	\$	\$
<p>The commissioner may not make the required reductions from the following programs as funded at the fiscal year 1988-1989 levels: local pass-through-grants or aids, youth and other volunteer programs, general funded wildlife programs, enforcement programs, regional offices programs, firefighting appropriations, forest inventory programs, dam safety, and repairs and replacements on equipment and buildings currently owned by the department.</p>		

The reductions shall not be included as part of the fiscal year 1989 expenditure base for purposes of establishing the fiscal year 1990 same level spending request to the legislature. These reductions may be included as new change order requests submitted to the legislature for the 1989 to 1991 biennial budget.

The commissioner of natural resources must report to the commissioner of finance, the senate finance committee, and the house appropriations committee on the programs, services, and positions reduced, delayed, or eliminated in order to meet this reduction no later than July 15, 1987.

Subd. 2. Mineral Resources Management

\$ 3,748,600	\$ 3,757,300
--------------	--------------

\$300,000 the first year and \$300,000 the second year are for iron ore cooperative reduction research, of which \$200,000 the first year and \$200,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

1988 1989
\$ \$

\$100,000 is available until June 30, 1989 for the purpose of horticultural peat marketing and promotion in cooperation with the department of agriculture and the natural resources research institute.

The commissioner is authorized one complement position in the unclassified service from the mineral lease account created by section 104.

Subd. 3. Water Resources Management	\$ 4,205,200	\$ 4,838,800
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Summary by Fund

General	\$ 4,130,600	\$ 4,140,000
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Water Pollution Control	\$ 700,000	\$ 625,000
-------------------------	------------	------------

Water Recreation	\$ 73,900	\$ 73,800
------------------	-----------	-----------

\$85,000 the first year and \$85,000 the second year from the flood damage reduction program is for a grant to the counties of Cook, Lake, and the town of Duluth for the development of a comprehensive shoreland management plan along the shoreline of Lake Superior. The study must be sent by the commissioner of natural resources to the chairs of the house appropriations and senate finance committees by December 1, 1989.

\$500,000 the first year and \$500,000 the second year are appropriated from the water pollution control fund for flood damage reduction. \$100,000 each year of this appropriation is designated for use in control grants to study Area 2 Inc.

\$125,000 each year is appropriated from the water pollution control fund

	1988	1989
for groundwater exploration and data automation.	\$	\$

\$75,000 the first year is appropriated from the water pollution control fund for a grant to the city of Waseca for the purpose of rehabilitating Loon and Clear Lakes in and about the city. This appropriation is available until expended.

Subd. 4. Forest Management

\$20,105,600	\$20,377,000
--------------	--------------

Summary by Fund

General

\$14,328,400	\$14,599,700
--------------	--------------

Con. Con.

\$ 250,000	\$ 250,000
------------	------------

Forest Management

\$ 5,527,200	\$ 5,527,300
--------------	--------------

The divisions of forestry and fish and wildlife must coordinate the harvesting of trees in order to ensure optimum wildlife habitat benefits and water quality of adjacent streams or lakes.

\$903,800 the first year and \$903,600 the second year are for emergency fire fighting and are not subject to transfer. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Up to \$120,000 per year from the general fund under Minnesota Statutes, section 89.04 may be used for grants to the soil and water conservation board for cost-sharing with landowners in the state forest improvement program.

\$250,000 the first year and \$250,000 the second year are for contracts with counties or groups of counties for county forestry assistance programs.

	1988	1989
\$		\$

The commissioners of natural resources, revenue, and transportation shall jointly study and determine the amount of unrefunded gas tax attributable to forest logging trucks that use forest roads under the authority of the commissioner. Their findings and determinations must be reported to the chairs of the house appropriations and senate finance committees by December 1, 1988, along with proposed changes to Minnesota Statutes, section 296.421, that reflect their determinations.

Subd. 5. Parks and Recreation Management

\$13,882,800	\$14,033,600
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Summary by Fund

General

\$ 9,271,700	\$ 9,422,500
--------------	--------------

State Park Maintenance and Operation

\$ 3,944,400	\$ 3,944,400
--------------	--------------

Water Recreation

\$ 666,700	\$ 666,700
------------	------------

If a bill is signed into law in 1987 that allows a second state park motor vehicle permit at a reduced price, the commissioner of natural resources must keep a record of resident and nonresident second permits that are sold.

\$666,700 is appropriated each year of the biennium from the water recreation account for state park development projects. Should the appropriation in either year be insufficient, the appropriation for the other year shall be available.

The department of natural resources may not subcontract the operation of the Douglas Lodge facilities at Itasca State Park so long as revenues are at least equal to the cost of operation. A

1988 1989

\$ \$

management plan must be prepared by the commissioner that outlines specific steps and timelines to achieve self-sufficiency of the Douglas Lodge facilities. The management plan must incorporate recommendations concerning the best utilization of management, labor and other resources to achieve self-sufficiency. The commissioner must send the management plan to the Legislature by March 1, 1988.

\$20,000 the first year and \$20,000 the second year are for payments in lieu of taxes on lands in Voyageurs National Park and St. Croix Wild River State Park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Trails and Waterways

\$ 7,952,300 \$ 8,365,600

Summary by Fund

General

\$ 746,500 \$ 750,200

Cross Country Ski

\$ 150,000 \$ 150,000

Snowmobile

\$ 3,258,700 \$ 3,379,400

Three Wheeler

\$ 475,000 \$ 475,000

Water Recreation

\$ 3,112,100 \$ 3,196,000

Game and Fish

\$ 210,000 \$ 415,000

\$200,000 the first year and \$200,000 the second year are for snowmobile grants-in-aid.

1988

1989

\$

\$

If receipts from cross country ski pass fees do not equal the appropriations for either year of the biennium, up to \$100,000 per year from the general fund equal to the amount of the deficiency shall be transferred by the commissioner of finance to the commissioner of natural resources for cross country ski purposes.

An accounting report for the 1986 and 1987 cross country ski seasons is to be submitted to the chair of the senate finance committee and the house appropriations committee.

Subd. 7. Fish and Wildlife Management

	\$25,733,100	\$25,954,800
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Summary by Fund

General

\$ 702,000	\$ 710,200
------------	------------

Nongame Wildlife

\$ 1,264,800	\$ 1,268,600
--------------	--------------

Water Recreation

\$ 150,000	\$ 150,000
------------	------------

Wildlife Acquis.

\$ 961,500	\$ 836,500
------------	------------

Game and Fish

\$22,624,800	\$22,989,500
--------------	--------------

Wild Rice Management

\$ 30,000	\$ 30,000
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\$685,700 in the first year and \$685,700 the second year are appropriated from the game and fish fund for payments to counties in lieu of taxes on acquired wildlife lands and is not subject to transfer.

\$1,264,800 the first year and \$1,268,600 the second year are from the nongame wildlife management ac-

1988

1989

\$

\$

count in the special revenue fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year does not cancel but is available the second year.

\$54,400 in the first year and \$54,200 the second year are for acid rain research.

\$40,000 the first year and \$40,000 the second year is from the nongame wildlife fund for one complement position to serve as a native prairie biologist.

If the appropriation in this section for emergency deer feeding for either year is insufficient, the appropriation for the other year is available for it.

\$30,000 is appropriated each year from the wild rice management account project to improve natural wild rice production on public waters pursuant to Minnesota Statutes, section 97A.065, subdivision 4.

\$40,000 for the first year and \$40,000 for the second year is from the general fund to be transferred to the commissioner of agriculture to compensate landowners for agricultural crops damaged by elk.

\$10,000 each year is appropriated from the general fund to be used as an additional payment to the Leech Lake Indian Reservation for enforcement activities. The reservation may also use \$40,000 of the increased annual payment that it receives as a result of the fee increases in this act for enforcement. The department of natural resources shall also make surplus equipment available to the reservation.

Subd. 8. Enforcement

\$10,869,200 \$11,047,600

	1988	1989
	\$	\$
Summary by Fund		
General		
\$ 1,162,700	\$ 1,202,900	
Snowmobile		
\$ 240,800	\$ 240,800	
Water Recreation		
\$ 1,888,900	\$ 1,887,800	
Game and Fish		
\$ 7,435,900	\$ 7,575,200	
Three Wheel		
\$ 140,900	\$ 140,900	

The appropriation from the game and fish fund includes \$20,000 the first year and \$20,000 the second year for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agencies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$1,124,300 the first year and \$1,124,300 the second year are from the water recreation account in the special revenue fund for grants to counties for boat and water safety.

The commissioner must seek maximum participation from federal agencies in removing nuisance beaver. A competitive bid process must be used to select beaver trappers.

Conservation officers must maintain their residence, on an all weather road, within 15 miles of their assigned station location. The director of the division of enforcement may permit valid exceptions as is deemed appropriate.

	1988	1989
Subd. 9. Field Operations Support	\$	\$
\$ 8,946,500	\$ 7,569,600	

Summary by Fund

General	\$ 4,973,100	\$ 3,705,500
Game and Fish	\$ 3,393,100	\$ 3,406,200
Water Recreation	\$ 243,200	\$ 242,900
Trust Suspense	\$ 311,100	\$ 189,000
Snowmobile	\$ 26,000	\$ 26,000

For the biennium \$350,000 is for the purpose of surveys of lots offered for sale under Minnesota Statutes, section 92.67, subdivision 3.

The two complement positions for the department of natural resources lakeshore lease sale program shall be funded only until June 30, 1991.

Subd. 10. Regional Operations Support	\$ 3,475,700	\$ 3,469,300
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Summary by Fund

General Fund	\$ 2,907,400	\$ 2,898,600
Game and Fish	\$ 510,000	\$ 512,400
Water Recreation	\$ 58,300	\$ 58,300

Subd. 11. Special Services and Programs	\$ 4,294,200	\$ 4,435,900
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	1988	1989
	\$	\$
Summary by Fund		
General		
\$ 3,173,300	\$ 3,189,200	
Forest Management		
\$ 170,000	\$ 170,000	
Nongame Wildlife		
\$ 55,600	\$ 55,600	
Snowmobile		
\$ 132,600	\$ 132,600	
Water Recreation		
\$ 560,500	\$ 561,000	
Wildlife Acquis.		
\$ 125,000	\$ 250,000	
Game and Fish		
\$ 77,200	\$ 77,500	

The commissioner of natural resources shall develop, in consultation with the commissioners of jobs and training and education, a coordinated plan for enhanced youth education, employment, and service opportunities. This plan shall consider the current programming of the Minnesota Conservation Corps, the Minnesota Youth Program, the Summer Youth Employment and Training Program, Community and Secondary Vocational Education, and other appropriate programs in designing a coordinated model which would enhance opportunities for youth. The plan may also recommend coordinated funding. The commissioner shall present the plan to the house appropriation and senate finance committees by January 1, 1988.

If the appropriation made under Minnesota Statutes, section 92.46, subdivision 1, paragraph (d), for fiscal year

1988 1989

\$ \$

1988 is not expended, it is available for use in fiscal year 1989.

\$201,500 the first year and \$326,500 the second year of this appropriation are from the following funds for an expansion of the youth programs activity:

Summary by Fund

	1988	1989
Wildlife Acquisition		
	\$	125,000
Snowmobile		
\$ 66,300	\$	66,300
Water Recreation		
\$ 27,700	\$	27,700
Forest Management		
\$ 85,000	\$	85,000
Nongame Wildlife		
\$ 22,500	\$	22,500
Total		
\$ 201,500	\$	326,500

This appropriation shall not be made available until a work plan for use of the funds is prepared and approved by the commissioner of natural resources.

\$84,800 the first year and \$84,800 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under its jurisdiction.

\$21,400 the first year and \$21,300 the second year are for department operating and administrative expenses associated with the Mississippi headwaters board grant and the implementation of

	1988	1989
	\$	\$
the plan in areas along the river that are not included within the jurisdiction of the Mississippi headwaters board.		

Subd. 12. Administrative Management Services

	\$ 5,673,600	\$ 5,722,000
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Summary by Fund

General	\$ 3,098,500	\$ 3,136,600
Snowmobile	\$ 142,700	\$ 147,400
Water Recreation	\$ 511,600	\$ 512,200
Game and Fish	\$ 1,856,700	\$ 1,861,700
All Terrain Vehicles	\$ 34,100	\$ 34,100
Cross Country Ski	\$ 30,000	\$ 30,000

\$179,500 for the first year of the biennium is for computer system installation and related management system expenses. The appropriation does not cancel and is available for the second year.

The commissioner of employee relations shall transfer persons occupying unclassified seasonal or part-time positions in the department of natural resources that are converted to full-time classified positions by the state departments appropriation act of 1987 to the same classification and pay step in the classified civil service without competitive examination as of June 30, 1987.

Sec. 24. ZOOLOGICAL BOARD	4,754,000	4,254,000
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1988 1989

\$ \$

The Minnesota Zoological Garden is eligible for a salary supplement in the same manner as other state agencies. The commissioner of finance will determine the amount of salary supplement based on appropriated funds, and will transfer the amount to the zoo fund.

This appropriation is for transfer by the commissioner of finance to the zoo fund. The approved complement is 162.

Sec. 25. POLLUTION CONTROL AGENCY

Subdivision 1. Total Appropriation	20,329,900	21,299,400
	1988	1989
Approved Complement-		
	494	495
General-		
	152.5	152.5
Special Revenue-		
	45	45
Federal-		
	214.5	214.5
Environmental-		
	46	46
Metro Landfill Contingency-		
	2	2
Motor Vehicle Transfer-		
	6	7
Water Pollution Control-		
	16	16
Building-		
	12	12
Summary by Fund		
General		
	\$ 5,806,800	\$ 6,096,300

	1988	1989
	\$	\$
Special Revenue		
\$ 2,906,900	\$ 2,651,900	
Environmental		
\$ 2,325,600	\$ 2,325,600	
Metro Landfill Abatement		
\$ 1,134,000	\$ 1,134,000	
Metro Landfill Contingency		
\$ 670,000	\$ 170,000	
Motor Vehicle Transfer		
\$ 1,979,200	\$ 2,014,200	
Water Pollution Control		
\$ 5,093,300	\$ 6,493,300	
Building		
\$ 414,100	\$ 414,100	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Water Pollution Control
 \$ 3,089,300 \$ 3,083,700

Summary by Fund

General	\$ 1,399,800	\$ 1,394,200
Special Revenue	\$ 806,100	\$ 806,100
Water Pollution Control	\$ 493,300	\$ 493,300
Building	\$ 390,100	\$ 390,100

\$6,235,800 in fiscal year 1988 and \$6,117,200 in fiscal year 1989 is appropriated from the water pollution control fund to the commissioner of finance for transfer on June 30 of each fiscal year to the general fund.

	1988	1989
	\$	\$
Subd. 3. Air Pollution Control		
\$1,710,000	\$1,936,700	
Summary by Fund		
General		
\$ 1,273,100	\$ 1,500,200	
Special Revenue		
\$ 436,900	\$ 436,500	

The metropolitan airports commission established by Minnesota Statutes, chapter 473 and the pollution control agency shall study and report to legislature by January 1, 1989 on the feasibility of a system of differential landing or user fees for aircraft using the Minneapolis-St. Paul International Airport with a rate structure based on the level of noise produced by aircraft, so that the fee imposed on an aircraft is in direct relation to the noise produced by the aircraft.

Subd. 4. Solid Waste and Hazardous Waste Pollution Control

\$13,771,400 \$14,664,600

Summary by Fund

General		
\$ 2,068,600	\$ 2,063,400	
Special Revenue		
\$ 1,120,200	\$ 1,083,600	
Environmental		
\$ 2,233,400	\$ 2,233,400	
Metro Landfill Abatement		
\$ 1,134,000	\$ 1,134,000	
Metro Landfill Contingency		
\$ 662,000	\$ 162,000	
Motor Vehicle Transfer		
\$ 1,973,200	\$ 2,008,200	

	1988	1989
	\$	\$
Water Pollution Control		
	\$ 4,580,000	\$ 5,980,000

(a) Expenditure of the appropriation from the environmental fund in the second year of the biennium is contingent upon receipt of an agency report submitted to the chairs of the senate finance committee and house appropriations committee detailing agency expenditures in fiscal year 1988, as required by Minnesota Statutes, section 115B.20, subdivision 6.

All money in the environmental response, compensation and compliance fund not otherwise appropriated, is appropriated to the pollution control agency for the purposes described in the environmental response and liability act, Minnesota Statutes, section 115B.20, subdivision 2, clauses (a), (b), (c), and (d). This appropriation is available until June 30, 1989.

(b) Until June 30, 1989, the balance in the metropolitan landfill abatement fund after the appropriations in Laws 1984, chapter 644, section 81, subdivisions 2 and 3; Minnesota Statutes, section 473.844, subdivision 5, is appropriated to the pollution control agency for payment to the metropolitan council and may be used by the council only for the following purposes: Each year the council shall submit to the legislative commission on waste management, in the form determined by the commission, a budget and work program showing planned expenditures from the metropolitan landfill abatement fund. The council may not spend the money until the commission has made its recommendations on the budget and work program. The recommendations are advisory only. The council shall report to the legislature by February 15 of each year on expenditures from this fund.

1988

1989

\$

\$

All money in the metropolitan landfill abatement fund not otherwise appropriated is appropriated to the pollution control agency for payment to the metropolitan council and may be used by the council for the purposes of Minnesota Statutes, section 473.844. The council may not spend the money until the legislative commission on waste management has made its recommendations on the budget and work program submitted by the council.

Any unencumbered balance from the metropolitan landfill contingency fund remaining in fiscal year 1988 does not cancel but is available for fiscal year 1989.

A solid and hazardous waste account is created as a separate fund in the state treasury. The commissioner of finance shall transfer \$919,000 from the motor vehicle transfer fund and \$680,000 from the water pollution control fund over the biennium to the solid and hazardous waste fund.

(c) \$1,973,200 the first year and \$2,008,200 the second year are from the motor vehicle transfer fund for use in cleanup of waste tire dumps, as prioritized by the agency. Any unencumbered balance remaining in the fiscal year does not cancel but is available for the second year.

\$2,500,000 in fiscal year 1988 is appropriated from the motor vehicle transfer fund to the commissioner of finance for transfer on June 30, 1987, to the general fund.

Any unencumbered balance from the motor vehicle transfer fund remaining from fiscal year 1988 does not cancel but is available for fiscal year 1989.

	1988	1989
	\$	\$
\$4,500,000 the first year and \$5,900,000 the second year is appropriated from the Water Pollution Control Fund for transfer to the Environmental Response Fund on July 1, 1987 and July 1, 1988.		

It is the intent of the legislature that litigation relating to the Twin Cities Army Arsenal be a high priority for the environmental response fund. The director may transfer funds from the environmental response fund to the attorney general's office for costs associated with litigation of the case.

Subd. 5. General Support		
	\$ 2,595,900	\$ 2,669,100

Summary by Fund

General		
	\$ 1,902,000	\$ 1,975,200
Environmental		
	\$ 92,200	\$ 92,200
Metro Landfill Contingency		
	\$ 8,000	\$ 8,000
Motor Vehicle Transfer		
	\$ 6,000	\$ 6,000
Water Pollution Control		
	\$ 20,000	\$ 20,000
Special Revenue		
	\$ 567,700	\$ 567,700

The program permit and assessment fees of the pollution control agency shall equal as nearly as possible the amount appropriated from the special revenue fund for the biennium and may not include any amounts to cover the cost items in Minnesota Statutes, section 16A.128, subdivision 1a, except to the extent that the cost items are included in the appropriations.

		1988	1989
	\$		\$
Sec. 26. WASTE MANAGEMENT BOARD		2,162,900	2,162,000

Summary by Fund

General	\$ 2,112,900	\$ 2,112,000
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Water Pollution Control	\$ 50,000	\$ 50,000
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	1988	1989
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Approved Complement-	43	43
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General-	32	32
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Building-	11	11
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The nonregulatory waste management programs of the pollution control agency are transferred to the waste management board under Minnesota Statutes, section 15.039.

Any unencumbered balance remaining the first year does not cancel but is available for the second year.

Sec. 27. ENERGY AND ECONOMIC DEVELOPMENT

Subdivision 1. Total Appropriation	18,204,800	17,131,800
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	1988	1989
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Approved Complement-	185.7	185.7
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General-	166.7	166.7
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Special Revenue-	0	0
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Federal-	14	14
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	1988	1989
	\$	\$
Rural-		
	5	5
Summary by Fund		
General		
	\$17,529,600	\$16,456,600
Special Revenue		
	\$..0...	\$..0...
Motor Vehicle Transfer		
	\$ 675,200	\$ 675,200

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Minnesota Trade Office

\$ 2,320,000 \$ 2,316,100

\$75,000 the first year and \$75,000 the second year is for the Minnesota Grown Promotion Campaign. Of this amount up to \$10,000 the first year and up to \$10,000 the second year may be used for promotion of cheeses made from goat's and sheep milk and specialty yogurts.

Subd. 3. Economic Development

\$ 2,843,500 \$ 2,839,200

\$250,000 the first year and \$250,000 the second year are for community development corporations. This appropriation is available for expenditure only to the extent that it is matched by a community development corporation with \$2 of nonstate money for each \$3 of state money.

Of this appropriation, up to \$90,000 each year is for the Minnesota motion picture board. This appropriation is available only upon receipt of a dollar-for-dollar match by the board from nonstate sources.

The commissioner shall utilize one complement position to promote and

	1988	1989
	\$	\$
encourage the development of amateur sports in Minnesota.		

All money in the business license revolving fund on June 30, 1987, shall be canceled to the directly appropriated special revenue fund.

Subd. 4. Tourism

\$ 5,789,200	\$ 5,790,300
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\$75,000 of this appropriation is to the office of tourism for promoting the cross country ski trails program and providing the public with information about the importance of the program to tourism in Minnesota and the importance of maintenance and development of cross country ski trails.

During the biennium, the office of tourism may market tourism related publications and media promotional materials to businesses and organizations. The proceeds from the marketing are to be placed in a fund to be used for the preparation and distribution of the office's publications and media promotional materials. This fund shall not cancel to the general fund at the end of the biennium. The director shall report to the legislature by January 15, 1989 on this fund.

Of the general fund appropriation, up to \$15,000 must be made available to Travel America, Inc., a nonprofit corporation established for promoting and expanding education and tourism in Pine county. The appropriation is to be made available on a dollar-to-dollar match for purposes of studying the feasibility of establishing an environmental learning center on county lands near the Kettle river. Travel America, Inc., may enter into a contract to conduct the study with a private party consultant and the study must involve information from local and statewide environmental groups and local school

1988

\$

1989

\$

district representatives regarding the impact of establishing an environmental learning center. The site may include land on both sides of the Kettle river about one mile south of Sandstone and the old United States government road. Travel America, Inc. must report to the department of natural resources and to the environment and natural resources committees of both the house and the senate on the findings of the study no later than June 30, 1989. The appropriation is available until it is expended.

In order to develop maximum private sector involvement in tourism marketing activities, \$1,750,000 the first year and \$1,750,000 the second year shall be placed in a separate account for tourism marketing activities by the office of tourism. Expenditure of the money in the account is contingent upon receipt of an equal match with nonstate contributions that have been verified and documented to the commissioner of finance. Up to one-third of the required nonstate match may be given in in-kind contributions.

None of the appropriation for expanded tourism marketing, promotion and development may be used to develop or promote a Minnesota Music Festival.

The director shall submit a work program and semiannual progress reports, including the amount of nonstate contributions received, to the chair of the senate finance committee and the chair of the house of representatives appropriations committee.

\$150,000 the first year and \$150,000 the second year are to market Minnesota's health care resources and are available only to the extent matched by \$2 of nonstate money for each \$1 of state money.

	1988	1989
	\$	\$
Subd. 5. Administration		
\$ 901,800	\$ 839,500	

The commissioner shall refund to the city of Hastings any remaining application deposit received during calendar year 1984 from the city of Hastings in connection with the Hastings hydro-electric project pursuant to Minnesota Statutes, section 474.19 and retained by the department. \$60,000 is appropriated from the general fund to the commissioner to refund the industrial development bond allocation application deposit to the city of Hastings.

Subd. 6. Community Development
\$ 4,642,800 \$ 3,640,900

The commissioner, in consultation with the chair of the LCMR, or the chair's designee, shall prepare a report for the chairs of the environment and appropriations committees in the house and the chairs of the environment and finance committees in the senate by January 1, 1989 examining the feasibility of designating county parks in the seven county metropolitan area as state parks. The report shall include analysis of the operation and maintenance costs and the extent of the public's use of the parks, and a comparison of the efficiency and cost effectiveness of county management versus state management of the parks.

\$2,164,700 the first year and \$2,164,700 the second year are for economic recovery grants.

\$1,500,000 the first year and \$500,000 the second year are for payment of a grant to the metropolitan council for metropolitan area regional parks maintenance and operation.

Subd. 7. Science and Technology
\$ 180,000 \$ 180,000

	1988	1989
	\$	\$
\$180,000 the first year and up to \$180,000 the second year is for the Center for the Development of the Software Industry. This amount is available for allotment by the commissioner of finance to the Center only upon demonstration of a dollar for dollar match with nonstate contributions. The nonstate contributions may be received in either year of the biennium.		

Subd. 8. Financial Management

\$ 675,200	\$ 675,200
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\$675,200 the first year and \$675,200 the second year are for transfer from the motor vehicle transfer fund to the waste tire recycling account in the economic development fund for the purpose of funding waste tire recycling loans and grants and is available until expended.

Notwithstanding Minnesota Statutes, section 116J.873, the city of Babbitt may request, and the commissioner may approve, an economic recovery grant in excess of \$500,000 for the purpose of completing a waste tire recycling plant.

\$3,500,000 the first year and \$3,500,000 the second year is appropriated from the economic development fund for economic recovery grants under Minnesota Statutes, section 116J.873.

The approved complement for the financial management division is reduced by 9 the first year and by 10 the second year. The remaining complement of the division is to be funded by the economic development fund created in Minnesota Statutes, section 116M.06, subdivision 4, and the energy fund created in Minnesota Statutes, section 116.105.

	1988	1989
	\$	\$
\$73,500 the first year is appropriated from the economic development fund for the personnel costs associated with the reduction of the approved complement in the financial management division.		

\$75,000 the first year and \$75,000 the second year is appropriated from the economic development fund for a grant to the Minnesota Inventors' Congress. The purposes of this grant include establishment of a focal point for development of an invention support system including an advisory council comprised of representatives from the public and private sectors; coordination of an invention support system, primarily in the form of semi-autonomous regional centers, while protecting, enriching, and promoting existing activities such as the Minnesota Inventors' Congress, the Minnesota Inventors' Hall of Fame, the Inventions and Technology Transfer Corporation, the Inventors' Club, and the Young Inventors' Fair; promotion of invention research, with resultant knowledge to be disseminated to Minnesota educational systems; and development of a fiscal design for the statewide invention support system. The Inventors' Congress shall report to the commissioner of energy and economic development by June 30 of each year on its activities in carrying out the purposes of this grant.

\$137,000 the first year and \$166,000 the second year is appropriated from the economic development fund for payment of dues to the Midwest Technology Development Institute.

\$120,000 the first year and \$120,000 the second year is appropriated from the economic development fund for a grant to Minnesota Project Innovation. The Minnesota Project Innovation shall report quarterly to the house

	1988	1989
committee on future and technology and to the senate finance committee.	\$	\$

Subd. 9. Policy Analysis

\$ 852,300	\$ 850,600
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\$150,000 the first year and \$150,000 the second year is available to the commissioner to contract for consultant services for the development of a trade model.

Sec. 28. HOUSING FINANCE AGENCY

Subdivision 1. Total Appropriation	\$ 8,349,200	\$ 8,349,200
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Approved Complement - 129

Spending limit on cost of general administration of agency programs:

1988	1989
\$ 6,235,000	\$ 6,547,000

This appropriation is for transfer to the housing development fund for the programs specified.

\$150,000 the first year and \$150,000 the second year are for a shared residence demonstration program under Minnesota Statutes, section 462A.05, subdivision 24.

\$990,000 the first year and \$990,000 the second year are for home ownership assistance under Minnesota Statutes, section 462A.21, subdivision 8.

\$2,225,000 the first year and \$2,225,000 the second year are for single family home ownership, home improvement, and multifamily bond leveraging interest rate writedowns under Minnesota Statutes, section 462A.21, subdivisions 4b and 8a.

	1988	1989
	\$	\$
<p>\$830,000 the first year and \$830,000 the second year are for the tribal Indian housing programs under Minnesota Statutes, section 462A.07, subdivision 14.</p>		

\$3,716,700 the first year and \$3,716,700 the second year are for housing rehabilitation and accessibility loans under Minnesota Statutes, section 462A.05, subdivisions 14a and 15.

\$500,000 is appropriated to the housing development fund created in section 462A.20 for grants for residential housing for low income persons living alone. The agency may pay the costs and expenses for the development and operation of the program authorized in section 174 out of this appropriation.

Sec. 29. STATE PLANNING AGENCY

4,421,991	4,523,700
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\$163,500 and a complement of 3 in the second year are for the purpose of the establishment and development of statewide information management under Minnesota Statutes, section 16B.41.

	1988	1989
Approved Complement-		
	91	94
General-		
	57.5	60.5
Special Revenue-		
	4.5	4.5
Motor Vehicle Transfer-		
	3	3
Revolving-		
	22	22

	1988	1989
	\$	\$
Federal-		
	4	4
Summary by Fund		
General		
	\$ 3,868,200	\$ 3,970,000
Special Revenue		
	\$ 357,500	\$ 357,500
Motor Vehicle Transfer		
	\$ 196,200	\$ 196,200

Two positions paid from the motor vehicle transfer fund are in the unclassified service.

\$418,400 the first year and \$418,400 the second year are for regional planning grants to regional development commissions organized under Minnesota Statutes, sections 462.381 to 462.396.

Until June 30, 1989, for state and federal grants distributed by state agencies to regions of the state not having a regional development commission, the state agency administering the grant program may assess the program for administrative costs incurred by the agency that normally are incurred by the commission.

\$..... the first year and \$..... the second year are for the Council of Great Lakes Governors.

Sec. 30. MINNESOTA RESOURCES FUND

Subdivision 1. Total Appropriation

8,114,000 8,127,000

Approved complement - 37

The appropriations in this section are from the Minnesota resources fund.

	1988	1989
The commissioner of finance shall transfer \$162,300 the first year and \$162,500 the second year of this appropriation to the general fund.	\$	\$

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall allocate this reduction among the programs and activities in this section.

As the cash flow of the Minnesota resources fund permits, the commissioner of finance shall transfer from the unencumbered balance in the Minnesota resources fund and credit it to the general fund.

The amounts that may be spent from this appropriation for each activity are more specifically described in the following subdivisions.

For all appropriations in this section, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2. Legislative Commission on Minnesota Resources

250,000	250,000
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For the biennium ending June 30, 1989, the commission shall review the work programs and progress reports required under this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives, and other appropriate committees. During the biennium, the commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it believes necessary to carry out its legislative charge.

Subd. 3. Department of Natural Resources

2,867,000	2,870,000
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	1988	1989
Approved complement - 28	\$	\$

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

(a) Groundwater Management
 \$ 300,000 \$ 300,000

Approved complement - 1

The appropriation is to determine the relationship between ground and surface water use, flow, and quality impacts near rivers.

(b) Water Allocation and Conservation
 \$ 200,000 \$ 200,000

Approved complement - 6

The appropriation is to develop an instream flow program including hydrologic and biologic components and to determine specific protected flow requirements for allocation and development decisions.

(c) Accelerated Land Exchange
 \$ 125,000 \$ 125,000

Approved complement - 3

The appropriation is to accelerate land exchange transactions so larger amounts of land change hands, including multiple public agency exchanges and state park trust land title transfers. This includes accelerated improvement of land records and development of a submerged land management program.

(d) Marketing Department Services
 \$ 135,000 \$ 135,000

Approved complement - 3

The appropriation is to examine the information expectations and needs of

	1988	1989
	\$	\$

the public regarding natural resource management and outdoor recreation use, and to develop a marketing plan to insure that DNR facilities and programs offer services that reflect market interest.

(e) Ridgeline Trail

\$ 190,000	\$ 190,000
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Approved complement - 1

The appropriation is for a grant to the Superior hiking trail association for planning, development, and limited easement acquisition of a trail that follows the ridgeline overlooking Lake Superior. Local contributions of donated perpetual easements, volunteer labor, materials, and ongoing operations and maintenance responsibility will supplement the grant. The use of conservation corps resources is strongly encouraged. Up to \$60,000 is available to the department for planning and administrative assistance.

(f) Mississippi River Management

\$ 135,000	\$ 136,000
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Approved complement - 4

The appropriation is to provide an interdisciplinary management team to better coordinate planning and implementation of state and federal initiatives on the Minnesota, St. Croix, and Mississippi rivers.

(g) Brighton Beach Breakwater

\$ 235,000	\$ 235,000
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The appropriation is for development of a breakwater in conjunction with a state public access on locally-owned land to meet increased recreation demand and provide safer fishing and boating opportunities.

	1988	1989
	\$	\$
(h) Fish and Wildlife Comprehensive Planning		
	\$ 130,000	\$ 130,000

Approved complement - 3

The appropriation is to continue development of the long range fish and wildlife comprehensive plan, develop and implement a cost accounting performance reporting process, refine public involvement, implement action planning, work planning, and budgeting for all work and funds of the division of fish and wildlife. The commissioner shall pursue 75 percent reimbursement and deposit the receipts into the Minnesota resources fund federal reimbursement account, if permissible under federal law.

(i) Forest Wildlife Habitat Intensification		
	\$ 80,000	\$ 80,000

Approved complement - 2

The appropriation provides staff to assist with forestry unit planning to insure fish and wildlife considerations are fully addressed.

(j) Swan Lake Area Wildlife Project		
	\$ 975,000	\$ 976,000

Approved complement - 1

The appropriation is for an initial project to dramatically increase wildlife populations by focusing on private land cost sharing, acquisition and development of diverse lands, and application of innovative management techniques, thereby bolstering the local economy through increased wildlife based recreation. All gifts, match reimbursements, or other receipts are appropriated for this purpose.

	1988	1989
	\$	\$
All acquisition of land may be no greater than 100 percent of the appraised value.		

(k) County Biological Survey

\$ 87,000	\$ 88,000
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Approved complement - 2

The appropriation is for a survey of rare plants, animals, and habitats using combinations of existing forestry, soils, and habitat data on a county-by-county basis. Private match is appropriated.

(l) Glacial Drift Geochemistry

\$ 100,000	\$ 100,000
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Approved complement - 2

The appropriation is to extend geochemical techniques to additional areas in order to evaluate the potential existence of strategic minerals, using the aeromagnetic survey as a guide for targeting efforts.

(m) Regeneration Growth Inventory

\$ 25,000	\$ 25,000
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The appropriation is for a grant to Beltrami county to inventory young timber stands and develop revised growth models that will indicate the feasibility of increased or decreased harvesting.

(n) Conservation Corps

\$ 150,000	\$ 150,000
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The appropriation is for acceleration of the corps work with a new emphasis on county forest and recreation projects.

The appropriation must be equally matched from the county and local units of government where the conservation corps work takes place.

	1988	1989
	\$	\$
Subd. 4. Pollution Control Agency	491,000	492,000

Approved complement - 3

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

(a) Handbooks of Best Management Practices		
	\$ 30,000	\$ 30,000

Approved complement - 1

The appropriation is to develop a catalogue of structural and nonstructured nonpoint source pollution best management practices and training programs for primary users. Federal match is appropriated.

(b) Nonpoint Source Pollution Model		
	\$ 40,000	\$ 40,000

The appropriation is for additional development of the AGNPS model in order to emphasize analyses of watershed pollutants in the areas of off-site erosion impacts, pesticides, groundwater, economic analysis, urban compatibility, and annualization. Federal match is appropriated.

(c) Garvin Brook Final Evaluation		
	\$ 75,000	\$ 75,000

Approved complement - 1

The appropriation is to conduct follow-up monitoring, testing, and evaluation and to report on the practices installed since the 1981 initiation of the project. Federal money available is appropriated.

(d) Lake Runoff Management Evaluation		
	\$ 196,000	\$ 197,000

	1988	1989
	\$	\$
<p>The appropriation is for a grant to the metropolitan council for evaluation, documentation, and reporting on the effectiveness of various runoff management practices on lake protection.</p>		

(e) Mercury Toxicity
 \$ 150,000 \$ 150,000

Approved complement - 1

The appropriation is to examine lakes, streams, and fish in order to determine the source of and mitigation measures for mercury contamination. Federal money available is appropriated.

Subd. 5. State Planning Agency	512,000	513,000
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Pilot Comprehensive Local Water Planning
 \$ 450,000 \$ 450,000

The appropriation is for the environmental quality board for a water planning project to make up to eight grants to local units of government with the required nonstate one-to-one match. This includes up to \$70,000 for information services to be provided by the land management information center. All state agencies shall provide information and assist these county efforts as appropriate. The rulemaking provisions of Minnesota Statutes, chapter 14, do not apply to the award of grants under this paragraph.

(b) Support for Soil and Water Management
 \$ 62,000 \$ 63,000

The appropriation is for the environmental quality board to make a grant to the international coalition to provide

	1988	1989
	\$	\$
an understandable basin-wide perspective on soils and waters for improved public knowledge and enhancement of local planning efforts in the Red River basin. The freshwater foundation is requested to assist the project as feasible.		
Subd. 6. Department of Agriculture	245,000	245,000

(a) Biological Control of Pests

Approved complement - 5

The appropriation is for research to develop the natural enemies needed to control several plant and animal pests as an alternative to pesticides. Seasonal staffing as needed is anticipated.

Subd. 7. Minnesota Historical Society	173,000	177,000
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Historical Data Base		
	\$ 50,000	\$ 50,000

The appropriation is to organize and automate the collections, increase public awareness, and significantly improve management of these rare materials. Available private money is appropriated.

(b) Environmental Oral History		
	\$ 22,000	\$ 23,000

The appropriation is to complete the project initiated in 1985 while people who are important to environmental history are still available.

(c) Geographic Resource Marketing		
	\$ 22,000	\$ 23,000

The appropriation is to accelerate marketing and interpretation of important

	1988	1989
geographic resources for purposes of preservation, tourism, and public use.	\$	\$

(d) Heritage Trails

\$	22,000	\$	23,000
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The appropriation is for a project to interpret and preserve historic trails for public use tourism.

(e) Indian History Grants in Aid

\$	35,000	\$	35,000
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The appropriation is for grants to preserve and develop the Battle Point and Kathio sites on an equal match basis with the reservations.

(f) Farm Economy Record

\$	22,000	\$	23,000
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The appropriation is for a project to record the changes in the farm economy and the effects on the social fabric and general economy.

Subd. 8. University of Minnesota	3,026,000	3,030,000
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Optimize Winter Lake Aeration

\$	49,000	\$	49,000
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The appropriation is for the St. Anthony Falls Hydraulics laboratory to determine optimum selection, sizing, and operation of lake aeration equipment and techniques.

(b) Gas Permeable Membrane Water Treatment

\$	87,000	\$	88,000
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The appropriation is for the civil and mineral engineering department to research and develop novel technologies for removal of contaminants from water. If this work results in a patent and

1988

1989

subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

(c) Dioxins in Bleached Kraft Pulp

\$ 150,000 \$ 150,000

The appropriation is for the natural resources research institute to develop biodegradation techniques for decontamination of soils and sludge containing dioxins produced through bleached kraft pulp manufacture and to improve the data base on dioxin contamination. Federal and private moneys are appropriated.

(d) Engineering Solutions to Water Problems

\$ 350,000 \$ 350,000

The appropriation is for the St. Anthony Falls Hydraulics laboratory to develop engineering methods for pollutant transport, river erosion and sedimentation, selection of lake management techniques, and evaluation of effects of ice on flooding.

(e) Groundwater Quality Impacts from Agriculture

\$ 155,000 \$ 156,000

The appropriation is for the soils department to quantify the nitrogen and pesticides that move through soil under the effects of various agricultural practices and to determine the effects of transformation and breakdown products.

(f) Simple Water Assay

\$ 25,000 \$ 25,000

The appropriation is for the Gray freshwater biological institute to develop a low cost and readily useable test to

1988

1989

\$

\$

detect various water pollutants. The appropriation is contingent upon at least an equal private match from the freshwater foundation, which is appropriated. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

(g) Accelerated Soil Survey

\$ 700,000	\$ 700,000
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The appropriation is for the agricultural experiment station for the sixth biennium of a seven biennium effort to provide the appropriate detailed survey based on the adopted federal, state, and local cost share. It may be spent only in counties where the survey was underway or the agreement signed and survey scheduled by July 1, 1988.

(h) Biomass Cash Crop Nursery Establishment

\$ 92,000	\$ 92,000
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The appropriation is for the Crookston campus to establish poplar nurseries with local growers and small demonstration plots at Waseca and Lamberton.

(i) Undrained Peatlands for Short Rotation Forestry

\$ 58,000	\$ 58,000
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The appropriation is for the natural resources research institute to determine the feasibility of using undrained peat for poplar and willow plantations as an alternative to the environmental impacts from conventional drainage land preparation techniques.

(j) Compost and CoCompost Research

\$ 87,000	\$ 88,000
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1988

1989

\$

\$

The appropriation is for the soils department to identify methods that optimize produce quality and to determine management practices and application rates for use of compost.

(k) Gamefish Growth Enhancement

\$ 321,000 \$ 322,000

The appropriation is for the fish and wildlife department to produce fish with increased growth rates using genetic engineering. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

(l) Evaluation of Mosquito Control Activities on Waterfowl

\$ 60,000 \$ 60,000

The appropriation is for the department of fish and wildlife to study impacts on the food resources of marshes related to waterfowl reproduction and duckling survival. The university must attempt to secure an equal funding match from the metropolitan mosquito control commission. The freshwater foundation is requested to assist by coordinating this work with other related studies on waterfowl.

(m) Ash as a Lime or Fertilizer Source

\$ 35,000 \$ 35,000

The appropriation is for the extension service to determine the potential of wood and related ash as a soil amendment that is environmentally safe and economically viable for alfalfa and other crops.

(n) Aeromagnetic Mapping

\$ 400,000 \$ 400,000

1988

1989

\$

\$

The appropriation is to the state geological survey for the fifth biennium of a six biennium effort to electronically acquire and interpret geophysical data, including groundtruth drilling.

(o) Industrial Minerals: Clay

\$ 200,000 \$ 200,000

The appropriation is for the mineral resources research center to test known clay resources for potential industrial resources and test the feasibility of producing high grade kaolin products from Redwood Falls area clay.

(p) Future Timber Supply Scheduling Techniques

\$ 73,000 \$ 73,000

The appropriation is for the college of forestry to link strategic and operational planning by refining growth projection and planning models and to thereby help capture greater economic and biologic potentials from forests.

(q) Biotechnology Applications in Forestry

\$ 84,000 \$ 84,000

The appropriation is for the college of forestry to complete the basic research on regeneration, emphasizing tissue culture, and on bioprocessing of lignin.

(r) Sludge Ash Pilot Project

\$ 100,000 \$ 100,000

The appropriation is to the mineral resources research center for a pilot plant test of new processing techniques for the ash from incinerated sewage sludge, and to assess the potential of total disposal through a route to a commercial product. The match from the metropolitan waste control commission is appropriated. If this work

	1988	1989
	\$	\$
results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.		

Subd. 9. State University Board	50,000	50,000
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(a) Nonenergy Peat Development

The appropriation is for Bemidji state university to accelerate the investigation of extracting high value commercial products from peat.

Subd. 10. Appropriation Adjustment

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall reduce the appropriations for the projects funded by this section by \$100,000 in fiscal year 1988 and \$100,000 in fiscal year 1989. This reduction shall be reappropriated to the commissioner of natural resources to establish a control program for the weed lythrun salicaria (purple loosestrife) in cooperation with the department of agriculture.

Subd. 11. Appropriation Adjustment

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall adjust the appropriations for the projects funded by this section by \$40,000 in fiscal year 1988 and \$40,000 in fiscal year 1989. The reduction shall be reappropriated to the commissioner of natural resources to fund a land and water conservation fund coordination position. The commissioner is authorized one complement position.

	1988	1989
	\$	\$

Subd. 12. Compatible Data

During the biennium, the data collected by projects funded under this section that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system's geographic and summary data bases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by the activity receiving funding under this section. This requirement applies to all projects funded under this section, including but not limited to projects under subdivision 3, clauses (a), (b), (c), (h), (k), (l), and (m), subdivision 4, clause (b), subdivision 5, clause (a), and subdivision 8, clauses (e), (g), and (n).

Subd. 13. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation must submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided in this subdivision may be spent unless the commission has approved the pertinent work program. Upon request from the commission, the agency head shall submit an evaluation by July 1, 1988, as to whether the program should be incorporated in the next agency budget.

Subd. 14. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their

	1988	1989
	\$	\$

positions must be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

Subd. 15. Federal Reimbursement Account	500,000	500,000
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This appropriation is for the spending purposes in the natural resources federal reimbursement account in Minnesota Statutes, section 86.72.

Sec. 31. LABOR AND INDUSTRY

Subdivision 1. Total Appropriation	15,988,100	14,669,700
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	1988	1989
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Approved Complement-		
	337	309.5

General-		
	69	41.5

Special Revenue-		
	33	33

Federal-		
	42.5	42.5

Workers' Compensation -		
	192.5	192.5

Summary by Fund

General		
	\$ 6,991,000	\$ 5,880,500

Workers' Compensation		
	\$ 7,550,800	\$ 7,456,200

Special Revenue		
	\$ 1,446,800	\$ 1,333,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Employment Standards		
	\$ 909,900	\$ 907,400

	1988	1989
	\$	\$
Subd. 3. Workers' Compensation Regulation and Enforcement		
	\$3,893,400	\$3,857,000

\$234,000 the first year and \$207,900 the second year from the special workers' compensation fund and a complement of five the first year and five the second year are for additional referees and clerical support staff to facilitate the resolution of disputes in settlement conference proceedings shall be available until June 30, 1991.

This appropriation is from the special compensation fund.

Subd. 4. Workers' Compensation State Claims Management		
	\$1,714,600	\$1,771,300

Until June 30, 1989, the commissioner of labor and industry may provide a workers' compensation insurer or self-insured employer direct computer access to workers' compensation data other than private data on individuals on file with the commissioner, upon receipt of a fee in an amount determined by the commissioner to be sufficient to cover the direct and indirect costs of providing the access. Fee receipts must be deposited in the state treasury and credited to a special account in the special revenue fund and are appropriated to the commissioner to pay only the direct and indirect costs of providing the access.

\$300,000 the first year and \$300,000 the second year are for payment of peace officer survivor benefits under Minnesota Statutes, section 176B.04. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 5. Workers' Compensation Special Compensation Fund		
	\$3,404,800	\$3,403,800

1988

1989

\$

\$

Of this appropriation \$1,404,800 the first year and \$1,403,800 the second year are from the special compensation fund.

\$2,000,000 the first year and \$2,000,000 the second year are for reimbursement of the special compensation fund under Minnesota Statutes, section 176.183, subdivision 2.

\$197,000 the first year and \$197,000 the second year is from the special compensation fund for enforcement of the mandatory insurance requirements contained in Minnesota Statutes, chapter 176. This appropriation includes money to pay for an investigator to assist the department in its insurance enforcement efforts.

Subd. 6. Code Enforcement

\$ 1,397,600 \$ 1,283,300

This appropriation is from the special revenue fund.

Subd. 7. OSHA

\$ 1,237,900 \$ 74,300

Summary by Fund

General

\$ 1,188,200 \$ 24,600

Special Revenue

\$ 49,700 \$ 49,700

\$49,700 the first year and \$49,700 the second year are from the special revenue fund for passenger elevator inspection.

Subd. 8. General Support

\$ 2,234,300 \$ 2,232,200

Summary by Fund

General

\$ 853,000 \$ 952,400

	1988	1989
Workers' Compensation	\$	\$
\$ 1,381,300	\$ 1,379,800	

Subd. 9. Information Management Services	\$ 1,196,600	\$ 1,140,400
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Summary by Fund		
General	\$ 325,300	\$ 324,800

Workers' Compensation	\$ 871,300	\$ 815,600
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Sec. 32. WORKERS' COMPENSATION COURT OF APPEALS	755,200	738,500
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Approved Complement - 15

This appropriation is from the workers' compensation special compensation fund.

Sec. 33. MEDIATION SERVICES	1,557,600	1,656,100
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Approved Complement - 26

\$200,000 the first year and \$275,000 the second year are for grants to area labor-management committees. The unencumbered balance remaining in the first year does not cancel but is available for the second year.

Sec. 34. MILITARY AFFAIRS

Subdivision 1. Total Appropriation	6,201,100	6,203,400
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Approved Complement - 322.8

General - 136.8

Federal - 186.0

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

	1988	1989
	\$	\$
Subd. 2. Maintenance of Training Facilities		
	\$ 4,890,900	\$ 4,881,900
Subd. 3. General Support		
	\$ 1,310,200	\$ 1,321,500

\$75,000 the first year and \$75,000 the second year are for expenses of military forces ordered to active duty under Minnesota Statutes, chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 35. VETERANS AFFAIRS

Subdivision 1. Total Appropriation \$15,584,300 \$15,280,800

Approved Complement - 408.5

General - 41.0

Special - 367.5

	Summary by Fund	
General		
	\$ 7,584,300	\$ 7,280,800
Special Revenue		
	\$ 8,000,000	\$ 8,000,000
Transfers to Other Direct		
	(\$ 5,068,300)	(\$ 4,765,200)

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Veterans Benefits and Services		
	\$ 2,516,000	\$ 2,515,600

During the biennium, in administering veterans benefits programs the commissioner shall ensure that veterans participate in all federally funded ben-

	1988	1989
efit programs to the maximum extent possible before receiving assistance under state funded programs.	\$	\$

\$30,000 the first year and \$30,000 the second year is for purchase of bronze star grave markers.

\$988,100 the first year and \$988,100 the second year are for emergency financial and medical needs of veterans. For the biennium ending June 30, 1989, the commissioner shall limit financial assistance to veterans and dependents to six months, unless recipients have been certified as ineligible for other benefit programs. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$38,500 the first year and \$38,500 the second year are for war veterans and war orphans education aid, to be spent under Minnesota Statutes, section 197.75.

\$31,600 the first year and \$31,500 the second year are for the veterans affairs office in Duluth, which the commissioner shall continue during the biennium ending June 30, 1989.

Subd. 3. Veterans Homes

\$13,068,300	\$12,765,200
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\$200,000 of unencumbered balances in the appropriations in Laws 1985, First Special Session chapter 13, section 37, subdivision 2, specified for emergency financial and medical needs of veterans is transferred to the fiscal year 1987 Minneapolis Veterans Home program budget for emergency repairs and equipment needed to correct cited deficiencies at the home.

Summary by Fund

General

\$ 5,068,300	\$ 4,765,200
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	1988	1989
	\$	\$
Transfers to Other Direct		
(\$ 5,068,300) (\$ 4,765,200)		
Special Revenue		
\$ 8,000,000 \$ 8,000,000		

The appropriation from the general fund is for transfer by the commissioner of finance to the special revenue fund to support appropriations from the special revenue fund that are not fully supported by income from the federal government and charges to residents.

Sec. 36. INDIAN AFFAIRS COUNCIL	309,300	308,900
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Approved Complement - 7

\$25,000 the first year and \$25,000 the second year is for the purpose of enabling the council to carry out the tasks of identifying, relocating or preserving the Indian burial grounds as required by Minnesota Statutes, section 307.08. The council is to work cooperatively with the Minnesota state historical society in performing these tasks.

During the biennium, the data collected by this activity that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system's geographic and summary data bases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by this activity.

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind

	1988	1989
contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.	\$	\$

Sec. 37. COUNCIL ON AFFAIRS OF
SPANISH-SPEAKING PEOPLE

134,300

134,500

Approved Complement - 3

..... credited to the ten percent nonstate match requirement in the subsequent fiscal year.

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 38. COUNCIL ON BLACK MINNESOTANS

148,700

148,700

Approved Complement - 3.5

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not

	1988	1989
	\$	\$
receiving a nonpublic match shall cancel to the general fund at the end of the biennium.		

Sec. 39. COUNCIL ON ASIAN-PACIFIC MINNESOTANS	130,000	130,000
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Approved Complement - 3

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 40. COUNCIL FOR THE HANDICAPPED	418,900	419,500
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Approved Complement - 10

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 41. SALARY SUPPLEMENT	18,260,200	18,260,200
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Subdivision 1. Appropriations

	1988	1989
	\$	\$

Except as limited by the direct appropriations made in this section, the amounts necessary to pay compensation and economic benefit increases covered by this section are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1988, and June 30, 1989. In the case of salaries that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

(a) General Fund

\$12,376,700	\$12,376,700
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Part of the appropriation from the general fund may be transferred to the special revenue fund and is appropriated to meet the salary supplement needs of positions formerly paid from the general fund.

(b) Game and Fish Fund

\$ 568,500	\$ 568,500
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(c) Trunk Highway Fund

\$ 5,170,000	\$ 5,170,000
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(d) Highway User Tax Distribution Fund

\$ 145,000	\$ 145,000
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Subd. 2. Increases Covered

The compensation and economic benefit increases covered by this section are those paid to classified and unclassified employees and officers in the executive, judicial, and legislative branches of state government, and to employees of the Minnesota historical society who are paid from state appropriations, if the increases are required by existing law or authorized by law during the 1987 session of the legislature or by appropriate resolutions for employees

	1988	1989
	\$	\$
of the legislature, or are given interim approval by the legislative commission on employee relations under Minnesota Statutes, sections 3.855 and 43A.18 or 179A.22, subdivision 4, or have been recommended by the compensation council that met in 1984.		

The salaries for certain agency heads recommended for approval by the legislative commission on employee relations on March 31, 1987, are ratified retroactive to January 16, 1987.

Within the provisions of the managerial plan approved under Minnesota Statutes, section 43A.18, an agency may not authorize aggregate performance increases for its managers that exceed an average of five percent in each year of the biennium ending June 30, 1989. An agency that granted increases less than the average increases authorized by all state agencies during the biennium ending June 30, 1987, may exceed this limit by the amount that its increases were less than the average increases authorized by all state agencies during the biennium ending June 30, 1987.

Subd. 3. Notice

During the biennium, the commissioner of finance shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.

Sec. 42. GENERAL CONTINGENT ACCOUNTS

800,000

100,000

	1988	1989
	\$	\$

The appropriations in this section must be spent with the approval of the governor after consultation with the legislative advisory commission under Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund

General

\$ 100,000	\$ 100,000
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Special Revenue

\$ 500,000	\$ 0
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Workers' Comp.

\$ 200,000	\$ 0
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Part of the appropriation from the general fund may be transferred to the special revenue fund and is appropriated to meet the general contingent needs of appropriations made from the general fund during the 1985-1987 biennium.

Sec. 43. TORT CLAIMS

318,000

318,000

To be spent by the commissioner of finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund General

\$ 303,000	\$ 303,000
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Game and Fish

\$ 15,500	\$ 15,500
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Sec. 44. MINNESOTA STATE RETIREMENT SYSTEM

23,191,000

24,158,000

The amounts estimated to be needed for each program are as follows:

	1988	1989
(a) Legislators	\$	\$
	\$ 2,155,000	\$ 2,161,000

Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.11.

(b) Judges	\$ 2,650,000	\$ 2,875,000
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Under Minnesota Statutes, sections 490.106; and 490.123, subdivision 1.

(c) Constitutional Officers	\$ 142,000	\$ 157,000
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Under Minnesota Statutes, sections 352C.031, subdivision 5; 352C.04, subdivision 3; and 352C.09, subdivision 2.

(d) State Employee Supplemental Benefits	\$ 23,000	\$ 21,000
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Under Minnesota Statutes, section 352.73.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 45. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION	30,000	30,000
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This appropriation is for supplemental benefits under Minnesota Statutes, section 353.83.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 46. MINNEAPOLIS EMPLOYEES RETIREMENT FUND	10,654,000	11,375,000
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The appropriation is to the commissioner of finance for payment to the Minneapolis employees retirement

	1988	1989
	\$	\$
fund under Minnesota Statutes, section 422A.101, subdivision 3.		

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 47. POLICE AND FIRE AMORTIZATION AID	7,537,000	7,537,000
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The appropriation is to the commissioner of finance for state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations, under Minnesota Statutes, section 423A.02. If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 48. DEBT SERVICE	147,049,800	144,507,000
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The appropriation is for transfer by the commissioner of finance to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 49. DEFICIENCY APPROPRIATIONS

Subdivision 1. Appropriations

The sums set forth in columns designated "APPROPRIATIONS" are appropriated from the General Fund, or any

	1988	1989
	\$	\$

other fund designated, to the agencies and for the purposes specified in the following sections of this act to be available for the fiscal year indicated for each purpose. The figure 1987, wherever used in this act, means that the appropriations listed under this year shall be available for the year ending June 30, 1987.

Summary by Fund

	1987
General	\$ 3,666,500
Trunk Highway	284,755
Workers' Compensation Special	18,300
Direct Appropriated Special	395,000

APPROPRIATION

1987

Subd. 2. Trial Courts

\$ 394,500

(a) Salaries, fringe and Workers' Compensation.

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 5, subdivision 2, for district and county judges.

Subd. 3. Attorney General

\$ 584,755

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 14.

(a) Legal expense in bankruptcy proceeding of LTV corporation and Reserve Mining \$300,000 to be added to subdivision 5.

(b) Legal services to dedicated funds — the sum of \$284,755 is appropriated from the trunk highway fund for transfer by the commissioner of finance to the general fund on June 30, 1987, in order to reimburse the general fund for

expenses not related to the fund, to be added to subdivision 7.

Subd. 4. Labor and Industry.

\$1,032,000

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 32.

(a) Reinsurance Premium for Workers.

Compensation state employee claims management program, \$1,032,000, is added to subdivision 4.

Subd. 5. Workers' Compensation Court of Appeals

\$ 18,300

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 33. This appropriation is from the workers' compensation special compensation fund.

Subd. 6. Veterans Affairs

\$ 395,000

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 37. The sum of \$395,000 is appropriated from the direct appropriated special revenue fund to provide salaries for nursing staff, patients' food, and workers' compensation payments.

Subd. 7. Transfer of Lands

\$ 740,000

To be disbursed by the Commissioner of Finance and to remain available until the transfer of lands authorized by Minnesota Laws 1984, chapter 539, and Minnesota Laws 1986, chapter 429 is completed.

Of this amount, up to \$650,000 is for condemnation awards related to reimbursement of the permanent school fund for up to 1,500 acres of school and other trust fund lands which must be condemned in order to complete the transfer authorized by Laws 1984, chapter 539 and Laws 1986, chapter 429. The remaining amount may be used for costs and other expenses associated with the condemnation and transfer.

Subd. 8. Firefighting

\$ 900,000

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 23, subdivision 7, for the purposes of firefighting.

Sec. 50. [SPECIAL APPROPRIATION.]

\$300,000 is appropriated from the general fund for fiscal year 1987 to a contingency account in the governor's office for the purpose of preparing an application to the Department of Energy for Minnesota to become the site of the superconducting supercollider. The governor's office shall seek out private funding and shall make use of the full services of the state planning agency in preparing the application. These funds shall be available until January 1, 1988.

Sec. 51. [TRANSFERS.]

Subdivision 1. [GENERAL PROCEDURE.] If the appropriation in this act to an agency in the executive branch is specified by program, the agency may transfer unencumbered balances among the programs specified in that section after getting the approval of the commissioner of finance. The commissioner shall not approve a transfer unless the commissioner believes that it will carry out the intent of the legislature. The transfer must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives. If the appropriation in this act to an agency in the executive branch is specified by activity, the agency may transfer unencumbered balances among the activities specified in that section using the same procedure as for transfers among programs.

Subd. 2. [CONSTITUTIONAL OFFICERS.] A constitutional officer need not get the approval of the commissioner of finance but must notify the committee on finance of the senate and the committee on appropriations of the house of representatives before making a transfer under subdivision 1.

Subd. 3. [TRANSFER PROHIBITED.] If an amount is specified in this act for an item within an activity, that amount must not be transferred or used for any other purpose.

Sec. 52. [STUDY OF MANAGEMENT OF VETERANS HOMES.]

Subdivision 1. [STUDY ESTABLISHED.] The commissioner of administration shall conduct or arrange for a study of the management and operation of the Minnesota Veterans Homes. The purpose of the study is to provide the legislature with an accurate assessment of the management of the home and a comprehensive appraisal of any deficiencies or problems that need to be addressed. It

is the intent of the legislature to assure that the care and services provided to the veterans in these homes is of high quality and that the quality of life for the veterans is enhanced and maintained while residing in the home.

Subd. 2. [STUDY GUIDELINES.] The study shall evaluate the following: the role and responsibilities of the governing body, administrator, and management staff at the home; the relationships between the governing body, administrator and management staff located in each home; the span of control and authority delegated to the management staff at the home; the effectiveness of the management practices at the home; the direct care and other support personnel staffing patterns and assignments throughout all units in the home; the admission criteria and practices; the assessment of the care and service needs of the residents; the utilization of state operated veterans homes compared to the utilization of community based and operated long-term care facilities for the veteran population; the relationship of the home with the federal Veterans Administration regulatory programs; the relationship with the federal regulatory programs with the state regulatory programs; the programmatic and fiscal advantages or disadvantages of medical assistance certification for the veterans home; the utilization of a preadmission screening program for the home; and any other factors that are necessary for an accurate and complete assessment of the role, operation, and management of the home.

Subd. 3. [REPORT.] The commissioner of administration may contract with a person or organization knowledgeable in long-term health care facility management. The commissioners of health and human services shall assist the commissioner of administration in conducting this study. The commissioner of administration shall report to the legislature with specific findings and recommendations by February 1, 1988.

Subd. 4. [ASSESSMENTS.] The commissioner of veterans affairs shall complete an assessment of the care and services needed by all residents of all units in the homes. These assessments shall be conducted in accordance with the procedures used by the department of health for the assignment of resident case mix reimbursement classifications. These assessments shall be completed for all residents by September 1, 1987, and for all residents admitted after that date or the date of completion of the assessments whichever comes first. The commissioner of health shall provide the commissioner of veterans affairs with any necessary assistance required to train staff to perform these assessments. The assessments shall be available to the commissioners of health, human services, and administration for the purpose of completing the management study of the veterans home.

Sec. 53. [INCREASED RENTAL COSTS OR SPACE.]

An agency or department head must consult with the chairs of the house appropriations and senate finance committees before entering into any agreement that would cause an agency's rental costs to increase by ten percent or more per square foot or would increase the number of square feet of office space rented by the agency by 25 percent or more in any fiscal year.

Sec. 54. [BUILDING FUND APPROPRIATION; TRANSFER.]

Subdivision 1. Notwithstanding any other law, the commissioner of administration may transfer unencumbered balances existing on May 15, 1987, in a project account for the building fund appropriations listed in subdivision 2 to the project enumerated in Laws 1983, chapter 344, section 2(j). The money transferred under this section is appropriated for the purposes for which it is transferred and may be used for the retention of outside technical and legal expertise in the matter of the resolution of any claims that arose out of the project to which the original appropriation was made. The commissioner must report to the chairs of the house appropriations committee and the senate finance committee on any transfer made under this section.

Subd. 2. Subdivision 1 applies to appropriations made by the following laws: Laws 1973, chapter 777, section 14(c); Laws 1973, chapter 778, section 5(1); Laws 1976, chapter 348, section 2, subdivision 2; Laws 1978, chapter 791, section 2(k); Laws 1978, chapter 791, section 2(t); Laws 1978, chapter 792, section 4(a) and 4(f) and 15(a); Laws 1979, chapter 338, section 6; and Laws 1981, chapter 4, section 2, subdivision 8 and section 6; and Laws 1981, chapter 361, section 2(a); and Laws 1981, chapter 362, section 3; and Laws 1982, chapter 639, section 7.

Sec. 55. Minnesota Statutes 1986, section 2.722, subdivision 1, is amended to read:

Subdivision 1. [DESCRIPTION.] Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; ~~nine~~ 13 judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 13 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; 22 judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 24 53 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; six judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; 49 20 judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahanomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; 24 30 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places designated by the chief judge of the district.

Sec. 56. Minnesota Statutes 1986, section 3.099, subdivision 3, is amended to read:

Subd. 3. Commencing with the start of the legislative session in 1979, the senate committee on rules and administration for the senate and the house committee on rules and legislative administration for the house may each designate for their respective body up to three leadership positions to receive up to 140 percent of the compensation of other members.

At the commencement of each biennial legislative session, each house of the legislature shall adopt a resolution designating the majority and minority leader of that respective body.

The majority leader shall be that person elected by a caucus of members in each house which constitutes the largest political affiliation within that body and the minority leader shall be that

person elected by a caucus of members in each house which constitutes the second largest political affiliation within that body.

Sec. 57. Minnesota Statutes 1986, section 3.30, subdivision 2, is amended to read:

Subd. 2. [MEMBERS; DUTIES.] The chair of the senate committee on taxes and tax laws, the chair of the senate committee on finance, the chair of the house committee on taxes and tax laws, and the chair of the house committee on appropriations shall constitute the legislative advisory commission. The governor shall preside over the meetings of the commission but shall not be a member thereof. The chair of the senate committee on finance and the chair of the senate subcommittee on finance responsible for overseeing the items being considered by the commission and the chair of the house committee on appropriations and the chair of the division of the house appropriations committee responsible for overseeing the items being considered by the commissioner constitute the legislative advisory commission. The subcommittee chair of the finance committee in the senate and the division chair of the appropriations committee in the house shall rotate according to the items being considered by the commission. If any of the legislative members elect not to serve on the commission, the house of which they are members, if in session, shall select some other member for such vacancy. If the legislature is not in session, vacancies in the legislative membership of the commission shall be filled by the last speaker of the house or, if the speaker be not available, by the last chair of the house rules committee, in case of a house vacancy, and by the last senate committee on committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of finance shall act as secretary of the commission and shall keep a permanent record and minutes of its proceedings, which shall be public records. The commissioner of finance shall transmit, under the provisions of section 3.195, a report to the next legislature of all actions of said commission. The members of the commission shall receive traveling and subsistence expenses in attending meetings of the commission. The commission shall meet from time to time upon the call of the governor or upon the call of the secretary at the request of three or more of its members.

Sec. 58. Minnesota Statutes 1986, section 3.85, subdivision 12, is amended to read:

Subd. 12. [VALUATIONS AND REPORTS TO LEGISLATURE.]
(a) The commission shall contract with an established actuarial consulting firm to conduct annual valuations and financial adequacy studies for the funds specified in (b). The contract shall also include provisions for performing cost analyses of proposals for changes in benefit and funding policies.

(b) The plans which shall be included in the contract for valuation and analysis are:

- (1) the Statewide Teachers Retirement Association;
- (2) the General Plan, Minnesota State Retirement System;
- (3) the Correctional Plan, Minnesota State Retirement System;
- (4) the State Patrol Plan, Minnesota State Retirement System;
- (5) the Judges Plan, Minnesota State Retirement System;
- (6) the Minneapolis Employees Retirement Fund;
- (7) the General Plan, Public Employees Retirement Association;
- (8) the Police and Fire Plan, Public Employees Retirement Association;
- (9) the Duluth Teachers Retirement Association;
- (10) the Minneapolis Teachers Retirement Association;
- (11) the St. Paul Teachers Retirement Association; and
- (12) the Legislator's Retirement Plan; and
- (13) the Elective State Officers Retirement Plan.

(c) The contract shall include the following:

(1) Every year beginning in fiscal year 1986, the contract shall specify completion of standard valuations for the preceding fiscal year with contents as described in section 356.215, subdivisions 4 to 4k; and cash flow forecasts through the amortization target date. For funds using a calendar year valuation period the first valuation shall be for the period ending December 31, 1985.

(2) Every four years, beginning in fiscal year 1988, the contract shall specify completion of an experience study for the four-year period ending June 30 of the preceding fiscal year. The experience study shall evaluate the appropriateness of continuing to use for future valuations the assumptions relating to: individual salary progression; rate of return on investments; payroll growth; mortality; withdrawal; disability; retirement; and any other experience-related factor that could impact the future financial condition of the retirement funds.

(d) The commission shall annually prepare a report to the legislature summarizing the results of the valuations and cash flow projections and shall include with its report recommendations

concerning the appropriateness of the support rates to achieve proper funding of the retirement funds by the required funding dates. It shall also, within two months of the completion of the quadrennial experience studies, prepare a report to the legislature on the appropriateness of the valuation assumptions listed in paragraph (c), clause (2).

(e) The commission shall assess the retirement plans specified in paragraph (b) other than clauses (12) and (13) the cost of their actuarial valuations and of their experience studies. The assessment shall be that part of the amount of contract compensation with the actuarial consulting firm retained by the commission specified for these functions that bears the same relationship that the total active, deferred, inactive, and benefit recipient membership of the retirement plan bears to the total active, deferred, inactive, and benefit recipient membership of all retirement plans specified in paragraph (b). The assessment shall be made upon the completion of the actuarial valuations and the experience studies. The amount of the assessment is appropriated from the retirement fund applicable to the retirement plan. Receipts from assessments shall be deposited in the state treasury and credited to the general fund.

Sec. 59. [3.885] [LEGISLATIVE COMMISSION ON FISCAL POLICY.]

Subdivision 1. [CREATION AND MEMBERSHIP.] An 18-member legislative commission on fiscal policy is created. The commission consists of nine senate members, including six appointed by the committee on rules and administration and three appointed by the minority leader, nine house members, including six appointed by the speaker and three appointed by the minority leader. With the exception of the term beginning in 1987 which shall run until June 30, 1989, members shall be appointed for a two-year term beginning January 15 of each odd-numbered year. Vacancies on the commission shall be filled in the same manner as original appointments. The commission shall elect a chair and a vice-chair from among its members. The chair shall alternate between a member of the senate and a member of the house in January of each odd-numbered year.

Subd. 2. [COMPENSATION.] Members of the commission shall be compensated in the manner provided by section 3.101.

Subd. 3. [STAFF.] The council may hire staff necessary to carry out its duties and shall also use other legislative staff. The legislative coordinating commission shall provide office space and administrative support to the commission. The commissioners of finance and revenue shall supply the commission with information upon request of the chair.

Subd. 4. [DUTIES.] The commission shall study and evaluate the total level of expenditure by state government and the sources of

revenue that support these expenditures. In performing this duty the commission shall consider, among other things:

(1) the relative dependence on state tax revenues, federal funds, and user fees to support state-funded programs, and whether the existing mix of revenue sources is appropriate, given the purposes of the programs;

(2) the relative percentages of state expenditures that are devoted to major programs such as education, assistance to local government, aid to individuals, state agencies and institutions, and debt service; and

(3) the role of the legislature in overseeing state government expenditures, including legislative appropriation of money from the general fund, legislative appropriation of money from funds other than the general fund, state agency receipt of money into revolving and other dedicated funds and expenditure of money from these funds, and state agency expenditure of federal funds.

As necessary, the commission shall recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures. The commission may also make recommendations for changes in the design or continuing operation of programs. The commission's recommendations must consider the long-term needs of the state. The recommendations shall not duplicate work done by standing committees of the senate and house of representatives.

The commission shall report to the legislature on its activities and recommendations by January 15 of each odd-numbered year.

Sec. 60. Minnesota Statutes 1986, section 3C.11, subdivision 2, is amended to read:

Subd. 2. [PAMPHLETS.] The revisor's office shall compose, print, and deliver pamphlets containing parts of Minnesota Statutes, parts of Minnesota Rules, or combinations of parts of the statutes and rules as may be necessary for the use of public officers and departments. The revisor's office shall use a standard form for the pamphlets. The cost of composition, printing, and delivery of the pamphlets, together with a reasonable fee for the revisor's services, is to be borne by the office or department requesting them. The printing must be limited to actual needs as shown by experience or other competent proof. Revenue from the revisor's fee shall be deposited in the general fund.

Sec. 61. Minnesota Statutes 1986, section 3C.12, subdivision 7, is amended to read:

Subd. 7. [SALE PRICE.] The revisor shall fix the a reasonable sale price of an edition of Minnesota Statutes, supplement to Minnesota Statutes, or edition of Laws of Minnesota according to the limits of this subdivision. The sale price for a newly published edition of Minnesota Statutes is the actual cost of composition, printing, binding, and distribution of all books ordered, but not less than \$75. The sale prices of each newly published edition of the Laws of Minnesota and supplement to Minnesota Statutes are not less than the actual cost of composition, printing, binding, and distribution of all books ordered, but not less than \$10. Revenue from the sale of the Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota must be deposited in the revisor's account general fund.

Sec. 62. [5.23] [TRANSACTION SURCHARGE.]

The secretary of state may impose a surcharge of \$2 on each transaction that takes place at the office of the secretary of state.

Sec. 63. Minnesota Statutes 1986, section 8.15, is amended to read:

8.15 [ATTORNEY GENERAL COSTS.]

The attorney general in consultation with the commissioner of finance shall assess executive branch agencies the cost of a fee for legal services rendered to them. The assessment against appropriations from other than the general fund must be the full amount of the cost fee. The assessment against appropriations supported by fees must be included in the fee calculation. Unless appropriations are made for these fee supported costs, no payment by the agency is required. ~~The assessment against appropriations from the general fund not supported by fees must be one-fourth of the cost.~~ Receipts from assessments must be deposited in the state treasury and credited to the general fund.

Sec. 64. Minnesota Statutes 1986, section 14.07, subdivision 1, is amended to read:

Subdivision 1. [RULE DRAFTING ASSISTANCE PROVIDED.]

(a) The revisor of statutes shall:

(1) maintain an agency rules drafting department to draft or aid in the drafting of rules or amendments to rules for any agency in accordance with subdivision 3 and the objective or other instructions which the agency shall give the revisor; and,

(2) prepare and publish an agency rules drafting guide which shall set out the form and method for drafting rules and amendments to rules, and to which all rules shall comply.

(b) The revisor shall assess an agency for the actual cost of providing aid in drafting rules or amendments to rules. The agency shall pay the assessment using the procedures of section 3C.056. Each agency shall include in its budget money to pay the revisor's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the revisor's account.

(c) An agency may not contract with an attorney, consultant, or other person either to provide rule drafting services to the agency or to advise on drafting unless the revisor determines that special expertise is required for the drafting and the expertise is not available from the revisor or the revisor's staff.

Sec. 65. Minnesota Statutes 1986, section 14.07, subdivision 2, is amended to read:

Subd. 2. [APPROVAL OF FORM.] No agency decision to adopt a rule or emergency rule, including a decision to amend or modify a proposed rule or proposed emergency rule, shall be effective unless the agency has presented the rule to the revisor of statutes and the revisor has certified that its form is approved. The revisor shall assess an agency for the actual cost of processing rules for consideration for approval of form. The assessments must include necessary costs to create or modify the computer data base of the text of a rule and the cost of putting the rule into the form established by the drafting guide provided for in subdivision 1. The agency shall pay the assessments using the procedures of section 3C.056. Each agency shall include in its budget money to pay revisor's assessments. Receipts from the assessments must be deposited in the state treasury and credited to the revisor's account.

Sec. 66. Minnesota Statutes 1986, section 14.08, is amended to read:

14.08 [REVISOR OF STATUTE'S APPROVAL OF RULE FORM.]

(a) Two copies of a rule adopted pursuant to the provisions of section 14.26 or 14.32 shall be submitted by the agency to the attorney general. The attorney general shall send one copy of the rule to the revisor on the same day as it is submitted by the agency under section 14.26 or 14.32. Within five days after receipt of the rule, excluding weekends and holidays, the revisor shall either return the rule with a certificate of approval of the form of the rule to the attorney general or notify the attorney general and the agency that the form of the rule will not be approved.

If the attorney general disapproves a rule, the agency may modify it and the agency shall submit two copies of the modified rule to the attorney general who shall send a copy to the revisor for approval as to form as described in this paragraph.

(b) One copy of a rule adopted after a public hearing shall be submitted by the agency to the revisor for approval of the form of the rule. Within five working days after receipt of the rule, the revisor shall either return the rule with a certificate of approval to the agency or notify the agency that the form of the rule will not be approved.

(c) If the revisor refuses to approve the form of the rule, the revisor's notice shall revise the rule so it is in the correct form.

(d) The attorney general and the revisor of statutes shall assess an agency for the actual cost of processing rules under this section. The agency shall pay the revisor's assessments using the procedures of section 3C.056. Each agency shall include in its budget money to pay the revisor's and the attorney general's assessments. Receipts from the assessment must be deposited in the state treasury and credited to the revisor's account or the general fund as appropriate.

Sec. 67. Minnesota Statutes 1986, section 14.47, subdivision 8, is amended to read:

Subd. 8. [SALES AND DISTRIBUTION OF COMPILATION.] Any compilation, reissue, or supplement published by the revisor shall be sold by the revisor for a reasonable fee and its proceeds deposited in the revisor's account general fund. An agency shall purchase from the revisor the number of copies of the compilation or supplement needed by the agency. The revisor shall provide without charge copies of each edition of any compilation, reissue, or supplement to the persons or bodies listed in this subdivision. Those copies must be marked with the words "State Copy" and kept for the use of the office. The revisor shall distribute:

(a) 25 copies to the office of the attorney general;

(b) 12 copies for the legislative commission for review of administrative rules;

(c) 3 copies to the revisor of statutes for transmission to the Library of Congress for copyright and depository purposes;

(d) 150 copies to the state law library;

(e) 10 copies to the law school of the University of Minnesota; and

(f) one copy of any compilation or supplement to each county library maintained pursuant to section 134.12 upon its request, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 134.12, the copy will be provided to any public library in the county upon its request.

Sec. 68. Minnesota Statutes 1986, section 15.01, is amended to read:

15.01 [DEPARTMENTS OF THE STATE.]

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; the department of education; the department of jobs and training; the department of energy and economic development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; the department of public safety; the department of public service; the department of human services; the department of revenue; the department of transportation; the department of veterans affairs; and their successor departments.

Sec. 69. Minnesota Statutes 1986, section 15.06, subdivision 1, is amended to read:

Subdivision 1. [APPLICABILITY.] This section applies to the following departments or agencies: the departments of administration, agriculture, commerce, corrections, jobs and training, education, employee relations, energy and economic development, finance, health, human rights, labor and industry, natural resources, public safety, public welfare, revenue, transportation, and veterans affairs; the housing finance, state planning, and pollution control agencies; the office of commissioner of iron range resources and rehabilitation; the bureau of mediation services; and their successor departments and agencies. The heads of the foregoing departments or agencies are referred to in this section as "commissioners."

Sec. 70. Minnesota Statutes 1986, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range Effective July 1, 1983
Commissioner of education;	\$57,500-\$70,000
Commissioner of finance;	
Commissioner of transportation;	
Commissioner of human services;	
Executive director, state board of investment;	
Commissioner of administration;	\$50,000-\$60,000

Commissioner of agriculture;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of jobs and training;
Commissioner of employee relations;
Commissioner of energy and economic
development;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of revenue;
Commissioner of public safety;
Chair, waste management board;
Chief administrative law judge;
office of administrative hearings;
Director, pollution control agency;
Director, state planning agency;
Executive director, housing finance agency;
Executive director, public employees
retirement association;
Executive director, teacher's retirement
association;
Executive director, state retirement system;
Chair, metropolitan council;
Chair, regional transit board;
Coordinator of full productivity and
opportunity;
Commissioner of human rights; \$40,000-\$52,500
Director, department of public service;
Commissioner of veterans' affairs;
Director, bureau of mediation services;
Commissioner, public utilities commission;
Member, transportation regulation board.

Sec. 71. Minnesota Statutes 1986, section 16A.127, subdivision 8, is amended to read:

Subd. 8. [EXEMPTION.] This section does not apply to the community college system, state universities, or the state board of vocational technical education. Except for federal funds, this section does not apply to the department of natural resources for agency indirect costs.

Sec. 72. Minnesota Statutes 1986, section 16A.85, is amended by adding a subdivision to read:

Subd. 6. [BUDGET OFFSET.] The commissioner of finance shall reduce the operating budgets of state agencies that use the master

lease program. The amount of the reduction is the difference between the budgeted purchase price of the equipment and the actual master lease payments.

Sec. 73. Minnesota Statutes 1986, section 16B.20, subdivision 2, is amended to read:

Subd. 2. [ADVISORY COUNCIL.] A small business procurement advisory council is created. The council consists of 13 members appointed by the commissioner of administration. A chair of the advisory council shall be elected from among the members. The appointments are subject to the appointments program provided by section 15.0597. The terms and removal of members are as provided in section 15.059, but members do not receive per diem or expenses.

Sec. 74. Minnesota Statutes 1986, section 16B.41, is amended to read:

16B.41 [STATE INFORMATION SYSTEMS ADVISORY TASK FORCE MANAGEMENT OFFICE.]

The commissioner may appoint a state information systems advisory task force to help the department develop and coordinate a state information services master plan and make recommendations to the commissioner concerning the progress, direction, and needs of the state's computerization effort. The task force expires and the terms, compensation, and removal of members are as provided in section 15.059.

Subdivision 1. [ESTABLISHMENT AND PURPOSE.] An office of information systems management is created. The office shall develop and establish a policy and standards for state agencies to follow for the development, purchase, and training for information systems. The purpose of the office is to develop, promote, and coordinate a state technology, architecture, standards and guidelines, information needs analysis techniques, contracts for the purchase of equipment and services, and training of state agency personnel on these issues.

Subd. 2. [RESPONSIBILITIES.] The office has the following duties:

(a) The office must develop and establish a state information architecture to ensure that further state agency development and purchase of information systems equipment and software is directed in such a manner that individual agency information systems complement and do not needlessly duplicate or needlessly conflict with the systems of other agencies. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies. The commissioner of administration must establish interim standards and guidelines by

August 1, 1987. The office must establish permanent standards and guidelines by July 1, 1988. On January 1, 1988, and every six months thereafter, any state agency that has purchased information systems equipment or software in the past six months, or that is contemplating purchasing this equipment or software in the next six months, must report to the office and to the chairs of the house appropriations committee and the senate finance committee on how the purchases or proposed purchases comply with the applicable standards and guidelines.

(b) The office shall assist state agencies in the planning and management of information systems so that an individual information system reflects and supports the state agency's and the state's mission, requirements, and functions.

(c) Beginning July 1, 1988, the office must review and approve all agency requests for legislative appropriations for the development or purchase of information systems equipment or software. Requests may not be included in the governor's budget submitted to the legislature, beginning with the budget submitted in January, 1989, unless the office has approved the request.

(d) Each biennium the office must rank in order of priority agency requests for new appropriations for development or purchase of information systems equipment or software. The office must submit this ranking to the legislature at the same time, or no later than 14 days after, the governor submits the budget message to the legislature.

(e) Beginning July 1, 1989, the office must define, review, and approve major purchases of information systems equipment to (1) ensure that the equipment follows the standards and guidelines of the state information architecture; (2) ensure that the equipment is consistent with the information management principles adopted by the information policy council; (3) evaluate whether or not the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing; and (4) ensure the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency. The commissioner of finance may not allot funds appropriated for major purchases of information systems equipment until the office reviews and approves the proposed purchase.

(f) The office shall review the operation of information systems by state agencies and provide advice and assistance so that these systems are operated efficiently and continually meet the standards and guidelines established by the office.

Subd. 3. The office shall function as a division of the department of administration until June 30, 1988. Effective July 1, 1988, the

office and all of its responsibilities are transferred to the state planning agency under section 15.039. The commissioner of administration shall appoint an interim office director and other interim staff and provide the necessary administrative support to the office. The employees and director shall serve in the unclassified service through June 30, 1988. On July 1, 1988, the employee positions established by this section, except the position of director, shall be placed in the classified service. The position of director shall remain in the unclassified service. After July 1, 1988, the director of the state planning agency is responsible for these duties and for appointing the employees and the task force.

Subd. 4. [ADVISORY TASK FORCE.] The commissioner ~~may~~ must appoint a state information systems advisory task force to help ~~the department~~ develop and coordinate a state information services master plan architecture that is consistent with the information management direction developed by the information policy council, and make recommendations to the commissioner concerning the progress, direction, and needs of the state's computerization effort information systems. The task force must include representatives of state agencies, the supreme court, higher education systems, librarians, and private industry. The task force must also have two members of the house of representatives appointed by the speaker of the house and two members of the senate appointed by the senate committee on committees. No more than one member from the house of representatives and one from the senate shall be chosen from the same political party. The task force expires and the terms, compensation, and removal of nonlegislative members are as provided in section 15.059.

Sec. 75. Minnesota Statutes 1986, section 16B.42, subdivision 4, is amended to read:

Subd. 4. [FUNDING.] Appropriations and other funds made available to the council for staff, operational expenses, and grants must be administered through the department of administration. Fees charged to local units of government for the administrative costs of the council and revenues derived from royalties, reimbursements, or other fees from software programs, systems, or technical services arising out of activities funded by current or prior state appropriations must be credited to an account in the special revenue fund and are appropriated to the council for the purposes enumerated in subdivision 2. General fund appropriations for the council may also be credited by the commissioner of administration to the account in the special revenue fund. The unencumbered balance of an appropriation for grants in the first year of a biennium does not cancel but is available for the second year of the biennium.

Sec. 76. [43A.316] [PUBLIC EMPLOYEES INSURANCE PLAN.]

Subdivision 1. [INTENT.] The legislature finds that the creation of a statewide plan to provide public employees and other eligible

persons with life insurance and hospital, medical, and dental benefit coverage through provider organizations would result in a greater utilization of government resources and would advance the health and welfare of the citizens of the state.

Subd. 2. [DEFINITIONS.] For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) [COMMISSIONER.] "Commissioner" means the commissioner of the department of employee relations.

(b) [EMPLOYEE.] "Employee" means (1) a person who is a public employee within the definition of section 179A.03, subdivision 14, and is employed by an eligible employer or (2) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner.

(c) [ELIGIBLE EMPLOYER.] "Eligible employer" means

(1) a public employer within the definition of section 179A.03, subdivision 15, that is a town, county, city, school district as defined in section 120.02, educational cooperative service unit as defined in section 123.58, intermediate district as defined in section 136C.02, subdivision 7, cooperative center for vocational education as defined in section 123.351, regional management information center as defined in section 121.935, or an education unit organized under the joint powers action, section 471.59; or

(2) an exclusive representative of employees, as defined in paragraph (b); or

(3) another public employer approved by the commissioner.

(d) [EXCLUSIVE REPRESENTATIVE.] "Exclusive representative" means an exclusive representative as defined in section 179A.03, subdivision 8.

(e) [LABOR-MANAGEMENT COMMITTEE.] "Labor-management committee" means the committee established by subdivision 4.

(f) [PLAN.] "Plan" means the statewide public employees insurance plan created by subdivision 3.

Subd. 3. [PUBLIC EMPLOYEE INSURANCE PLAN.] There is created the "public employee insurance plan." The commissioner shall be the administrator of the plan. The commissioner shall model the plan after the plan established in section 43A.18, subdi-

vision 2, but may modify that plan, in consultation with the labor management committee.

Subd. 4. [LABOR-MANAGEMENT COMMITTEE.] There is created a labor-management committee of ten members appointed by the commissioner. The labor-management committee shall consist of five members who represent employees, including at least one retired employee, and five members who represent eligible employers. The commissioner shall consult with the labor-management committee in major decisions that affect the plan. The committee shall study issues relating to the insurance plan including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency.

Subd. 5. [PUBLIC EMPLOYEE PARTICIPATION.] Participation in the plan is subject to the conditions in this subdivision.

(a) Each exclusive representative for an eligible employer determines whether the employees it represents shall participate in the plan. The exclusive representative must give the employer notice of intent to participate at least 90 days before the expiration date of the collective bargaining agreement preceding the collective bargaining agreement that covers the date of entry into the plan. The exclusive representative and the eligible employer shall give notice to the commissioner of the determination to participate in the plan at least 90 days prior to entry into the plan. Entry into the plan shall be according to a schedule established by the commissioner.

(b) Employees not represented by exclusive representatives may become members of the plan upon a determination of an eligible employer to include these employees in the plan. Either all or none of the employer's unrepresented employees must participate. The eligible employer shall give at least 90 days' notice to the commissioner prior to entering the plan. Entry into the plan shall be according to a schedule established by the commissioner.

(c) Participation in the plan shall be for a three-year term if coverage begins in an even-numbered year and a four-year term if coverage begins in an odd-numbered year. Participation is automatically renewed for an additional four-year term unless the exclusive representative, or the employer for unrepresented employees, gives the commissioner notice of withdrawal at least 90 days prior to expiration of the participation period. A group that withdraws must wait two years before rejoining.

(d) The exclusive representative shall give the employer notice of intent to withdraw at least 90 days before the expiration date of a collective bargaining agreement that includes the date on which the term of participation expires.

(e) Each participating eligible employer shall notify the commissioner of names of individuals who will be participating within two weeks of the commissioner receiving notice of the parties' intent to participate. The employer must also submit other information as required by the commissioner for administration of the plan.

Subd. 6. [COVERAGE.] By January 1, 1989, the commissioner shall announce the benefits of the plan. The plan shall include employee hospital, medical, dental, and life insurance for employees and hospital and medical benefits for dependents. Health maintenance organization options and other delivery system options shall be provided if they are available, cost effective, and capable of servicing the number of people covered in the plan. Participation in optional coverages may be provided by collective bargaining agreements. For employees not represented by an exclusive representative, the employer may offer the optional coverages to eligible employees and their dependents provided in the plan.

Subd. 7. [PREMIUMS.] The proportion of premium paid by the employer and employee is subject to collective bargaining. Premiums, including an administration fee, shall be established by the commissioner. Each eligible employer shall pay monthly the amounts due for employee benefits including the amounts under subdivision 8 to the commissioner on or before the dates established by the commissioner. Failure to pay may result in cancellation of the benefits.

Subd. 8. [CONTINUATION OF COVERAGE.] (a) A participating employee who is laid off or is on unrequested leave may elect to continue the plan coverage. This coverage is at the expense of the employee unless otherwise provided by a collective bargaining agreement. Premiums for these employees shall be established by the commissioner. Coverage continues until one of the following occurs:

(1) the employee is reemployed and eligible for health care coverage under a group policy; or

(2) the insurance continuation periods required by state and federal laws expire.

(b) A participating employee who retires and is receiving an annuity or is eligible for and has applied for an annuity under chapter 352, 352B, 352C, 352D, 353, 354, 354A, 356, 422A, 423, 423A, 424, or 490 is eligible to continue participation in the plan. An employer shall notify an employee of this option no later than the effective date of retirement. The retired employee shall notify the employer within 30 days of the effective date of retirement of intent to exercise this option.

The spouse of a deceased retired employee may purchase the benefits provided at premiums established by the commissioner if the deceased retired employee received an annuity under chapter 352, 353, 354, 354A, 356, 422A, 423, 423A, or 424 and if the spouse was a dependent under the retired employee's coverage under this section at the time of the death of the retired employee. Coverage under this paragraph shall be coordinated with relevant insurance benefits provided through the federally sponsored Medicare program.

(c) The plan benefits shall continue in the event of strike permitted by section 179A.18, if the exclusive representative chooses to have coverage continue and the employee pays the total monthly premiums when due.

(d) A person who desires to participate under paragraphs (a) to (c) shall notify the eligible employer or former employer of intent to participate according to rules established by the commissioner. The eligible employer shall notify the commissioner, and coverage shall begin as soon as the commissioner permits.

Persons participating under these paragraphs shall make appropriate premium payments in the time and manner established by the commissioner.

Subd. 9. [INSURANCE TRUST FUND.] An insurance trust fund is established in the state treasury. The deposits consist of the premiums received from employers participating in the plan. All money in the fund is appropriated to the commissioner to pay insurance premiums, approved claims, refunds, administrative costs, and other related service costs. The commissioner shall reserve an amount of money to cover the estimated costs of claims incurred but unpaid. The state board of investment shall invest the money according to section 11A.24. Investment income and losses attributable to the fund shall be credited to the fund.

Sec. 77. Minnesota Statutes 1986, section 69.021, subdivision 5, is amended to read:

Subd. 5. [CALCULATION OF STATE AID.] The amount of state aid available for apportionment shall be two percent of the fire, lightning, sprinkler leakage and extended coverage premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report and two percent of the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report. The amount for apportionment in respect to firefighter's state aid shall not be greater or lesser than the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report after subtracting the amount required to pay the state auditor's costs and expenses of the audits or exams of the firefighters relief associations.

The total amount for apportionment in respect to police state aid shall not be greater or lesser than the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report after subtracting the amount required to pay the state auditor's costs and expenses of the audits or exams of the police relief associations. The amount for apportionment in respect to police state aid shall be distributed to the municipalities maintaining police departments and to the county on the basis of the number of active peace officers, as certified pursuant to section 69.011, subdivision 2, clause (b). The commissioner shall calculate the percentage of increase or decrease reflected in the apportionment over or under the previous year's available state aid using the same premiums as a basis for comparison.

Sec. 78. Minnesota Statutes 1986, section 84.01, subdivision 3, is amended to read:

Subd. 3. Subject to the provisions of Laws 1969, chapter 1129, and to other applicable laws the commissioner shall organize the department and employ ~~two~~ three assistant commissioners, ~~both~~ each of whom shall serve at the pleasure of the commissioner in the unclassified service, one of whom shall have responsibility for coordinating and directing the planning of every division within the agency, and such other officers, employees, and agents as the commissioner may deem necessary to discharge the functions of the department, define the duties of such officers, employees, and agents and to delegate to them any of the commissioner's powers, duties, and responsibilities subject to the control of, and under the conditions prescribed by, the commissioner. Appointments to exercise delegated power shall be by written order filed with the secretary of state.

Sec. 79. [84.0855] [SPECIAL RECEIPTS; APPROPRIATION.]

Money received by the commissioner of natural resources as fees for seminars or workshops, for the sale of publications, maps, or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received.

Sec. 80. [84.0881] [FLEET MANAGEMENT ACCOUNT.]

The commissioner of natural resources may bill organizational units within the department of natural resources for the costs of providing them with equipment. Costs billed may include acquisition, licensing, insurance, maintenance, repair, and other direct costs as determined by the commissioner. Receipts and interest earned on these receipts shall be credited to a special account in the state treasury and are appropriated to the commissioner to pay the costs for which the billings were made.

Sec. 81. Minnesota Statutes 1986, section 84.091, subdivision 3, is amended to read:

Subd. 3. [LICENSE FEES.] (a) The fees for the following licenses, to be issued to residents only, are:

(1) for harvesting wild rice, ~~\$10~~ \$12.50;

(2) for buying and selling wild ginseng, \$5;

(3) for a wild rice dealer's license to buy and sell 50,000 pounds or less, \$70; and

(4) for a wild rice dealer's license to buy and sell more than 50,000 pounds, \$250.

(b) The weight of the wild rice shall be determined in its raw state.

Sec. 82. Minnesota Statutes 1986, section 84.83, subdivision 3, is amended to read:

Subd. 3. [PURPOSES FOR THE ACCOUNT.] The money deposited in the account and interest earned on that money may be expended only as appropriated by law for the following purposes:

(1) For a grant-in-aid program to counties and municipalities for construction and maintenance of snowmobile trails;

(2) For acquisition, development and maintenance of state recreational snowmobile trails;

(3) For snowmobile safety programs; and

(4) For the administration and enforcement of sections 84.81 to 84.90.

Sec. 83. [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. 84. [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.

Sec. 85. Minnesota Statutes 1986, section 85.30, is amended to read:

85.30 [STATE PARK MAINTENANCE FUND.]

Any balance remaining in the state park finance fund after all the obligations and appropriations hereinbefore made payable therefrom have been met shall be transferred to the state park maintenance fund. Interest earned on money in the state park maintenance fund accrues to the fund and is available for expenditure upon appropriation.

Sec. 86. Minnesota Statutes 1986, section 85.41, is amended to read:

85.41 [USER FEES.]

Subdivision 1. [ON PERSON.] While skiing on cross country ski trails, a person between the ages of 16 and 64 years shall carry in immediate possession a valid cross country ski license pass. A landowner who grants an easement for a grant-in-aid ski trail is not required to have a license pass when skiing on the landowner's property.

Subd. 2. [LICENSE AGENTS.] County auditors are appointed agents of the commissioner for the sale of annual cross country ski licenses and daily permits passes. A county auditor may appoint subagents within the county or within adjacent counties to sell licenses and permits passes. Upon appointment the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent at any time. Upon demand of the commissioner, the auditor shall revoke a subagent's appointment. The auditor shall furnish license and permit pass blanks on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the blanks to be consigned to that subagent. The county auditor shall be responsible for all blanks issued to, and user fees received by agents, except in St. Louis county or in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed upon the county auditor are imposed upon the county. The commissioner may promulgate additional rules pursuant to section 98.50 97A.485, subdivision 2 11.

Any resident desiring to sell annual cross country ski licenses and daily permits passes may either purchase for cash or obtain on consignment license and permit pass blanks from a county auditor in groups of not less than ten individual blanks. In selling licenses passes, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for the accounting and handling of licenses pursuant to section 98.50 97A.485, subdivision 4 11.

The county auditor shall promptly deposit all monies received from the sale of licenses and permits passes with the county treasurer, and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price to each annual licensee pass holder, exclusive of the issuing fee, for each annual license pass sold or consigned by the auditor and subsequently sold to a licensee pass holder during the accounting period. The county auditor shall retain as a commission four percent of all annual license pass fees, excluding the issuing fee for licenses passes consigned to subagents and the issuing fee on passes sold by the auditor to pass holders.

Unsold blanks in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any blanks not presented for redemption within the period prescribed shall be conclusively pre-

sumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Subd. 3. [EXEMPTIONS.] Participants in cross country ski races and official school activities and residents of a state or local government operated correctional facility are exempt from the license pass requirement in subdivision 1 if a special use permit has been obtained by the organizers of the event or those in an official capacity in advance from the agency with jurisdiction over the cross country ski trail. Permits shall require that permit holders return the trail and any associated facility to its original condition if any damage is done by the permittee. Limited permits for special events may be issued and shall require the removal of any trail markers, banners, and other material used in connection with the special event.

Subd. 4. [FORM.] The department shall provide forms and blanks to all agents authorized to issue licenses and daily permits passes by the commissioner. The daily permit shall attach to the skier's clothing to visibly identify the holder as a licensed skier, and be easily transferable from garment to garment by means of a device prescribed by the commissioner in consultation with the advisory task force. The annual license pass shall be with the skier and a sticker shall be placed on the skier's ski poles to identify the holder as a licensed skier available for inspection by any peace or conservation officer. The license and permit pass shall include the applicant's name and other information deemed necessary by the commissioner.

Subd. 5. [AGENT'S FEE.] The fee for an annual a cross country ski license and a daily permit pass shall be increased by the amount of an issuing fee of 50 cents per license pass. The issuing fee may be retained by the seller of the license or permit pass. A license or permit pass shall indicate the amount of the fee that is retained by the seller. This subdivision does not apply to any license or permit pass sold by the state.

Sec. 87. Minnesota Statutes 1986, section 85.42, is amended to read:

85.42 [USER FEE.]

The fee for an annual cross country ski license pass is \$5 for an individual license pass, or \$7.50 for a combination husband and wife license pass. The fee for a three-year pass is \$14 for an individual pass or \$21 for a combination husband and wife pass. This fee shall be collected at the time the license pass is purchased. Three-year passes are valid for three years beginning the previous July 1. Annual licenses passes are valid from for one year beginning the previous July 1 through June 30 of the following year. Licenses Passes are not transferable.

The cost for a daily cross country skier permit pass is \$1. This fee shall be collected at the time the permit pass is purchased. The daily permit pass is valid only for the date designated on the permit pass form.

Sec. 88. Minnesota Statutes 1986, section 85.43, is amended to read:

85.43 [DISPOSITION OF RECEIPTS; PURPOSE.]

Fees from cross country ski licenses and permits passes shall be deposited in the state treasury and credited to a cross country ski account and may be expended only as appropriated by law for:

(a) grants-in-aid for cross country ski trails sponsored by local units of government and special park districts as provided in section 85.44; and

(b) maintenance, winter grooming, and associated administrative costs for cross country ski trails under the jurisdiction of the commissioner.

Sec. 89. Minnesota Statutes 1986, section 85.45, is amended to read:

85.45 [PENALTY.]

No person may ski on a public cross country ski trail, including a grant-in-aid cross country ski trail, without a valid annual cross country ski license or daily permit pass. Effective July 1, 1984, any person who violates the provision of this section is guilty of a petty misdemeanor. Any person who violates the provisions of this section before July, 1984, shall be issued a warning statement.

Sec. 90. Minnesota Statutes 1986, section 85A.04, subdivision 1, is amended to read:

Subdivision 1. [DEPOSIT.] All receipts from the operation of the Minnesota zoological garden shall be deposited in the state treasury and credited to a zoo fund, and are appropriated to the board for the operation of the Minnesota zoological garden. All interest and profits accruing from investment of the zoo fund's money shall be credited to and be a part of the zoo fund, and any loss incurred in the principal of the investments of the zoo fund shall be borne by the zoo fund. Investment of zoo fund money will be in accordance with section 11A.24.

Sec. 91. [PURPOSES.]

The legislature finds that the weed lythrum salicaria (purple loosestrife) has harmful environmental effects and is expanding into protected wetland areas, river valleys, and wildlife areas with the potential to destroy the reasons these areas are protected. The legislature further finds that lythrum salicaria interferes with the natural productivity of fish, wildlife, and native plants, and it has the potential to affect the cleaning of draining systems and wild rice production.

The legislature therefore finds that it is necessary to establish a comprehensive control program involving several state agencies with the commissioner of natural resources coordinating the overall effort.

Sec. 92. [86.78] [CONTROL OF LYTHRUM SALICARIA.]

Subdivision 1. The commissioner of natural resources, using existing authority, shall coordinate a control program to curb the growth of lythrum salicaria in areas of the state where it is a problem. The commissioners of agriculture and transportation must aid and cooperate with the commissioner of natural resources to establish, implement, and enforce the control program.

At a minimum, the control program must:

(1) provide for control on lands under the jurisdiction of the commissioner of natural resources;

(2) provide for control in public waters, as defined in section 105.37, subdivision 14;

(3) provide for control along highway rights-of-way;

(4) evaluate efficiency of control and any associated environmental impact;

(5) conduct a comprehensive public information and education program;

(6) continually monitor and inventory the distribution of lythrum salicaria throughout the state; and

(7) restore the funding of field operations for weed eradication conducted by the commissioner of agriculture.

Subd. 2. The commissioner of natural resources, with the cooperation of the commissioners of agriculture and transportation, must report every two years, beginning September 1, 1989, to the legislative commission on Minnesota resources on expenditures to control lythrum salicaria and progress on curbing its growth in the

state. In the report required on September 1, 1991, the commissioner must make a recommendation on whether the program coordinator position is still necessary and, if so, why.

Subd. 3. The commissioner of agriculture may adopt emergency and permanent rules in order to designate lythrum salicaria as a noxious weed. Emergency rules adopted shall remain valid until permanent rules are established.

Sec. 93. Minnesota Statutes 1986, section 88.065, is amended to read:

88.065 [EQUIPMENT FURNISHED.]

Subject to applicable provisions of state laws respecting purchases, the commissioner of natural resources may purchase for and furnish to any governmental subdivisions of the state authorized to engage in forest fire prevention or suppression materials or equipment therefor, and may transport, repair and renovate forest fire prevention and suppression materials and equipment for governmental subdivisions of the state. The commissioner may use any funds available for the purchase of forest fire prevention or suppression equipment or for its repair, transportation and renovation under federal grants, if permitted by the terms thereof, or under state appropriations, unless otherwise expressly provided. Except as otherwise authorized or permitted by federal or state laws or regulations, the governmental subdivision receiving any such materials or ~~equipment or repair or renovation~~ services shall reimburse the state for the cost. All moneys received in reimbursement shall be credited to the fund from which the purchase, transportation, repair, or renovation was made, and are hereby reappropriated annually and shall be available for the same purpose as the original appropriation.

Sec. 94. [88.122] [BALANCES TO CARRY FORWARD FOR EMERGENCY FIRE FIGHTING.]

Notwithstanding any other law, general fund balances for appropriations made to the department of natural resources for the first year of the biennium shall not cancel but are available for the second year of the biennium. Appropriations carried forward as authorized by this section shall be used only for emergency fire fighting purposes.

Sec. 95. Minnesota Statutes 1986, section 88.17, subdivision 2, is amended to read:

Subd. 2. In any prosecution under sections 88.03 to 88.22 for unlawfully starting or setting or having or permitting the continuation or spread of any fire or backfire, proof upon the part of the prosecution that such fire or backfire originated upon, or was

permitted to burn upon, or that it spread from, lands or premises occupied by the person charged with the offense, and that this person had knowledge of the fire and made no effort to put it out, shall be prima facie evidence of guilt. The burden of proof as to any matter in refutation of this prima facie guilt, or in extenuation or excuse, shall be and rest upon the person so appearing prima facie to be guilty.

Sec. 96. Minnesota Statutes 1986, section 88.75, subdivision 1, is amended to read:

Subdivision 1. Any person who violates any of the provisions of sections 88.03 to 88.22 for which no specific penalty is therein prescribed shall be guilty of a misdemeanor and be punished accordingly.

Failure by any person to comply with any provision or requirement of sections 88.03 to 88.22 to which such person is subject shall be deemed a violation thereof.

Any person who violates any provisions of sections 88.03 to 88.22, in addition to any penalties therein prescribed, or hereinbefore in this section prescribed, for such violation, shall also be liable in full damages to any and every person suffering loss or injury by reason of such violation, including liability to the state, and any of its political subdivisions, for all expenses incurred in fighting or preventing the spread of, or extinguishing, any fire caused by, or resulting from, any violation of these sections. All expenses so collected by the state shall be returned to, and deposited in, the original fund from which the expenses were paid and are available for expenditure for the purposes for which the funds were originally appropriated. When a fire set by any person spreads to and damages or destroys property belonging to another, the person setting the fire shall be prima facie guilty evidence of negligence in setting and allowing the same to spread.

At any time the state, or any political subdivision thereof, either of its own motion, or at the suggestion or request of the director, may bring an action in any court of competent jurisdiction to restrain, enjoin, or otherwise prohibit any violation of sections 88.03 to 88.22, whether therein described as a crime or not, and likewise to restrain, enjoin, or prohibit any person from proceeding further in, with, or at any timber cutting or other operations without complying with the provisions of those sections, or the requirements of the director pursuant thereto; and the court may grant such relief, or any other appropriate relief, whenever it shall appear that the same may prevent loss of life or property by fire, or may otherwise aid in accomplishing the purposes of sections 88.03 to 88.22.

Sec. 97. Minnesota Statutes 1986, section 88.76, is amended to read:

88.76 [REWARDS.]

Upon conviction of any person for violating any of the provisions of sections 88.03 to 88.22, the director may pay, from any money placed at the director's disposal under those sections, a reward of not more than ~~\$25~~ \$100 to the person or persons giving the information leading to such conviction.

Sec. 98. Minnesota Statutes 1986, section 88.79, subdivision 2, is amended to read:

Subd. 2. [CHARGE FOR SERVICE; RECEIPTS TO ~~GENERAL FOREST MANAGEMENT FUND.~~] The commissioner of natural resources may charge the owner receiving such services such sums as the commissioner shall determine to be fair and reasonable. The receipts from such services shall be deposited in the general forest management fund.

Sec. 99. [89.016] [FOREST CAMPGROUNDS.]

The commissioner must hold a public meeting before closing a campground in a state forest. The public meeting must be held near the state forest where the campground is to be closed.

Sec. 100. Minnesota Statutes 1986, section 89.04, is amended to read:

89.04 [FOREST MANAGEMENT FUND.]

Subdivision 1. [FUND ESTABLISHED; SOURCES.] The forest management fund is created as an account in the state treasury and may be spent only for the purposes provided in subdivision 2. The following revenue shall be deposited in the forest management fund:

(a) Money transferred from the state forest fund as provided in section 89.036;

(b) Money transferred from the state forest suspense account as provided in section 16A.125, subdivision 5, which may be appropriated to implement the state forest resource management policy and plan only on state forest trust fund lands as defined in section 16A.125, subdivision 5;

(c) Money from the sale of tree planting stock as provided in section 89.37, subdivision 4; ~~and~~

(d) Money from forest management services provided under section 88.79; and

~~(d)~~ (e) Interest accruing from investment of the fund.

Subd. 2. [PURPOSES OF FUND.] Subject to appropriation by the legislature, money in the forest management fund may be spent by the department of natural resources in accordance with the forest resource management policy and plan for any of the following purposes:

(a) Reforestation consistent with the state reforestation policy and forest resource management plan;

(b) Forest road improvements consistent with the state forest road policy and forest resource management plan;

(c) Equipment and training needed for the prevention and suppression of forest fires;

(d) Forest pest prevention and treatment;

(e) Forest management services authorized by section 88.79.

Sec. 101. Minnesota Statutes 1986, section 92.46, subdivision 1, is amended to read:

92.46 [LANDS AS CAMPGROUNDS.]

Subdivision 1. [PUBLIC CAMPGROUNDS.] (a) The director may designate suitable portions of the state lands withdrawn from sale and not reserved, as provided in section 92.45, as permanent state public campgrounds. The director may have the land surveyed and platted into lots of convenient size, and lease them for cottage and camp purposes under terms and conditions the director prescribes, subject to the provisions of this section.

(b) A lease may not be made for a term more than 20 years. The lease may allow renewal, from time to time, for additional terms of no longer than 20 years each. The lease may be canceled by the commissioner 90 days after giving the person leasing the land written notice of violation of lease conditions. The lease rate shall be based on the appraised value of leased land as determined by the commissioner of natural resources. The appraised value shall be the value of the leased land without any private improvements and must be comparable to similar land without any improvements within the same county.

(c) By July 1, 1986, the commissioner of natural resources shall adopt rules under chapter 14 to establish procedures for leasing land under this section. The rules shall be subject to review and approval by the commissioners of revenue and administration prior to the initial publication pursuant to chapter 14 and prior to their final adoption. The rules must address at least the following:

- (1) method of appraising the property;
 - (2) determination of lease rates; and
 - (3) an appeal procedure for both the appraised values and lease rates.
- (d) All money received from these leases must be credited to the fund to which the proceeds of the land belong.

Notwithstanding section 16A.125 or any other law to the contrary, 50 percent of the money received from the lease of permanent school fund lands leased pursuant to this subdivision shall be deposited into the permanent school trust fund. However, in fiscal years 1986, 1987, 1988, and 1989 up to 50 percent of, and 1990, the money received from the lease of permanent school fund lands that would otherwise be deposited into the permanent school trust fund may be used is hereby appropriated to survey, appraise, and pay associated selling costs of lots as required in section 92.67, subdivision 3. The money appropriated may not be used to pay the cost of surveying lots not scheduled for sale. Any money designated for deposit in the permanent school fund that is not needed to survey, appraise, and pay associated selling costs of lots, as required in section 92.67, shall be deposited in the permanent school trust fund. The commissioner shall add to the appraised value of any lot offered for sale the costs of surveying, appraising, and selling the lot, and shall deposit the costs recovered in the permanent school fund and any other contributing funds in proportion to the contribution from each fund. Notwithstanding section 92.67, subdivision 4, as to requests for sale of lakeshore lots received before January 1, 1987, the commissioner shall hold the sale before October 31, 1987, if possible, and, if not possible, the lots shall be offered for sale at the next sale in the succeeding year.

Sec. 102. Minnesota Statutes 1986, section 92.67, subdivision 1, is amended to read:

Subdivision 1. [SALE REQUIREMENT.] Notwithstanding section 92.45 or any other law, at the request of a lessee the commissioner of natural resources shall sell state property bordering public waters that is leased for the purpose of a private cabin under section 92.46 and recommended to be sold under the inventory prepared pursuant to Laws 1985, First Special Session chapter 14, article 17, section 4. Requests for sale must be made prior to July 1, 1991, and the commissioner shall complete all requested sales by July 1, 1992. The lessee making the request may designate the lesser of \$500 or the lease payment in the year the request is made to be used as part of the down payment. The sale shall be made in accordance with laws providing for the sale of trust fund land except as modified by the provisions of this section.

Sec. 103. Minnesota Statutes 1986, section 92.67, subdivision 4, is amended to read:

Subd. 4. [TIMING OF SALES.] (a) The commissioner shall offer lakeshore cabin site lots for sale pursuant to written request and in accordance with the following schedule:

(1) as to requests received before January 1, 1987, the sale shall be held in June, July, or August 1987;

(2) as to requests received each calendar year after December 31, 1986, the sale shall be held in June, July, or August of the year after the request is received;

(3) notwithstanding clause (2), the commissioner may offer a lot for sale in the year the request is received if the commissioner will offer for sale in that year other lots platted with the late requested lot.

(b) The last sales shall be held in 1992. Lots not sold the first year offered may be reoffered in a succeeding year, following reappraisal if it is determined necessary by the commissioner.

(c) If a person other than the lessee purchases the leased lakeshore cabin site, the purchaser must make payment in full to the lessee at the time of the sale for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property must be rebid, if possible, at the same sale.

Sec. 104. Minnesota Statutes 1986, section 92.67, is amended by adding a subdivision to read:

Subd. 5a. [ADDING LANDS; ZONING CONFORMANCE.] Whenever possible, the commissioner may add trust fund lands to the lots offered for sale to provide conformance with zoning requirements. The added lands must be included in the appraised value of the lot.

Sec. 105. [93.221] [MINERAL LEASE ACCOUNT.]

The mineral lease account is created as an account in the state treasury for disposal of certain mineral lease money. Interest accruing from investment of the account remains with the account. Money in the mineral lease account is appropriated to the commissioner of natural resources for mineral diversification.

Sec. 106. Minnesota Statutes 1986, section 93.335, subdivision 4, is amended to read:

Subd. 4. [RENTAL AND ROYALTIES, ANNUAL DISTRIBUTION; APPROPRIATION.] If the lands or minerals and mineral

rights covered by any such permit or lease are held by the state in trust for the taxing districts, the rentals and royalties paid under any such permit or lease shall be distributed annually by the commissioner of finance on the first day of September as follows: 20 percent to the general fund of the state mineral lease account established in the state treasury under section 93.221, and 80 percent to the respective counties in which the lands lie, to be apportioned among the taxing districts interested therein as follows: county, three-ninths; town, or city, two-ninths; and school district, four-ninths.

There is hereby appropriated from such moneys in the state treasury not otherwise appropriated to such persons or political subdivisions as are entitled to payment herein, an amount sufficient to make the payment.

Sec. 107. Minnesota Statutes 1986, section 97A.061, subdivision 1, is amended to read:

Subdivision 1. [APPLICABILITY; AMOUNT.] (a) The commissioner shall annually make a payment from the general game and fish fund to each county having public hunting areas and game refuges. This section does not apply to state trust fund land and other state land not purchased for game refuge or public hunting purposes. The payment shall be the greatest of:

(1) 35 percent of the gross receipts from all special use permits and leases of land acquired for public hunting and game refuges;

(2) 50 cents per acre on land purchased actually used for public hunting or game refuges; or

(3) three-fourths of one percent of the appraised value of purchased land actually used for public hunting and game refuges.

(b) The payment must be reduced by the amount paid under subdivision 3 for croplands managed for wild geese.

(c) The appraised value is the purchase price for five years after acquisition. The appraised value shall be determined by the county assessor every five years after acquisition.

Sec. 108. Minnesota Statutes 1986, section 97A.065, subdivision 2, is amended to read:

Subd. 2. [FINES AND FORFEITED BAIL.] (a) Fines and forfeited bail collected from prosecutions of violations of the game and fish laws, sections 84.09 to 84.15, and 84.81 to 84.88, chapter 34B, and any other law relating to wild animals, and aquatic vegetation must be paid to the treasurer of the county where the violation is

prosecuted. The county treasurer shall submit one-half of the receipts to the commissioner and credit the balance to the county general revenue fund except as provided in paragraph paragraphs (b) and (c).

(b) The commissioner must reimburse a county, from the game and fish fund, for the cost of keeping prisoners prosecuted for violations under this section if the county board, by resolution, directs: (1) the county treasurer to submit all fines and forfeited bail to the commissioner; and (2) the county auditor to certify and submit monthly itemized statements to the commissioner.

(c) The county treasurer shall indicate the amount of the receipts that are assessments or surcharges imposed under section 609.101 and shall submit all of those receipts to the commissioner. The receipts must be credited to the game and fish fund to provide peace officer training for persons employed by the commissioner who are licensed under section 626.84, subdivision 1, clause (c), and who possess peace officer authority for the purpose of enforcing game and fish laws.

Sec. 109. Minnesota Statutes 1986, section 97A.105, subdivision 1, is amended to read:

Subdivision 1. [LICENSE REQUIREMENTS.] A person may breed and propagate fur-bearing animals, game birds, bear, moose, elk, caribou, or deer only on privately owned or leased land and after obtaining a license. Any of the permitted animals on a game farm may be sold to other licensed game farms. "Privately owned or leased land" includes waters that are shallow or marshy, are not actually navigable, and are not of substantial beneficial public use. Before an application for a license is considered, the applicant must enclose the area to sufficiently confine the animals to be raised in a manner approved by the commissioner. A license may be granted only if the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and the commissioner determines that the facilities are adequate for the business.

Sec. 110. Minnesota Statutes 1986, section 97A.415, subdivision 1, is amended to read:

Subdivision 1. [ONE LICENSE PER PERSON.] Only one license of each kind may be issued to a person in a license year, except the resident and nonresident short-term angling license licenses, unless authorized by commissioner's order.

Sec. 111. Minnesota Statutes 1986, section 97A.445, subdivision 1, is amended to read:

Subdivision 1. [ANGLING; TAKE A KID FISHING WEEKEND.] A resident over age 18 may take fish by angling without a license during the ~~second~~ one Saturday and Sunday of the angling season designated by order of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the Saturday and Sunday as "Take a Kid Fishing Weekend."

Sec. 112. Minnesota Statutes 1986, section 97A.451, subdivision 4, is amended to read:

Subd. 4. [PERSONS UNDER AGE 16; BIG GAME.] A person under the age of 16 may not obtain a license to take big game unless the person possesses a firearms safety certificate. A person under the age of 14 must be accompanied by a parent or guardian to hunt big game. A person between the ages of 12 and 16 is entitled to receive one free license to hunt deer under conditions prescribed by the commissioners.

Sec. 113. [97A.472] [PLACE OF SALE OF NONRESIDENT LICENSES; RESTRICTION.]

The commissioner shall not sell or issue in any place outside this state a nonresident license to take fish in this state.

Sec. 114. Minnesota Statutes 1986, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [RESIDENT HUNTING.] Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 65 to take small game, ~~\$7~~ \$9;
- (2) for persons age 65 or over, ~~\$3.50~~ \$4.50;
- (3) to take turkey, ~~\$10~~ \$12.50;
- (4) to take deer with firearms, ~~\$15~~ \$20;
- (5) to take deer by archery, ~~\$15~~ \$20;
- (6) to take moose, for a party of not more than four persons, \$200;
and
- (7) to take bear, ~~\$25~~ \$30.

Sec. 115. Minnesota Statutes 1986, section 97A.475, subdivision 3, is amended to read:

Subd. 3. [NONRESIDENT HUNTING.] Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take small game, ~~\$46~~ \$51;
- (2) to take deer with firearms, \$100;
- (3) to take deer by archery, \$100;
- (4) to take bear, \$150;
- (5) to take turkey, \$30; and
- (6) to take raccoon, bobcat, fox, coyote, or lynx, ~~\$100~~ \$125.

Sec. 116. Minnesota Statutes 1986, section 97A.475, subdivision 6, is amended to read:

Subd. 6. [RESIDENT FISHING.] Fees for the following licenses, to be issued to residents only, are:

- (1) to take fish by angling, ~~\$6.50~~ \$8.50;
- (2) to take fish by angling, for a combined license for a married couple, ~~\$10.50~~ \$13.50; and
- (3) to take fish by spearing from a dark house, ~~\$7.50~~ \$12; and
- (4) to take fish by angling for a period of 24 hours from the time of issuance, \$4.50. No trout stamp is required when angling for trout or salmon under this 24-hour angling license.

Sec. 117. Minnesota Statutes 1986, section 97A.475, subdivision 7, is amended to read:

Subd. 7. [NONRESIDENT FISHING.] Fees for the following licenses, to be issued to nonresidents, ~~shall be~~ are:

- (1) to take fish by angling, ~~\$16~~ \$18;
- (2) to take fish by angling limited to seven consecutive days, ~~\$13~~ \$15;
- (3) to take fish by angling for three days, ~~\$10~~ \$12; and
- (4) to take fish by angling for a combined license for a family, ~~\$27.50~~ \$30.50;
- (5) to take fish by angling for a period of 24 hours from the time of issuance, \$4.50. No trout stamp is required when angling for trout or salmon under this 24-hour angling license; and

(6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days, \$22.50.

Sec. 118. Minnesota Statutes 1986, section 97A.475, subdivision 8, is amended to read:

Subd. 8. [MINNESOTA SPORTING.] The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

- (1) for an individual, ~~\$12~~ \$15.50; and
- (2) for a combined license for a married couple to take fish and for one spouse to take small game, ~~\$16~~ \$19.50.

Sec. 119. Minnesota Statutes 1986, section 97A.475, subdivision 9, is amended to read:

Subd. 9. [FISHING SURCHARGE.] The fees for the following licenses must be increased by a surcharge of \$2.50:

- (1) resident angling, under subdivision 6, clauses (1) ~~and~~, (2), ~~and~~ (4);
- (2) nonresident angling, under subdivision 7;
- (3) Minnesota sporting, under subdivision 8;
- (4) nonresident fish houses, under subdivision 12; and
- (5) to net fish for domestic use, under subdivision 13.

Sec. 120. Minnesota Statutes 1986, section 97A.475, subdivision 11, is amended to read:

Subd. 11. [FISH HOUSES AND DARK HOUSES; RESIDENTS.] Fees for the following licenses are:

- (1) for a fish house or dark house that is not rented, ~~\$5~~ \$8; and
- (2) for a fish house or dark house that is rented, ~~\$15~~ \$18.

Sec. 121. Minnesota Statutes 1986, section 97A.475, subdivision 12, is amended to read:

Subd. 12. [FISH HOUSES; NONRESIDENT.] The fee for a fish house license for a nonresident is ~~\$15~~ \$19.50.

Sec. 122. Minnesota Statutes 1986, section 97A.475, subdivision 13, is amended to read:

Subd. 13. [NETTING WHITEFISH AND CISCOES FOR PERSONAL CONSUMPTION.] The fee for a license to net whitefish and ciscoes in inland lakes and international waters for personal consumption is, for each net, ~~\$3~~ \$5.

Sec. 123. Minnesota Statutes 1986, section 97A.475, subdivision 20, is amended to read:

Subd. 20. [TRAPPING LICENSE.] The fee for a license to trap fur-bearing animals is:

(1) for persons over age 13 and under age 18, ~~\$3.50~~ \$5; and

(2) for persons age 18 and older, ~~\$13~~ \$16.

Sec. 124. Minnesota Statutes 1986, section 97A.485, subdivision 6, is amended to read:

Subd. 6. [LICENSES TO BE SOLD AND ISSUING FEES.] (a) Persons authorized to sell licenses under this section must sell the following licenses for the license fee and ~~the following~~ an additional issuing fees:

(1) ~~to take deer with firearms and by archery, the issuing fee is \$1;~~

(2) ~~Minnesota sporting, the issuing fee is \$1; and~~

(3) ~~to take bear and small game, to take fish by angling or spearing, and to trap furbearing animals, the issuing fee is 75 cents~~ fee of \$1 for each license.

(b) An issuing fee for a stamp may not be collected when a stamp is issued simultaneously with the related small game, fishing, or sporting license. Only one issuing fee may be collected when selling more than one stamp in the same transaction after the end of the season for which the stamp was issued.

(c) The auditor or subagent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

Sec. 125. [97A.502] [DEER KILLED BY MOTOR VEHICLES.]

Notwithstanding section 97A.055, any deer killed by a motor vehicle on a public road must be removed by the road authority, as defined by section 160.02, subdivision 9. The commissioner of natural resources must provide to all road authorities standard forms for statistical purposes and the tracking of wild animals.

Sec. 126. Minnesota Statutes 1986, section 97C.211, is amended by adding a subdivision to read:

Subd. 5. [PRICE OF WALLEYE FRY.] The commissioner may not sell walleye fry for less than fair market value, defined as the average price charged by private walleye fry wholesalers located in Minnesota.

Sec. 127. [97C.402] [RAINY RIVER SEASON.] The fishing season on the Minnesota side of the Rainy River ends on March 1 of each year.

Sec. 128. Minnesota Statutes 1986, section 115A.15, subdivision 6, is amended to read:

Subd. 6. [RESOURCE RECOVERY REVOLVING ACCOUNT.] Upon the certification of the commissioner of administration, the commissioner of finance shall establish an account in the general services revolving fund, effective June 30, 1980, for the operation of the state government resource recovery program. The revolving account shall consist of all funds appropriated by the state for the program, all revenues resulting from the sale of recyclable and reusable commodities made available for sale as a result of the resource recovery program and all reimbursements to the commissioner of expenses incurred by the commissioner in developing and administering resource recovery systems for state agencies, local governments, and regional agencies. The account may be used for all activities associated with the program including payment of administrative and operating costs, except statewide and agency indirect costs. The commissioner shall determine the waste disposal cost savings associated with recycling and reuse activities, collect those savings from the account responsible for disposing of wastes produced in state buildings, and credit the savings to the resource recovery revolving account.

Sec. 129. [115A.41] [PURPOSE.]

The legislature recognizes the importance of maintaining the regulatory functions of the Minnesota pollution control agency in regard to solid waste management. The legislature also recognizes that in order to achieve the maximum benefit of state funding and funding from other sources that the technical and financial assistance involved in managing solid waste, including programs involv-

ing waste tires, including landfills and other methods of recycling, disposing, and storing solid wastes, should properly be transferred to the waste management board.

Sec. 130. Minnesota Statutes 1986, section 115A.42, is amended to read:

115A.42 [ESTABLISHMENT AND ADMINISTRATION.]

There is established a planning assistance program to provide technical and financial assistance to political subdivisions of the state for the purposes of encouraging and improving regional and local solid waste management planning activities and efforts and of furthering the state policies and purposes expressed in section 115A.02. The program shall be administered by the agency board pursuant to rules promulgated under chapter 14, except in the metropolitan area where the program shall be administered by the metropolitan council pursuant to chapter 473. The agency board and the metropolitan council shall ensure conformance with federal requirements and programs established pursuant to the Resource Conservation and Recovery Act of 1976 and amendments thereto.

Sec. 131. Minnesota Statutes 1986, section 115A.44, is amended to read:

115A.44 [FINANCIAL ASSISTANCE.]

Eligible recipients may receive grants for up to 50 percent of the cost of the planning activity, except that planning by a regional development commission and joint planning by two or more contiguous counties or political subdivisions located in two or more contiguous counties may receive grants for up to 100 percent of the cost of the planning activity. Financial assistance provided under the program may be used to employ staff, contract with other units of government or qualified consultants, and pay such other planning expenses as the agency board or metropolitan council may allow.

Sec. 132. Minnesota Statutes 1986, section 115A.45, is amended to read:

115A.45 [TECHNICAL ASSISTANCE.]

The agency board and metropolitan council shall provide for technical assistance for eligible recipients. The agency board and metropolitan council shall provide model plans for regional and local solid waste management. The agency board and metropolitan council may contract for the delivery of technical assistance by a regional development commission, any state or federal agency, or private consultants. The agency board shall prepare and publish an inven-

tory of sources of technical assistance for solid waste planning, including studies, publications, agencies, and persons available.

Sec. 133. Minnesota Statutes 1986, section 115A.46, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Plans shall address the state policies and purposes expressed in section 115A.02. Plans for the location, establishment, operation, maintenance, and postclosure use of facilities and facility sites, for ordinances, and for licensing, permit, and enforcement activities shall be consistent with the rules adopted by the agency pursuant to chapter 116. Plans shall address the resolution of conflicting, duplicative, or overlapping local management efforts. Plans shall address the establishment of joint powers management programs or waste management districts where appropriate. Plans shall address other matters as the rules of the agency board may require consistent with the purposes of sections 115A.42 to 115A.46. Political subdivisions preparing plans under sections 115A.42 to 115A.46 shall consult with persons presently providing solid waste collection, processing, and disposal services. Plans shall be approved by the agency board, or the metropolitan council pursuant to section 473.803. After initial approval, each plan shall be updated every five years and revised as necessary for further approval.

Sec. 134. Minnesota Statutes 1986, section 115A.49, is amended to read:

115A.49 [ESTABLISHMENT; PURPOSES AND PRIORITIES.]

There is established a program to encourage and assist cities, counties, and solid waste management districts in the development and implementation of solid waste management projects and to transfer the knowledge and experience gained from such projects to other communities in the state. The program must be administered to encourage local communities to develop feasible and prudent alternatives to disposal, including waste reduction; waste separation by generators, collectors, and other persons; and waste processing. The program must be administered by the agency and the board in accordance with the requirements of sections 115A.49 to 115A.54 and rules promulgated by the agency and the board pursuant to chapter 14. In administering the program, the agency and the board shall give priority to areas where natural geologic and soil conditions are unsuitable for land disposal of solid waste; areas where the capacity of existing solid waste disposal facilities is determined by the agency or the board to be less than five years; and projects serving more than one local government unit.

Sec. 135. Minnesota Statutes 1986, section 115A.51, is amended to read:

115A.51 [APPLICATION REQUIREMENTS.]

Applications for assistance under the program shall demonstrate: (a) that the project is conceptually and technically feasible; (b) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project; (c) that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project; (d) that the applicant has evaluated the feasible and prudent alternatives to disposal and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators. The ~~agency or the~~ board may require completion of a comprehensive solid waste management plan conforming to the requirements of section 115A.46, before accepting an application.

Sec. 136. Minnesota Statutes 1986, section 115A.52, is amended to read:

115A.52 [TECHNICAL ASSISTANCE FOR PROJECTS.]

The ~~agency and the~~ board shall ensure the delivery of the technical assistance necessary for proper implementation of each project funded under the program. The ~~agency and the~~ board may contract for the delivery of technical assistance by any state or federal agency, a regional development commission, the metropolitan council, or private consultants and may use program funds to reimburse the agency, commission, council, or consultants. The ~~agency and the~~ board shall prepare and publish an inventory of sources of technical assistance, including studies, publications, agencies, and persons available. The ~~agency and the~~ board shall ensure statewide benefit from projects assisted under the program by developing exchange and training programs for local officials and employees and by using the experience gained in projects to provide technical assistance and education for other solid waste management projects in the state.

Sec. 137. Minnesota Statutes 1986, section 115A.53, is amended to read:

115A.53 [WASTE REDUCTION AND SEPARATION PROJECTS.]

The ~~agency~~ board shall provide technical assistance and grants to projects which demonstrate waste reduction; waste separation by generators, collectors, and other persons; and collection systems for separated waste. Activities eligible for assistance under this section include legal, financial, economic, educational, marketing, social,

governmental, and administrative activities related to the implementation of the project. Preliminary planning and development, feasibility study, and conceptual design costs shall also be eligible activities, but no more than 20 percent of program funds shall be used to fund those activities. The rules of the agency board shall prescribe the level or levels of local funding required for grants under this section.

Sec. 138. Minnesota Statutes 1986, section 115A.917, is amended to read:

115A.917 [CERTIFICATE OF NEED.]

No new capacity for disposal of mixed municipal solid waste may be permitted in counties outside the metropolitan area without a certificate of need issued by the agency board indicating the agency's board's determination that the additional disposal capacity is needed in the county. A certificate of need may not be issued until the county has a plan approved under section 115A.46. If the original plan was approved more than five years before, the agency board may require the plan to be revised before a certificate of need is issued under this section. The agency board shall certify need only to the extent that there are no feasible and prudent alternatives to the additional disposal capacity, including waste reduction, source separation, and resource recovery, that would minimize adverse impact upon natural resources. Alternatives that are speculative or conjectural are not feasible and prudent. Economic considerations alone do not justify the certification of need or the rejection of alternatives.

Sec. 139. Minnesota Statutes 1986, section 116.41, subdivision 2, is amended to read:

Subd. 2. [TRAINING AND CERTIFICATION PROGRAMS.] The agency shall develop standards of competence for persons operating and inspecting various classes of disposal facilities. The agency shall conduct training programs for persons operating facilities for the disposal of waste and for inspectors of such facilities, and may charge such fees as are necessary to cover the actual costs of the training programs. All fees received shall be paid into the state treasury and credited to the account created in section 115.03, subdivision 1, clause (j), for training water pollution control personnel, a separate waste disposal training account and are appropriated to the agency to pay expenses relating to the training of disposal facility personnel.

The agency shall require operators and inspectors of such facilities to obtain from the agency a certificate of competence. The agency shall conduct examinations to test the competence of applicants for certification, and shall require that certificates be renewed at reasonable intervals. The agency may charge such fees as are

necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates. Certificates shall not be required for a private individual for landspreading and associated interim and temporary storage of sewage sludge on property owned or farmed by that individual.

Sec. 140. Minnesota Statutes 1986, section 116J.615, is amended by adding a subdivision to read:

Subd. 3. [REGIONAL TOURISM OFFICES.] Employees in regional tourism offices are in the unclassified civil service.

Sec. 141. Minnesota Statutes 1986, section 116M.06, subdivision 2, is amended to read:

Subd. 2. [USE OF FUNDS.] The authority may use the energy loan insurance account as provided in section 116M.11. The authority may use the economic development fund in connection with small business loans, pollution control loans, and farm loans to provide financial assistance to eligible small businesses; it may use the economic development fund in connection with business loans when the loans are made as a part of the special assistance program under section 116M.07, subdivision 11; and the authority may use the energy development account in connection with energy loans to provide financial assistance to businesses; economic development fund, with the exception of the waste tire recycling account, and the energy fund, as follows:

(a) to provide loan guarantees or insurance, in whole or in part, to businesses in connection with business loans, small business loans, energy loans, farm loans, or pollution control loans;

(b) to provide direct loans to businesses in connection with business loans, small business loans, energy loans, farm loans, or pollution control loans;

(c) to participate in other investment programs as appropriate under the terms of this chapter and chapters 41A, 472, and 474;

(d) to purchase loan packages made to businesses by financial institutions in the state in connection with business loans, small business loans, energy loans, farm loans, or pollution control loans;

(e) to enter into or to pay fees on insurance contracts, letters of credit, municipal bond insurance, surety bonds, or similar obligations and other agreements or contracts with financial institutions or providers of similar services;

(f) to guarantee or insure bonds and notes issued by the authority, in whole or in part;

(g) to make interest subsidy payments on behalf of eligible small businesses to be applied to the payment of interest on bonds or notes of the authority equal to the difference in interest payable on loans and the interest payable on bonds or notes of the authority where the proceeds of these bonds or notes are used to make or participate in making these loans;

(h) for any legal purpose or program of the authority, including without limitation the payment of the cost of issuing authority bonds and notes ~~and authority~~, administrative costs and expenses, ~~but not for of the authority, the agricultural loan guaranty board and the certified state development company, and for personnel costs of positions in the approved complement of the department or the authority for the approved complement of the department that provides services to the authority, the agricultural loan guaranty board, and the certified state development company.~~

(i) to pay tax reimbursements for qualified economic diversification projects under the special assistance program pursuant to section 116M.07, subdivision 11, paragraph (d).

In addition, the authority may use the ~~economic development fund~~ funds to purchase, lease, or license technology-related products for education or training or to participate in programs where technology-related products are purchased, leased, or licensed.

If a fund or an account is or will be depleted in connection with the use of the fund or account as authorized by chapter 116M or any other law, and which has been approved or given preliminary approval by the authority, the authority may request the commissioner to transfer money from other funds or accounts authorized by chapter 116M into the fund or account to be depleted. The commissioner must approve the request for transfer if sufficient money is available and requests must be approved in the order they are received. This transfer authority does not apply to transfers from the waste tire recycling account.

The authority may create separate accounts within any of the funds for use in accordance with the separate purposes listed in this section and may irrevocably pledge and allocate money on deposit in any of the funds to the accounts for the purposes. The authority may make contracts with note and bond holders, trustees for them, financial institutions, or other persons interested in the disposition of money in the funds or their accounts with respect to the conditions upon which money in any fund or its accounts is to be held, invested, applied, and disposed of and the use of the fund and its accounts and the termination of accounts. The authority may determine to leverage amounts in accounts to be used to guarantee or insure bonds and notes of the authority or loans to businesses and may covenant as to the rate of leveraging with holders of the authority's bonds and notes or any trustee for them, financial institutions, or

other persons. Money in the funds and their accounts shall, consistent with contracts with holders of the authority's bonds and notes or any trustee for them, financial institutions, or other interested persons, be invested in accordance with section 116M.08, subdivision 15, and the investment income from them, absent contractual provisions to the contrary, shall be added to and retained in the funds or their accounts if provided by the authority. The repayments to the authority of any direct loans made by the authority from money in the funds or their accounts shall be paid by the authority into the particular fund that was used in conjunction with the loan being repaid, or, as provided by the authority, into another account. The authority may collect fees, initially or from time to time, or both, with respect to any direct loan it extends or any insurance or guarantee it grants. The authority may enter into contracts and security instruments with businesses, with bond and note holders or any trustee for them, or financial institutions or other persons to provide for and secure the repayment to the authority of money provided by the authority from the funds or their accounts for direct loans or which have been paid by the authority from a fund or account pursuant to an authority guarantee or insurance.

The state covenants with all holders of the authority's bonds and notes, financial institutions, and other persons interested in the disposition of money in the funds or their accounts, which money the authority has irrevocably pledged and allocated for any authorized purpose described in this subdivision, that the state will not take any action to limit the effect of the pledge and allocation and will not take any action to limit the effect of contracts entered into as authorized in this subdivision with respect to the pledge and allocation and will not limit or alter the rights vested in the authority or the state to administer the application of money pursuant to the pledge and allocation and to perform its obligations under the contracts. The authority may include and recite this covenant of the state in any of its bonds or notes benefiting from the pledge and allocation or contracts or related documents or resolutions.

Sec. 142. Minnesota Statutes 1986, section 116M.06, subdivision 4, is amended to read:

Subd. 4. [CREATION OF ECONOMIC DEVELOPMENT FUND.] There is created the economic development fund to be administered by the authority. All money in the fund is appropriated to the authority to accomplish the authority's purposes.

The money in the economic development fund must be used as provided in this chapter and chapters 472 and 474, to provide financial assistance to businesses, eligible small businesses, targeted small businesses, and farm businesses. This financial assistance includes business loans, pollution control loans, small

business loans, and farm loans and the purchasing, leasing, or licensing of technology-related products or rights to the products.

Sec. 143. Minnesota Statutes 1986, section 116M.11, subdivision 2, is amended to read:

Subd. 2. [INSURANCE OF LOANS.] (a) [AUTHORIZATION.] The authority is authorized, upon application by a financial institution, to insure loans for cost-effective qualified energy projects as provided in this section; and under terms as the authority may prescribe by rule, to make commitments for the insuring of loans prior to the date of their execution or disbursement. ~~In the event the authority shall determine that the energy loan insurance account is or will be depleted in connection with the use of the account as authorized by the act which has been approved or given preliminary approval by the authority, then the authority may by resolution transfer money from the energy development account created pursuant to section 116M.12.~~

(b) [ELIGIBILITY REQUIREMENTS.] The authority may by rule establish requirements for energy loans to be eligible for insurance under this section, relating to:

- (1) maximum principal amount, amortization schedule, interest rate, delinquency charges, and other terms;
- (2) the portion of the loan to be insured;
- (3) acceleration and other remedies;
- (4) covenants regarding insurance, repairs, and maintenance of the project;
- (5) conditions regarding subordination of the loan security, if any, of the project to other liens against the property;
- (6) the aggregate principal amount of loans to be insured in relation to the reserves from time to time on hand in the insurance account, and priorities as to the loans to be insured; and
- (7) any other matters determined by the authority.

The authority shall by rule establish criteria for analyzing the cost-effectiveness of projects.

(c) [CONCLUSIVE EVIDENCE OF INSURABILITY.] Any contract of insurance executed by the authority under this section shall be conclusive evidence of the eligibility of the loan for insurance, and the validity of any contract of insurance properly executed and in

the hands of any approved lender shall not be contestable, except for fraud or misrepresentation on the part of the financial institution.

(d) [PREMIUMS.] The authority is authorized to fix premium charges for the insurance of loans under this section at levels which in its judgment, taking into consideration other amounts available in the account, will be sufficient to cover and maintain a reserve for loan losses.

(e) [PROCEDURES UPON DEFAULT.] The authority may establish procedures to be followed by financial institutions and to be taken by the authority in the event of default upon an energy loan, including:

(1) time for filing claims;

(2) rights and interests to be assigned and documents to be furnished by the financial institution;

(3) principal and interest to be included in the claim; and

(4) conditions, if any, upon which the authority will pay the entire principal amount in default, after foreclosure and receipt of marketable title to the property.

Sec. 144. Minnesota Statutes 1986, section 161.1419, subdivision 4, is amended to read:

Subd. 4. ~~Members of the commission shall serve without Compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties of legislative members of the commission is as provided in section 3.101. Compensation of the remaining members is as provided in section 15.0575.~~ The commission may purchase supplies, employ part-time or full-time employees, and do all things reasonably necessary and convenient in carrying out the purposes of this section. ~~Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees.~~

Sec. 145. Minnesota Statutes 1986, section 175A.07, subdivision 2, is amended to read:

Subd. 2. [PERSONNEL.] The judges of the workers' compensation court of appeals shall appoint in the manner provided by law all personnel required by the workers' compensation court of appeals. Law clerks are in the unclassified service. The commissioner of administration shall provide the court with necessary additional staff and administrative services, and the court shall reimburse the commissioner for the cost of these services.

Sec. 146. Minnesota Statutes 1986, section 176.611, subdivision 2, is amended to read:

Subd. 2. [STATE DEPARTMENTS.] Every department of the state, including the University of Minnesota, shall reimburse the fund for money paid for the administration of its claims and the costs of administering the revolving fund at such times and in such amounts as the commissioner of the department of labor and industry shall certify has been paid out of the fund on its behalf. The heads of the departments shall anticipate these payments by including them in their budgets. In addition, the commissioner of labor and industry, with the approval of the commissioner of finance, may require an agency to make advance payments to the fund sufficient to cover the agency's estimated obligation for a period of at least 60 days. Reimbursements and other money received by the commissioner of labor and industry under this subdivision must be credited to the state compensation revolving fund.

Sec. 147. Minnesota Statutes 1986, section 176.611, is amended by adding a subdivision to read:

Subd. 3a. [LOANS.] To maintain an ongoing balance sufficient to pay sums currently due for benefits and administrative costs, the commissioner of finance, upon request of the commissioner of labor and industry, may transfer money from the general fund to the state compensation revolving fund. Before requesting the transfer, the commissioner of labor and industry must decide there is not enough money in the fund for an immediate, necessary expenditure. The amount necessary to make the transfer is appropriated from the general fund to the commissioner of finance. The commissioner of labor and industry shall make schedules to repay the transferred money to the general fund. The repayment may not extend beyond five years.

Sec. 148. Minnesota Statutes 1986, section 176.611, subdivision 6a, is amended to read:

Subd. 6a. [APPROPRIATIONS CONSTITUTING FUND.] There is hereby appropriated from the general fund in the state treasury to the state compensation revolving fund the sum of \$967,690 to be used to pay claims of employees of the state. This appropriation together with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund and \$2,395,986.88 heretofore appropriated from the general fund totals \$3,437,690 and constitutes The revolving fund consists of \$3,437,690 appropriated from the general fund and other funds.

Sec. 149. Minnesota Statutes 1986, section 179A.03, subdivision 17, is amended to read:

Subd. 17. [SUPERVISORY EMPLOYEE.] "Supervisory employee" means a person who has the authority to undertake a majority of the following supervisory functions in the interests of the employer: hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of the work of other employees, or adjustment of other employees' grievances on behalf of the employer. To be included as a supervisory function which the person has authority to undertake, the exercise of the authority by the person may not be merely routine or clerical in nature but must require the use of independent judgment. An employee, other than an essential employee, who has authority to effectively recommend a supervisory function, is deemed to have authority to undertake that supervisory function for the purposes of this subdivision. The administrative head of a municipality, municipal utility, or police or fire department, and the administrative head's assistant, are always considered supervisory employees. A determination that a person is or is not a "supervisory employee" may be appealed to the public employment relations board court of appeals.

The removal of employees by the employer from nonsupervisory bargaining units for the purpose of designating the employees as "supervisory employees" shall require either the prior written agreement of the exclusive representative and the written approval of the director or a separate determination by the director before the redesignation is effective.

Sec. 150. Minnesota Statutes 1986, section 179A.04, subdivision 3, is amended to read:

Subd. 3. [OTHER DUTIES.] The director shall:

(a) provide mediation services as requested by the parties until the parties reach agreement. The director may continue to assist parties after they have submitted their final positions for interest arbitration;

(b) issue notices, subpoenas, and orders required by law to carry out duties under sections 179A.01 to 179A.25;

(c) certify to the board items of dispute between parties subject to action of the board the issues subject to arbitration under section 179A.16;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director ~~or the board~~;

(e) certify the final results of any election or other voting procedure conducted under sections 179A.01 to 179A.25;

(f) adopt rules regulating the forms of petitions, notices, and orders; and the conduct of hearings and elections;

(g) receive, catalogue, and file ~~all orders and decisions of the board~~, all decisions of arbitration panels authorized by sections 179A.01 to 179A.25, all grievance arbitration decisions, and the director's orders and decisions. All orders and decisions catalogued and filed shall be readily available to the public;

(h) adopt, subject to chapter 14, a grievance procedure to fulfill the purposes of section 179A.20, subdivision 4. The grievance procedure shall not provide for the services of the bureau of mediation services. The grievance procedure shall be available to any employee in a unit not covered by a contractual grievance procedure;

(i) conduct elections;

(j) maintain a schedule of state employee classifications or positions assigned to each unit established in section 179A.10, subdivision 2;

(k) collect such fees as are established by rule for empanelment of persons on the labor arbitrator roster maintained by the director or in conjunction with fair share fee challenges;

(l) maintain a list of names of individuals qualified by experience and training in the field of labor relations to serve as arbitrators of interest and grievance disputes, including, to the extent possible, qualified individuals from various geographic areas of the state; and

(m) refer the names of qualified arbitrators to the parties in a labor dispute, upon request or pursuant to section 179A.16, subdivision 4.

Sec. 151. Minnesota Statutes 1986, section 179A.13, is amended to read:

179A.13 [UNFAIR LABOR PRACTICES.]

Subdivision 1. [ACTIONS.] The practices specified in this section are unfair labor practices. Any employee, employer, employee or employer organization, exclusive representative, or any other person or organization aggrieved by an unfair labor practice as defined in this section may bring an action for injunctive relief and for damages caused by the unfair labor practice in the district court of the county in which the practice is alleged to have occurred.

Subd. 2. [EMPLOYERS.] Public employers, their agents and representatives are prohibited from:

(1) interfering, restraining, or coercing employees in the exercise of the rights guaranteed in sections 179A.01 to 179A.25;

(2) dominating or interfering with the formation, existence, or administration of any employee organization or contributing other support to it;

(3) discriminating in regard to hire or tenure to encourage or discourage membership in an employee organization;

(4) discharging or otherwise discriminating against an employee because the employee has signed or filed an affidavit, petition, or complaint or given any information or testimony under sections 179A.01 to 179A.25;

(5) refusing to meet and negotiate in good faith with the exclusive representative of its employees in an appropriate unit;

(6) refusing to comply with grievance procedures contained in an agreement;

(7) distributing or circulating any blacklist of individuals exercising any legal right or of members of a labor organization for the purpose of preventing blacklisted individuals from obtaining or retaining employment;

(8) violating rules established by the director regulating the conduct of representation elections;

(9) refusing to comply with a valid decision of a binding arbitration panel or arbitrator;

(10) violating or refusing to comply with any lawful order or decision issued by the director or the board; or

(11) refusing to provide, upon the request of the exclusive representative, all information pertaining to the public employer's budget both present and proposed, revenues and other financing information. In the executive branch of state government, this clause shall not be considered contrary to the budgetary requirements of sections 16A.10 and 16A.11.

Subd. 3. [EMPLOYEES.] Employee organizations, their agents or representatives, and public employees are prohibited from:

(1) restraining or coercing employees in the exercise of rights provided in sections 179A.01 to 179A.25;

(2) restraining or coercing a public employer in the election of representatives to be employed to meet and negotiate or to adjust grievances;

(3) refusing to meet and negotiate in good faith with a public employer, if the employee organization is the exclusive representative of employees in an appropriate unit;

(4) violating rules established by the director regulating the conduct of representation elections;

(5) refusing to comply with a valid decision of an arbitration panel or arbitrator;

(6) calling, instituting, maintaining, or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;

(7) coercing or restraining any person with the effect to:

(a) force or require any public employer to cease dealing or doing business with any other person or;

(b) force or require a public employer to recognize for representation purposes an employee organization not certified by the director;

(c) refuse to handle goods or perform services;

(d) preventing an employee from providing services to the employer;

(8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;

(9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft, or class;

(10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

(11) engaging in an unlawful strike;

(12) picketing which has an unlawful purpose such as secondary boycott;

(13) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;

(14) seizing or occupying or destroying property of the employer;

(15) violating or refusing to comply with any lawful order or decision issued by the director ~~or the board~~.

Sec. 152. Minnesota Statutes 1986, section 179A.16, is amended to read:

179A.16 [INTEREST ARBITRATION.]

Subdivision 1. [NONESENTIAL EMPLOYEES.] An exclusive representative or an employer may petition the director for interest arbitration. For all public employees except those specified in subdivision 2, the director shall certify a matter to the board for binding interest arbitration if:

(a) the director has determined that further mediation would serve no purpose and has certified an impasse, or impasse has occurred because the exclusive representative and the employer have participated in mediation for the period required in section 179A.18, subdivisions 1 and 2, and the collective bargaining agreement has expired; and

(b) within 15 days of a request by one party for binding arbitration the other party has accepted the request. A request for arbitration is rejected if the other party has not responded within 15 days of the request.

Subd. 2. [ESSENTIAL EMPLOYEES.] For essential employees the director shall only certify a matter to the board for binding arbitration if either or both parties petition for binding arbitration stating that an impasse has been reached, and the director has determined that further mediation would serve no purpose.

Subd. 3. [PROCEDURE.] Within 15 days from the time the director certifies a matter to the board for binding arbitration the parties shall submit their final positions on matters not agreed upon. The director shall determine the matters not agreed upon based on the positions submitted by the parties and the director's efforts to mediate the dispute. The parties may stipulate items to be excluded from arbitration.

Subd. 4. [CONSTRUCTION SELECTION OF ARBITRATION PANEL.] The board director shall provide the parties to the interest arbitration a list of seven arbitrators. In submitting names of arbitrators to the parties, the board shall try to include names of persons from the, attempting, to the extent reasonable, to include

arbitrators who reside in the general geographical area in which the public employer is located. Within 14 calendar days after receipt of the list, the parties shall, under the direction of the chair of the board, alternately strike delete names from the list of arbitrators provided by the director until only three names remain, or if requested by either party, until only a single arbitrator name remains. The arbitrator or arbitrators remaining on the list shall constitute the arbitration panel for the dispute. If the parties are unable to agree on who shall strike delete the first name, the question shall be decided by the flip of a coin. The arbitrator or arbitrators remaining after the striking procedure constitute the arbitration panel.

Subd. 5. [JURISDICTION OF THE PANEL.] The arbitration panel selected by the parties has jurisdiction over the items of dispute certified to ~~and submitted~~ arbitration by the ~~board~~ director. However, the panel has no jurisdiction or authority to entertain any matter or issue that is not a term and condition of employment, unless the matter or issue was included in the employer's final position. Any order or part of an order issued by a panel which determines a matter or issue which is not a term or condition of employment and was not included in the employer's final position is void and of no effect. A decision of the panel which violates, is in conflict with, or causes a penalty to be incurred under: (1) the laws of Minnesota; or (2) rules promulgated under law, or municipal charters, ordinances, or resolutions, provided that the rules, charters, ordinances, and resolutions are consistent with this chapter, has no force or effect and shall be returned to the arbitrator to make it consistent with the laws, rules, charters, ordinances, or resolutions.

Subd. 6. [POWERS OF THE PANEL.] The arbitration panel may issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence which relates to any matter involved in any dispute before it. The panel may administer oaths and affidavits and may examine witnesses. Attendance of witnesses and the production of evidence may be required from any place in the state at any hearing. However, the panel's meeting shall be held in the county where the principal administrative offices of the employer are located, unless another location is selected by agreement of the parties. In case of refusal to obey a subpoena issued under this section, the district court of the state for the county where the proceeding is pending or where the person who refuses to obey is found, or resides, or transacts business shall, on application of the panel, have jurisdiction to issue an order requiring the person to appear before the panel, to produce evidence, or to give testimony. Failure to obey the order may be punished by the court as a contempt.

Subd. 7. [DECISION BY THE PANEL.] The panel's order shall be issued by a majority vote of its members. The order shall resolve the

issues in dispute between the parties as submitted by the board as certified to arbitration by the director. For principals and assistant principals, the panel shall be restricted to selecting between the final offers of the parties on each impasse item. For other employees, if the parties agree in writing, the panel shall be restricted to selecting between the final offers of the parties on each impasse item, or the final offer of one or the other parties in its entirety. In considering a dispute and issuing its order, the panel shall consider the statutory rights and obligations of public employers to efficiently manage and conduct their operations within the legal limitations surrounding the financing of these operations. The panel's decision and order shall be final and binding on all parties.

The panel shall render its order within ten days from the date that all arbitration proceedings have concluded. However, the panel must issue its order by the last date the employer is required by statute, charter, ordinance, or resolution to submit its tax levy or budget or certify its taxes voted to the appropriate public officer, agency, public body or office, or by November 1, whichever date is earlier. The panel's order shall be for the period stated in the order, except that orders determining contracts for teacher units shall be effective to the end of the contract period determined by section 179A.20.

The panel shall send its decision and orders to ~~the board, the~~ director, the appropriate representative of the public employer, and the employees. If any issues submitted to arbitration are settled voluntarily before the arbitrator issues a decision, the arbitrator shall report the settlement to ~~the board and the~~ director.

The parties may at any time prior to or after issuance of an order of the arbitration panel, agree upon terms and conditions of employment regardless of the terms and conditions of employment determined by the order. The parties shall, if so agreeing, execute a written contract or memorandum of contract.

Subd. 8. [PAYMENT OF THE PANEL.] The members of the panel shall be paid actual and necessary traveling and other expenses incurred in the performance of their duties plus an allowance of \$180 for each day or part of a day spent considering a dispute. All costs of the panel shall be shared equally by the parties to the dispute.

Sec. 153. Minnesota Statutes 1986, section 179A.21, is amended to read:

179A.21 [GRIEVANCE ARBITRATION.]

Subdivision 1. [DEFINITION.] For purposes of this section, "grievance" means a dispute or disagreement as to the interpretation or application of any term or terms of any contract required by section 179A.20.

Subd. 2. [SELECTION.] If the parties to a contract cannot agree upon an arbitrator or arbitrators as provided by the contract grievance procedures or the procedures established by the director, the parties shall, under direction of the board, alternately ~~strike~~ delete names from a list of five arbitrators ~~selected by the board~~ furnished by the director until only one name remains. This arbitrator shall decide the grievance and the decision is binding upon the parties. The parties shall share equally the costs and fees of the arbitrator.

Subd. 3. [LIMITS.] Arbitration decisions authorized or required by a grievance procedure are subject to the limitations contained in section 179A.16, subdivision 5. The arbitrator shall send the ~~board~~ and the director a copy of each grievance arbitration decision and any written explanation. If any issues submitted to arbitration are settled voluntarily before the arbitrator issues a decision, the arbitrator shall report the settlement to the ~~board and the director~~.

Sec. 154. Minnesota Statutes 1986, section 179A.25, is amended to read:

179A.25 [INDEPENDENT REVIEW.]

It is the public policy of the state of Minnesota that every public employee should be provided with the right of independent review, by a disinterested person or agency, of any grievance arising out of the interpretation of or adherence to terms and conditions of employment. When such review is not provided under statutory, charter, or ordinance provisions for a civil service or merit system, the governmental agency may provide for such review consistent with the provisions of law or charter. If no other procedure exists for the independent review of such grievances, the employee may present the grievance to the public employment relations panel director under procedures established by the board director.

Sec. 155. Minnesota Statutes 1986, section 197.481, subdivision 5, is amended to read:

Subd. 5. [PERSONNEL.] The commissioner may appoint a hearing officer to act in the commissioner's place and to employ such other personnel as are necessary to investigate facts in cases brought under this section. The affected political subdivision must bear all costs incurred by the commissioner under this section.

Sec. 156. Minnesota Statutes 1986, section 204B.11, subdivision 1, is amended to read:

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

(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in congress, judge of the supreme court, judge of the court of appeals, judge of the district court, or judge of the county municipal court of Hennepin county, ~~\$150~~ \$175;

(b) for the office of senator in congress, ~~\$200~~ \$225;

(c) for office of senator or representative in the legislature, ~~\$50~~ \$75;

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

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

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

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

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded.

Sec. 157. Minnesota Statutes 1986, section 221.67, is amended to read:

221.67 [SERVICE OF PROCESS.]

The use of any of the public highways of this state for the transportation of persons or property for compensation by a motor carrier in interstate commerce shall be deemed an irrevocable appointment by the carrier of the secretary of state to be the carrier's true and lawful attorney upon whom may be served all legal process in any action or proceeding brought under this chapter against the carrier or the carrier's executor, administrator, personal representative, heirs, successors or assigns. This use is a signification of agreement by the interstate motor carrier that any process in any action against the carrier or the carrier's executor, administrator, personal representative, heirs, successors, or assigns which is so served shall be of the same legal force and validity as if served upon the carrier personally. Service shall be made by serving a copy thereof upon the secretary of state or by filing a copy in the office of the secretary of state, together with payment of a fee of ~~\$15~~ \$20, and the service shall be sufficient service upon the absent motor carrier if notice of the service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at the

defendant's last known address and the plaintiff's affidavit of compliance with the provisions of this section and sections 221.60, 221.65, and 221.68 is attached to the summons.

Sec. 158. Minnesota Statutes 1986, section 271.01, is amended by adding a subdivision to read:

Subd. 1a. [RETIRED JUDGES.] Upon the retirement of a judge of the tax court or the district court, the chief judge of the tax court may, with the retired judge's consent, assign the retired judge to hear any case properly assignable to a judge of the tax court and to act on it with the full powers of a judge of the tax court. A retired judge performing this service shall receive pay and expenses in the amount and manner provided by law for judges serving on the court, less the amount of retirement pay the judge is receiving under chapter 352 or 490.

Sec. 159. Minnesota Statutes 1986, section 273.1314, subdivision 16a, is amended to read:

Subd. 16a. [ZONE BOUNDARY REALIGNMENT.] The commissioner may approve specific applications by a municipality to amend the boundaries of a zone or of an area or areas designated pursuant to subdivision 9, paragraph (e) at any time. Boundaries of a zone may not be amended to create noncontiguous subdivisions. If the commissioner approves the amended boundaries, the change is effective on the date of approval. Notwithstanding the area limitation under section 273.1312, subdivision 4, paragraph (b), the commissioner may approve a specific application to amend the boundaries of an enterprise zone which is located within five municipalities and was designated in 1984, to increase its area to not more than 800 acres, and may approve an additional specific application to amend the boundaries of that enterprise zone to include a sixth municipality or to further increase its area to include all or part of the territory of a town that surrounds one of the five municipalities, or both.

Notwithstanding the area limitation under section 273.1312, subdivision 4, paragraph (b), the commissioner may approve a specific application to amend the boundaries of an enterprise zone that is located within four municipalities to include a fifth municipality. The addition of the fifth municipality may only be approved after the existing municipalities, by adoption of a resolution by each municipality's governing board, agree to the addition of the fifth municipality.

Sec. 160. Minnesota Statutes 1986, section 296.16, subdivision 1, is amended to read:

Subdivision 1. [INTENT.] All gasoline received in this state and all gasoline produced in or brought into this state except aviation

gasoline and marine gasoline shall be determined to be intended for use in motor vehicles in this state.

Approximately ~~three-fourths of one and one-half~~ percent of all gasoline received in this state and ~~three-fourths of one and one-half~~ percent of all gasoline produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of motorboats on the waters of this state and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, ~~three-fourths of one and one-half~~ percent of such revenues is the amount of tax on fuel used in motorboats operated on the waters of this state.

Approximately three-fourths of one percent of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, three-fourths of one percent of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.

Approximately 0.15 of one percent of all gasoline received in or produced or brought into this state, except gasoline used for aviation purposes, is being used for the operation of all-terrain vehicles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax, 0.15 of one percent is the amount of tax on fuel used in all-terrain vehicles operated in this state.

Sec. 161. Minnesota Statutes 1986, section 296.421, subdivision 5, is amended to read:

Subd. 5. [COMPUTATION OF UNREFUNDED TAX.] The amount of unrefunded tax shall be a sum equal to ~~three-fourths of one percent~~ one and one-half percent of all revenues derived from the excise taxes on gasoline, except on gasoline used for aviation purposes, together with interest thereon and penalties for delinquency in payment, paid or collected pursuant to the provisions of sections 296.02 to 296.17. The amount of such tax shall be computed for each six-month period commencing January 1, 1961, and shall be paid into the state treasury on November 1 and June 1 following each six-month period.

Sec. 162. Minnesota Statutes 1986, section 302A.011, subdivision 11, is amended to read:

Subd. 11. [FILED WITH THE SECRETARY OF STATE.] "Filed with the secretary of state" means that an original of a document meeting the applicable requirements of this chapter, signed, and acknowledged or verified in the manner provided in chapter 358, and accompanied by a filing fee of ~~\$15~~ \$20, has been delivered to the secretary of state of this state. The secretary of state shall endorse

on the original the word "Filed" and the month, day, year, and time of filing, record the document in the office of the secretary of state, and return the document to the person who delivered it for filing.

Sec. 163. Minnesota Statutes 1986, section 302A.153, is amended to read:

302A.153 [EFFECTIVE DATE OF ARTICLES.]

Articles of incorporation are effective and corporate existence begins when the articles of incorporation are filed with the secretary of state accompanied by a payment of ~~\$85~~ \$115, which includes a ~~\$70~~ \$90 incorporation fee in addition to the ~~\$15~~ \$25 filing fee required by section 302A.011, subdivision 11. Articles of amendment and articles of merger are effective when filed with the secretary of state or at another time within 30 days after filing if the articles of amendment so provide. Articles of merger shall be accompanied by a fee of \$50 which includes a \$30 merger fee in addition to the \$20 filing fee required by section 302A.011, subdivision 11.

Sec. 164. Minnesota Statutes 1986, section 303.13, subdivision 1, is amended to read:

Subdivision 1. [FOREIGN CORPORATION.] A foreign corporation shall be subject to service of process, as follows:

(1) By service on its registered agent;

(2) When any foreign corporation authorized to transact business in this state fails to appoint or maintain in this state a registered agent upon whom service of process may be had, or whenever any registered agent cannot be found at its registered office in this state, as shown by the return of the sheriff of the county in which the registered office is situated, or by an affidavit of attempted service by any person not a party, or whenever any corporation withdraws from the state, or whenever the certificate of authority of any foreign corporation is revoked or canceled, service may be made by delivering to and leaving with the secretary of state, or with any deputy or clerk in the corporation department of the secretary of state's office, three copies thereof and a fee of ~~\$15~~ \$20; provided, that after a foreign corporation withdraws from the state, pursuant to section 303.16, service upon the corporation may be made pursuant to the provisions of this section only when based upon a liability or obligation of the corporation incurred within this state or arising out of any business done in this state by the corporation prior to the issuance of a certificate of withdrawal.

(3) If a foreign corporation makes a contract with a resident of Minnesota to be performed in whole or in part by either party in Minnesota, or if a foreign corporation commits a tort in whole or in part in Minnesota against a resident of Minnesota, such acts shall be

deemed to be doing business in Minnesota by the foreign corporation and shall be deemed equivalent to the appointment by the foreign corporation of the secretary of the state of Minnesota and successors to be its true and lawful attorney upon whom may be served all lawful process in any actions or proceedings against the foreign corporation arising from or growing out of the contract or tort. Process shall be served in duplicate upon the secretary of state, together with a fee of ~~\$15~~ \$20 and the secretary of state shall mail one copy thereof to the corporation at its last known address, and the corporation shall have 30 days within which to answer from the date of the mailing, notwithstanding any other provision of the law. The making of the contract or the committing of the tort shall be deemed to be the agreement of the foreign corporation that any process against it which is so served upon the secretary of state shall be of the same legal force and effect as if served personally on it within the state of Minnesota.

Sec. 165. Minnesota Statutes 1986, section 303.21, subdivision 3, is amended to read:

Subd. 3. [OTHER INSTRUMENTS.] A fee of \$20 shall be paid to the secretary of state for filing any instrument other than the annual report required by section 303.14, required or permitted to be filed under the provisions of this chapter. The fee For filing the annual report, a fee of \$30 shall be paid to the secretary of state. All fees shall be paid at the time of the filing of the instrument.

Sec. 166. Minnesota Statutes 1986, section 317.67, subdivision 2, is amended to read:

Subd. 2. The secretary of state shall collect a fee of ~~\$15~~ \$20 for filing any instrument that is required to be filed under this chapter.

Sec. 167. Minnesota Statutes 1986, section 322A.16, is amended to read:

322A.16 [FILING IN OFFICE OF SECRETARY OF STATE.]

(a) A signed copy of the certificate of limited partnership, of any certificates of amendment or cancellation or of any judicial decree of amendment or cancellation shall be delivered to the secretary of state. A person who executes a certificate as an agent or fiduciary need not exhibit evidence of the executor's authority as a prerequisite to filing. Unless the secretary of state finds that any certificate does not conform to law, upon receipt of a ~~\$10~~ \$20 filing fee and, in the case of a certificate of limited partnership, a \$50 initial fee, the secretary shall:

(1) endorse on the original the word "Filed" and the day, month and year of the filing; and

(2) return the original to the person who filed it or a representative.

(b) Upon the filing of a certificate of amendment or judicial decree of amendment in the office of the secretary of state, the certificate of limited partnership shall be amended as set forth in the amendment, and upon the effective date of a certificate of cancellation or a judicial decree of it, the certificate of limited partnership is canceled.

Sec. 168. Minnesota Statutes 1986, section 322A.71, is amended to read:

322A.71 [ISSUANCE OF REGISTRATION.]

(a) If the secretary of state finds that an application for registration conforms to law and a ~~\$10~~ \$20 filing fee and a \$50 initial registration fee has been paid, the secretary shall:

(1) endorse on the application the word "Filed," and the month, day and year of the filing thereof;

(2) file a duplicate original of the application; and

(3) issue a certificate of registration to transact business in this state.

(b) The certificate of registration, together with a duplicate original of the application, shall be returned to the person who filed the application or a representative of that person.

Sec. 169. Minnesota Statutes 1986, section 330.11, subdivision 3, is amended to read:

Subd. 3. Every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in any court of competent jurisdiction in this state by the service on the secretary of state of any summons, process, or pleadings authorized by the laws of the state of Minnesota. This consent shall stipulate that the service of such process or pleadings on the secretary of state shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant in the state of Minnesota. In case any summons, process, or pleadings are served upon the secretary of state, it shall be by duplicate copies, one of which shall be retained in the office of the secretary of state, and the other to be forwarded immediately by certified mail to the address of the applicant, as shown by the records of the secretary of state, against whom the summons, process, or pleadings may be divested. A fee of \$20 shall be paid to the secretary of state for each service.

Sec. 170. Minnesota Statutes 1986, section 333.055, subdivision 3, is amended to read:

Subd. 3. The secretary of state shall charge and collect:

(a) For the filing of each certificate or amended certificate of an assumed name - \$15

(b) Certificate renewal fee - \$6 \$10.

Sec. 171. Minnesota Statutes 1986, section 363.05, subdivision 1, is amended to read:

Subdivision 1. [FORMULATION OF POLICIES.] The ~~commissioner~~ attorney general shall formulate policies to effectuate the purposes of this chapter and shall:

(1) Exercise leadership ~~under the direction of the governor~~ in the development of human rights policies and programs, and make recommendations to the governor and the legislature for their consideration and implementation;

(2) cooperate and consult with appropriate commissioners and agencies in developing plans and programs to most effectively serve the needs of Indians, to assist women and to fulfill the purposes of this chapter;

(3) establish and maintain a ~~principal office in St. Paul, and any other~~ necessary branch offices at any location within the state;

(4) meet and function at any place within the state;

(5) employ such hearing examiners, attorneys, clerks and other employees and agents as the commissioner may deem necessary and prescribe their duties;

(6) to the extent permitted by federal law and regulation, utilize the records of the department of jobs and training of the state when necessary to effectuate the purposes of this chapter;

(7) obtain upon request and utilize the services of all state governmental departments and agencies;

(8) adopt suitable rules for effectuating the purposes of this chapter;

(9) issue complaints, receive and investigate charges alleging unfair discriminatory practices, and determine whether or not probable cause exists for hearing;

(10) subpoena witnesses, administer oaths, take testimony, and require the production for examination of any books or papers relative to any matter under investigation or in question; authorize hearing examiners to exercise the authority conferred by this clause;

(11) attempt, by means of education, conference, conciliation, and persuasion to eliminate unfair discriminatory practices as being contrary to the public policy of the state;

(12) conduct research and study discriminatory practices;

(13) publish and distribute the results of research and study when in the judgment of the ~~commissioner~~ attorney general the purposes of this chapter, will be served thereby;

(14) develop and conduct programs of formal and informal education designed to eliminate discrimination and intergroup conflict by use of educational techniques and programs the ~~commissioner~~ attorney general deems necessary;

(15) make a written report of the activities of the ~~commissioner~~ under this chapter to the governor each year and to the legislature by November 15 of each even-numbered year;

(16) accept gifts, bequests, grants or other payments public and private to help finance the activities of the ~~department~~ this chapter;

(17) create such local and statewide advisory committees as will in the ~~commissioner's~~ attorney general's judgment aid in effectuating the purposes of the ~~department of human rights~~ this chapter;

(18) appoint a hearing examiner to preside at a public hearing on any complaint;

(19) develop such programs as will aid in determining the compliance throughout the state with the provisions of this chapter, and in the furtherance of such duties, conduct research and study discriminatory practices based upon race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, familial status, or other factors and develop accurate data on the nature and extent of discrimination and other matters as they may affect housing, employment, public accommodations, schools, and other areas of public life;

(20) develop and disseminate technical assistance to persons subject to the provisions of this chapter, and to agencies and officers of governmental and private agencies;

(21) provide staff services to ~~such~~ advisory committees as may be created ~~in aid of the functions of the department of human rights~~;

(22) make grants in aid to the extent that appropriations are made available for that purpose in aid of carrying out duties and responsibilities; but no grant in aid shall be made without first obtaining the advice and consent of the board;

(23) develop educational programs, community organization programs, leadership development programs, motivational programs, and business development programs for the benefit of those persons theretofore and hereafter subject to prejudice and discrimination;

(24) provide information for and direction to a program designed to assist Indian citizens to assume all the rights, privileges, and duties of citizenship; and to coordinate and cooperate with local, state and national and private agencies providing services to the Indian people; and

(25) cooperate and consult with the commissioner of labor and industry regarding the investigation of violations of, and resolution of complaints regarding section 363.03, subdivision 9.

Sec. 172. Minnesota Statutes 1986, section 363.071, subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] The hearing examiner shall make findings of fact and conclusions of law, and if the hearing examiner finds that the respondent has engaged in an unfair discriminatory practice, the hearing examiner shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the examiner will effectuate the purposes of this chapter. Such order shall be a final decision of the ~~department~~ attorney general. The examiner shall order any respondent found to be in violation of any provision of section 363.03 to pay a civil penalty to the state. This penalty is in addition to compensatory and punitive damages to be paid to an aggrieved party. The hearing examiner shall determine the amount of the civil penalty to be paid, taking into account the seriousness and extent of the violation, the public harm occasioned by the violation, whether the violation was intentional, and the financial resources of the respondent. Any penalties imposed under this provision shall be paid into the general fund of the state. In all cases where the examiner finds that the respondent has engaged in an unfair discriminatory practice the examiner shall order the respondent to pay an aggrieved party, who has suffered discrimination, compensatory damages in an amount up to three times the actual damages sustained. In all cases, the examiner may also order the respondent to pay an aggrieved party, who has suffered discrimination, damages for mental anguish or suffering and reasonable attorney's fees, in addition to punitive damages in an amount not more than \$6,000. Punitive damages shall be awarded pursuant to section 549.20. In any case where a political subdivision is a

respondent the total of punitive damages awarded an aggrieved party may not exceed \$6,000 and in that case if there are two or more respondents the punitive damages may be apportioned among them. Punitive damages may only be assessed against a political subdivision in its capacity as a corporate entity and no regular or ex officio member of a governing body of a political subdivision shall be personally liable for payment of punitive damages pursuant to this subdivision. In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the examiner may order the hiring, reinstatement or upgrading of an aggrieved party, who has suffered discrimination, with or without back pay, admission or restoration to membership in a labor organization, or admission to or participation in an apprenticeship training program, on-the-job training program, or other retraining program, or any other relief the examiner deems just and equitable.

(b) housing, the examiner may order the sale, lease, or rental of the housing accommodation or other real property to an aggrieved party, who has suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the examiner deems just and equitable.

The examiner shall cause the findings of fact, conclusions of law, and order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 173. Minnesota Statutes 1986, section 363.14, subdivision 1, is amended to read:

Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] A person may bring a civil action seeking redress for an unfair discriminatory practice:

(a) Directly to district court; or

(b) Notwithstanding the provisions of any law to the contrary, (1) within 45 days after the ~~commissioner~~ attorney general has dismissed a charge because it is frivolous or without merit, because the charging party has failed to provide required information, because the ~~commissioner~~ attorney general has determined that further use of ~~department~~ the attorney general's resources is not warranted, or because the ~~commissioner~~ attorney general has determined that there is no probable cause to credit the allegations contained in a charge filed with the ~~commissioner~~ attorney general; (2) within 45 days after the ~~commissioner~~ attorney general has reaffirmed a

determination of no probable cause if the charging party requested a reconsideration of the probable cause determination; or (3) after 45 days from the filing of a charge pursuant to section 363.06, subdivision 1 if a hearing has not been held pursuant to section 363.071 or if the commissioner attorney general has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner attorney general of an intention to bring a civil action, which shall be commenced within 90 days of giving the notice.

(e) ~~The commissioner may dismiss, without prejudice to the charging party, any case filed with the department on or before June 30, 1978. The commissioner shall notify a charging party by regular mail sent before August 1, 1981, of the right to bring a civil action pursuant to this section. Upon giving this notice the commissioner shall end all proceedings in the department relating to the charge. Notwithstanding any statutory period of limitation to the contrary, an individual notified pursuant to this clause may bring a civil action relating to the charge; provided that the action is filed on or before February 1, 1982.~~

A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner attorney general, and upon their receipt the commissioner attorney general shall terminate all proceedings in the department relating to the charge. No charge shall be filed or reinstituted with the commissioner attorney general after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

Upon application by the complaining party to the district court at a special term and under circumstances the court deems just, the court may appoint an attorney for the person and may authorize the commencement of the action without payment of fees, costs, or security.

Upon timely application, the court may permit the department attorney general to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Sec. 174. Minnesota Statutes 1986, section 403.11, subdivision 1, is amended to read:

Subdivision 1. [EMERGENCY TELEPHONE SERVICE FEE.] (a) Each customer of a local exchange company is assessed a fee to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment for minimum 911 emergency telephone service, plus administrative and staffing costs of the department of administration related to managing the 911 emergency telephone service program.

(b) The fee may not be less than eight cents nor more than 30 cents a month for each customer access line, including trunk equivalents as designated by the public utilities commission for access charge purposes. The fee must be the same for all customers.

(c) The fee must be collected by each utility providing local exchange telephone service. Fees are payable to and must be submitted to the commissioner of administration monthly before the 25th of each month following the month of collection, except that fees may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a month is due. Receipts must be deposited in the state treasury and credited to a 911 emergency telephone service account in the special revenue fund and are appropriated to the commissioner of administration to pay the costs of the program.

(d) The commissioner of administration, with the approval of the commissioner of finance, shall establish the amount of the fee within the limits specified and inform the utilities of the amount to be collected. Utilities must be given a minimum of 45 days notice of fee changes.

Sec. 175. Minnesota Statutes 1986, section 462A.05, is amended by adding a subdivision to read:

Subd. 25. [GRANTS FOR HOUSING FOR VERY LOW INCOME PERSONS LIVING ALONE.] The agency may make grants for residential housing to be used by very low income persons living alone whose annual gross income does not exceed 150 percent of the poverty line as updated by the United States Office of Management and Budget. The grants may be made to cities, joint powers boards established by two or more cities, housing and redevelopment authorities created under sections 462.415 to 462.705, or nonprofit entities as defined by the agency. The occupants of the residential housing must be offered a written lease that complies with section 325G.31, offers the occupants the option to renew, and prohibits eviction of an occupant without good cause. Grants under this subdivision shall not exceed 50 percent of the development costs for the residential housing, and shall not be made for any residential housing that requires the occupants to accept board as well as lodging. In making grants, the agency shall determine the circumstances, terms, and conditions under which all or part of the grant will be repaid and the appropriate security if repayment is required.

Sec. 176. Minnesota Statutes 1986, section 462A.21, is amended by adding a subdivision to read:

Subd. 4k. [HOUSING DEVELOPMENT FUND.] The agency may make grants for residential housing for very low income persons under section 174 from funds specifically appropriated by the legislature for that purpose and may pay the costs and expenses for the development and operation of the program.

Sec. 177. Minnesota Statutes 1986, section 473.351, is amended by adding a subdivision to read:

Subd. 3. [RESTRICTION.] Any metropolitan area regional park receiving grant money for maintenance and operation costs must agree:

(1) to sell licenses, passes, or registrations required to engage in recreational activities appropriate to the park or the site of the park when a building on the park site is staffed and open to the public; and

(2) to provide drinking water supplies adequate for the recreational uses of the park. Each implementing agency must consult with groups representing users of its parks to determine the adequacy of drinking water supplies.

Sec. 178. [480.231] [SOFTWARE SALES.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding any other law, the supreme court may sell or license self-developed or vendor custom-developed computer software products or systems through whatever sales method the supreme court, in its discretion, considers appropriate. Prices for the software products or systems may be based on market considerations. The court is given this authorization to fulfill the public purpose of offsetting its software development costs through the sale of products developed.

Subd. 2. [SOFTWARE SALE FUND.] Proceeds of the sale or licensing of software products or systems by the supreme court shall be deposited in a dedicated supreme court software sale fund. All interest earnings from investment of money in the fund shall be credited to the fund. The money in the fund never cancels and is available until expended.

Sec. 179. Minnesota Statutes 1986, section 480.241, is amended to read:

480.241 [FILING FEE SURCHARGE IN CIVIL ACTIONS.]

Subdivision 1. [AMOUNT OF SURCHARGE; COLLECTION BY COURT ADMINISTRATORS.] A plaintiff, petitioner, defendant, respondent, intervenor or moving party in any district, county or municipal court civil action or civil proceeding in which an initial filing fee is payable by that party, except a marriage dissolution or conciliation court action, shall pay to the court administrator of district or county court or court administrator of the municipal courts of Hennepin county or Ramsey county a surcharge of \$10 \$20 in addition to the initial filing fee otherwise prescribed. A plaintiff, defendant or moving party in any conciliation court action in which

an initial filing fee is payable shall pay to the court administrator of conciliation court a surcharge of \$1 in addition to the initial filing fee otherwise prescribed. Notwithstanding any other law or rule to the contrary, no surcharge shall be paid by any governmental unit of the state of Minnesota, any local unit of government, or agency thereof, when the governmental unit, local government, or agency thereof is a party to any civil action or civil proceeding in the municipal courts of Hennepin or Ramsey counties, or in any county court.

Subd. 2. [TRANSMITTAL OF SURCHARGE TO SUPREME COURT.] Notwithstanding any other law or rule to the contrary, all surcharges collected pursuant to subdivision 1 shall be transmitted monthly by the district, county and conciliation court court administrators and municipal court administrators to the supreme court for deposit in a legal services account in the special revenue fund as follows:

(a) Between July 1, 1987, and June 30, 1989, one-half of the surcharges shall be deposited in a legal services account in the special revenue fund. Of the other one-half of the surcharges, between July 1, 1987, and June 30, 1989, 60 percent shall be deposited in a family farm legal assistance program account under section 480.250; the remaining surcharges collected between July 1, 1987, and June 30, 1989, shall be deposited in a software sale fund under section 480.235.

(b) After June 30, 1989, two-thirds of the surcharge shall be deposited in a legal services account in the special revenue fund and one-third shall be deposited in a software sale fund under section 480.235.

Sec. 180. [480.245] [JUDICIAL FEE IN CIVIL ACTIONS AND CONCILIATION COURTS.]

Subdivision 1. [AMOUNT OF FEE; COLLECTION BY COURT ADMINISTRATORS.] A plaintiff, petitioner, defendant, respondent, intervenor, or moving party in a civil action or civil proceeding in which an initial filing fee is payable by that party, except a marriage dissolution or conciliation court action, shall pay to the court administrator a judicial fee of \$4 in addition to the civil surcharge and the initial filing fee otherwise prescribed under section 480.241. A plaintiff, defendant, or moving party in a conciliation court action in which an initial filing fee is payable shall pay to the court administrator a judicial fee of \$1 in addition to the civil surcharge and the initial filing fee otherwise prescribed. The court administrator may waive the judicial fee authorized under this section if the party is indigent, or is a victim of a crime against a person and is seeking to enforce a restitution order against the perpetrator of the crime. Notwithstanding any other law or rule to the contrary, no fee must be paid by any governmental unit of the state of Minnesota,

any local unit of government, or agency of those units, when the governmental unit, local government, or agency is a party to any civil action or civil proceeding.

Subd. 2. [TRANSMITTAL OF FUNDS.] All fees collected under subdivision 1 shall be paid to the state treasurer for deposit in the state general fund.

Sec. 181. Minnesota Statutes 1986, section 480A.03, subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATIVE AUTHORITY.] The chief judge, subject to the authority of the chief justice, shall appoint a three-member executive committee that shall exercise general administrative authority over the court. The chief judge executive committee shall make assignments of judges to serve on the panels of the court and shall designate the places at which the panels will hear arguments.

Sec. 182. Minnesota Statutes 1986, section 480A.08, subdivision 3, is amended to read:

Subd. 3. [DECISIONS.] A decision shall be rendered in every case within 90 days after oral argument or after the final submission of briefs or memoranda by the parties, whichever is later. The chief justice or the chief judge may waive the 90-day limitation for any proceeding before the court of appeals for good cause shown. In every case, the decision of the court, including any and a written opinion containing a summary of the case and a statement of the reasons for its decision, shall be indexed and made readily available.

Sec. 183. Minnesota Statutes 1986, section 480A.09, subdivision 1, is amended to read:

Subdivision 1. [APPEALS.] Oral argument in appeals from trial courts shall may be heard:

(a) In appeals from trial courts in Hennepin and Ramsey counties, at a session of the court of appeals in Hennepin or Ramsey county.

(b) In appeals from trial courts in other counties, at a session of the court of appeals in the judicial district in which the county is located.

Sec. 184. Minnesota Statutes 1986, section 480A.09, subdivision 2, is amended to read:

Subd. 2. [CERTIORARI.] Oral arguments on writs of certiorari to review decisions of the commissioner of jobs and training shall may be heard as provided in this subdivision.

(1) If the claimant for benefits is a real party in interest in the proceedings and resides in Hennepin or Ramsey county, in one of those counties;

(2) If the claimant for benefits is a real party in interest in the proceedings and resides elsewhere in the state, in the judicial district of the claimant's residence;

(3) Otherwise, at a place as designated by the appellate administrator.

Sec. 185. Minnesota Statutes 1986, section 480A.09, subdivision 4, is amended to read:

Subd. 4. [PETITIONS FOR REVIEW.] Oral arguments on petitions to review decisions of administrative agencies in contested cases, pursuant to sections 14.63 to 14.68 shall may be heard:

(a) If the petitioner resides outside of Hennepin and Ramsey counties, but within Minnesota, either at the session of the court of appeals in Hennepin or Ramsey county, or at a session of the court of appeals in the judicial district in which the petitioner resides, as designated by the petitioner in the petition for review.

(b) If the petitioner resides in Hennepin or Ramsey counties, or outside of Minnesota, at a session of the court of appeals in Hennepin or Ramsey county.

Sec. 186. [481.011] [CLIENT SECURITY BOARD.]

Fees that are received under rules or orders adopted or made by the supreme court governing the client security fund shall be paid to the state treasurer and constitute a special fund in the state treasury. The money in the fund is appropriated to the supreme court for the payment of expenses of the client security board and claims approved by it. The money in the fund never cancels and is available until expended. All interest earnings accruing to the fund shall be credited to the account. Payments therefrom shall be made by the state treasurer, upon warrants of the commissioner of finance, issued upon vouchers as authorized by the supreme court.

Sec. 187. Minnesota Statutes 1986, section 487.21, subdivision 4, is amended to read:

Subd. 4. Notwithstanding any contrary provisions in the rules of criminal procedure, if a municipality is located in more than one county court district, or in more than one county within a county court district, as those districts existed before merger of the trial courts under section 487.191, the county in which the city hall of the municipality is located determines the county or county court

district in which the municipality shall be deemed located for the purposes of matters that were placed within the jurisdiction of the county courts under sections 487.01 to 487.39; provided, however, that the municipality by ordinance enacted may designate, for those purposes, some other county or district in which a part of the municipality is located.

Sec. 188. Minnesota Statutes 1986, section 540.152, is amended to read:

540.152 [SERVICE OF PROCESS ON UNIONS, GROUPS OR ASSOCIATIONS.]

The transaction of any acts, business or activities within the state of Minnesota by any officer, agent, representative, employee or member of any union or other groups or associations having officers, agents, members or property without the state on behalf of the union or other groups or associations or any of its members or affiliated local unions shall be deemed an appointment by the union or other groups or associations of the secretary of state of the state of Minnesota to be the true and lawful attorney of the union or other groups or associations, upon whom may be served all legal processes or notices in any action or proceeding against or involving the union or other groups or associations growing out of any acts, business or activities within the state of Minnesota resulting in damage or loss to person or property or giving rise to any cause of action under the laws of the state of Minnesota or to any matters or proceedings arising under the Minnesota Labor Relations Act. Such acts, business or activities shall be a signification of the agreement of the union or other groups or associations and its members that any process or notice in any action, matter or proceeding against or involving it, which is so served, shall be of the same legal force and validity as if served upon the union or other groups or associations and its members personally. Service of process or notice shall be made by filing a copy thereof in the office of the secretary of state, together with payment of a fee of \$15 \$20 and together with an affidavit stating that no officer or managing agent of the union or other group or association has been found in this state and setting forth an address to which the service shall be forwarded. The service shall be sufficient service upon the union or other groups or associations and its members. Notice of service and a copy of the process or notice shall, within ten days thereafter, be sent by mail by the person who caused it to be served on the union or other groups or associations at its last known address and an affidavit of compliance with the provisions of this chapter shall be filed with the court or other state agency or department before which the action, matter, or proceeding is pending.

Sec. 189. Minnesota Statutes 1986, section 543.08, is amended to read:

543.08 [SUMMONS, SERVICE UPON CERTAIN CORPORATIONS.]

If a private domestic corporation has no officer at the registered office of the corporation within the state upon whom service can be made, of which fact the return of the sheriff of the county in which that office is located, or the affidavit of a private person not a party, that none can be found in that county shall be conclusive evidence, service of the summons upon it may be made by depositing two copies, together with a fee of ~~\$15~~ \$20 with the secretary of state, which shall be deemed personal service upon the corporation. One of the copies shall be filed by the secretary, and the other forthwith mailed by the secretary to the corporation by certified mail, if the place of its main office is known to the secretary or is disclosed by the files in the office.

If the defendant is a foreign insurance corporation, the summons may be served by two copies delivered to the commissioner of commerce, who shall file one in the commissioner's office and forthwith mail the other postage prepaid to the defendant at its home office.

Sec. 190. Minnesota Statutes 1986, section 609.101, is amended to read:

609.101 [SURCHARGE ON FINES, ASSESSMENTS; MINIMUM FINES.]

Subdivision 1. [SURCHARGES AND ASSESSMENTS.] When a court sentences a person convicted of a felony, gross misdemeanor, or misdemeanor, other than a petty misdemeanor such as a traffic or parking violation, and if the sentence does not include payment of a fine, the court shall impose an assessment of not less than \$25 nor more than \$50. If the sentence for the felony, gross misdemeanor, or misdemeanor includes payment of a fine of any amount, including a fine of less than \$100, the court shall impose a surcharge on the fine of ten percent of the fine. This section applies whether or not the person is sentenced to imprisonment and when the sentence is suspended. The court may, upon a showing of indigency or undue hardship upon the convicted person or the person's immediate family, not waive payment or authorize payment of the assessment or surcharge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment or surcharge would create undue hardship for the convicted person or that person's immediate family; however, if the court waives payment or authorizes payment in installments, it shall state in writing on the record the reasons for its action. If the court fails to waive or impose an assessment required by this section, the court administrator shall correct the record to show imposition of an assessment of \$25 if the sentence does not include payment of a fine,

or if the sentence includes a fine, to show an imposition of a surcharge of 10 percent of the fine.

Except for assessments and surcharges imposed on persons convicted of violations described in section 97A.065, subdivision 2, the court shall collect and forward to the commissioner of finance the total amount of the assessment or surcharge and the commissioner shall credit all money so forwarded to a crime victim and witness account, which is established as a special account in the state treasury.

Money credited to the crime victim and witness account may be appropriated for but is not limited to the following purposes:

(1) use for crime victim reparations under sections 611A.51 to 611A.68;

(2) use by the crime victim and witness advisory council established under section 611A.71; and

(3) to supplement the federally funded activities of the crime victim ombudsman under section 611A.74.

If the convicted person is sentenced to imprisonment, the chief executive officer of the correctional facility in which the convicted person is incarcerated may collect the assessment or surcharge from any earnings the inmate accrues for work performed in the correctional facility and forward the amount to the commissioner of finance, indicating the part that was imposed for violations described in section 97A.065, subdivision 2, which must be credited to the game and fish fund.

Subd. 2. [MINIMUM FINES.] Notwithstanding any other law:

(1) when a court sentences a person convicted of violating section 609.221, 609.267, or 609.342, it must impose a fine of not less than \$500 nor more than the maximum fine authorized by law;

(2) when a court sentences a person convicted of violating section 609.222, 609.223, 609.2671, 609.343, 609.344, or 609.345, it must impose a fine of not less than \$300 nor more than the maximum fine authorized by law; and

(3) when a court sentences a person convicted of violating section 609.2231, 609.224, or 609.2672, it must impose a fine of not less than \$100 nor more than the maximum fine authorized by law.

The court may not waive payment of the fine or authorize payment of it in installments unless the court makes written findings on the record that the convicted person is indigent or that the fine would

create undue hardship for the convicted person or that person's immediate family.

The court shall collect the minimum fine mandated by this subdivision and forward 70 percent of it to a local victim assistance program that provides services locally in the county in which the crime was committed. The court shall forward the remaining 30 percent to the commissioner of finance to be credited to the crime victim and witness account established in subdivision 1. If more than one victim assistance program serves the county in which the crime was committed, the court may designate on a case-by-case basis which program will receive the fine proceeds, giving consideration to the nature of the crime committed, the types of victims served by the program, and the funding needs of the program. If no victim assistance program serves that county, the court shall forward 100 percent of the fine proceeds to the commissioner of finance to be credited to the crime victim and witness account. Fine proceeds received by a local victim assistance program must be used to provide direct services to crime victims. Fine proceeds credited to the crime victim and witness account may be appropriated to the crime victim and witness advisory council, and the council may use all or part of the proceeds for the purpose of providing grants to establish new victim assistance programs.

The minimum fine required by this subdivision is in addition to the surcharge or assessment required by subdivision 1, and is in addition to any term of imprisonment or restitution imposed or ordered by the court.

As used in this subdivision, "victim assistance program" means any of the following programs approved by the department of corrections: crime victim crisis centers, victim-witness programs, battered women shelters and nonshelter programs, and sexual assault programs.

Sec. 191. Minnesota Statutes 1986, section 626.861, subdivision 4, is amended to read:

Subd. 4. [PEACE OFFICERS TRAINING ACCOUNT.] Receipts from penalty assessments must be credited to a peace officers training account in the special revenue fund. Money credited to the peace officers training account may be appropriated for but not limited to the following purposes, among others:

(a) Up to ten percent may be provided for reimbursement to board approved skills courses in proportion to the number of students successfully completing the board's skills licensing examination.

(b) Assessments related to violations described in section 97.49, subdivision 5, are appropriated to provide peace officer training for persons employed by the commissioner of natural resources who are

licensed under section 626.84, subdivision 1, clause (e), and who possess peace officer authority for the purpose of enforcing game and fish laws.

(e) The balance may be used to pay each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount must be used exclusively for reimbursement of the cost of in-service training required under this chapter and chapter 214.

Sec. 192. [POSTRETIREMENT ADJUSTMENT; LUMP SUM PAYMENTS.]

Subdivision 1. [ENTITLEMENT.] Any recipient receiving a retirement annuity, disability benefit, or surviving spouse's annuity or benefit from a retirement fund named in subdivision 3, clauses (1) to (5), computed under the laws in effect before June 1, 1973, if the recipient is receiving an annuity or benefit from the fund named in subdivision 3, clause (4), or before July 1, 1973, if the recipient is receiving an annuity or benefit from a fund named in subdivision 3, clause (1), (2), (3), or (5), any recipient receiving either an annuity computed under the laws in effect before March 5, 1974, or a "\$2 bill and annuity" annuity from the fund named in subdivision 3, clause (6), and any recipient receiving an annuity, disability benefit, or surviving spouse's annuity or benefit from the fund named in subdivision 3, clause (5), that was computed under the metropolitan transit commission-transit operating division employees retirement fund plan document in effect on or before December 31, 1977, is entitled to receive a postretirement adjustment from the appropriate retirement fund in the amount specified in subdivision 2.

Subd. 2. [AMOUNT OF POSTRETIREMENT ADJUSTMENT; PAYMENT.] Any recipient receiving an annuity or benefit on November 30, 1987, or on November 30, 1988, and entitled to a postretirement adjustment under subdivision 1, shall receive an adjustment. The adjustment shall be a lump sum payment in an amount equal to \$25 during 1987 and \$25 during 1988 for each full year of allowable service credited to the recipient by the appropriate retirement fund. Adjustments shall be payable on December 1, 1987, to recipients receiving an annuity or benefit on November 30, 1987, and on December 1, 1988, to recipients receiving an annuity or benefit on November 30, 1988. Nothing in this section shall authorize the payment of an adjustment to an estate. Notwithstanding Minnesota Statutes, section 356.18, the adjustment provided for in this section shall be paid automatically unless the intended recipient files a written notice with the retirement fund requesting that the adjustment not be paid.

Subd. 3. [COVERED RETIREMENT FUNDS.] The postretirement adjustment provided for in this section shall apply to the following retirement funds:

- (1) public employees retirement fund;
- (2) public employees police and fire fund;
- (3) teachers retirement fund;
- (4) state patrol retirement fund;
- (5) state employees retirement fund of the Minnesota state retirement system; and
- (6) Minneapolis employees retirement fund.

Subd. 4. [AUTHORIZATION FOR EMPLOYER CONTRIBUTION INCREASES.] The governing boards of the Minnesota State Retirement System and the Public Employees Retirement Association may each year require employers to contribute the following amounts in addition to the other contributions specified in statute:

- (1) for employers of members of the MSRS general plan, a percentage, not to exceed .14 percent, which when applied to the covered payroll will raise an amount approximately equal to the cost of the supplemental benefits authorized in subdivisions 1, 2, and 3;
- (2) for employers of members of the MSRS highway patrol plan, a percentage, not to exceed .30 percent, which when applied to the covered payroll will raise an amount approximately equal to the cost of the supplemental benefits authorized in subdivisions 1, 2, and 3;
- (3) for employers of members of the PERA general plan, a percentage, not to exceed .15 percent, which when applied to the covered payroll will raise an amount approximately equal to the cost of the supplemental benefits authorized in subdivisions 1, 2, and 3;
- (4) for employers of members of the PERA police and fire plan, a percentage, not to exceed .06 percent, which when applied to the covered payroll will raise an amount approximately equal to the cost of the supplemental benefits authorized in subdivisions 1, 2, and 3.

Subd. 5. [TERMINAL AUDIT.] Each fund named in subdivision 3 shall, as soon as practical following payment of the December 1, 1988 postretirement adjustment, calculate the amount of any appropriation apportioned to it in excess of the amounts required to pay the adjustments. Calculations shall be reported to and verified by the commissioner of finance, and amounts of any excess appropriation shall be returned to the general fund.

There is appropriated during the 1988-1989 biennium, the amount of \$5,716,000 for the purpose of funding the postretirement adjustments provided for in section 191. The appropriation shall be apportioned to the retirement funds paying the adjustment as follows:

	<u>Fiscal Year</u> <u>1988</u>	<u>Fiscal Year</u> <u>1989</u>
<u>Teachers retirement fund</u>	<u>1,915,275</u>	<u>1,803,225</u>
<u>Minneapolis employees retirement fund</u>	<u>1,025,000</u>	<u>973,000</u>

Sec. 194. [COVERT INVESTIGATIVE ACTIVITIES.]

A six-member joint legislative committee shall investigate the covert investigative activities of the department of natural resources and the bureau of criminal apprehension. The committee consists of three house members, including one member of the minority caucus, appointed by the speaker of the house, and three senate members, including one member of the minority caucus, appointed pursuant to the rules of the senate. The committee shall review the manner in which the covert investigative activities are carried out and the budget for the activities. The committee shall conclude its work by December 31, 1988.

Sec. 195. [RETURN OF APPLICATION DEPOSIT REQUIRED.]

The department of energy and economic development shall refund to the city of Hastings any remaining application deposit received during calendar year 1984 from the city of Hastings in connection with the Hastings hydroelectric project pursuant to Minnesota Statutes, section 474.19 and retained by the department.

\$60,000 is appropriated from the general fund to the department of energy and economic development to refund the industrial development bond allocation application deposit to the city of Hastings.

Sec. 196. [REVISOR'S INSTRUCTION.]

In the next edition of Minnesota Statutes, the revisor of statutes shall substitute the term "attorney general's" for "commissioner's" and "department's" and the term "attorney general" for "commissioner," "commissioner of human rights," "department", and "department of human rights" whenever those terms are used to refer to the commissioner of human rights or the department of human rights.

Sec. 197. [REPEALERS.]

Subdivision 1. Minnesota Statutes 1986, sections 3.9226, subdivision 8; 3C.035, subdivision 2; 3C.055; 3C.056; 3C.057; 6.495, subdivision 2; 92.67, subdivision 6; 116J.87; 179A.03, subdivision 3;

179A.05; 296.421, subdivision 5a; 363.01, subdivisions 14 and 26; 363.04, subdivisions 1, 2, 9 and 10; 363.12, subdivision 3; and 363.121 are repealed.

Subd. 2. Minnesota Statutes 1986, section 473.351, subdivision 5, is repealed effective the day following final enactment.

Sec. 198. [EFFECTIVE DATES.]

Subdivision 1. Building fund appropriations transfer effective the day following final enactment.

Subd. 2. Section 76 is effective July 1, 1987, provided the commissioner shall not implement the program until the legislature appropriates the necessary funds.

Subd. 3. (a) The additional judgeships authorized for judicial districts in section 2.722 are established as follows:

(1) one judgeship in the first judicial district, three judgeships in the fourth judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1987;

(2) one judgeship in the first judicial district, three judgeships in the fourth judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1988;

(3) one judgeship in the first judicial district, three judgeships in the fourth judicial district, one judgeship in the seventh judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1989, if an appropriation is made; and

(4) one judgeship in the first judicial district, two judgeships in the fourth judicial district, and one judgeship in the tenth judicial district is effective on July 1, 1990, if an appropriation is made.

(b) Section 179 is effective on July 1, 1987.

Subd. 4. Except as provided in this section, sections 84.091, subdivision 3; 97A.415, subdivision 1; and 97A.445 to 97A.485 are effective for the licensing year beginning March 1, 1988, and for each licensing year after that date. The nonresident married couple angling licenses, and sections 97A.445, subdivision 1; 97A.451, subdivision 4; and 97A.485, subdivision 6 are effective beginning July 1, 1987, and for each licensing year after that date. The 24 hour resident and nonresident angling licenses are effective beginning June 1, 1987, and for each licensing year after that date.

Subd. 5. Sections 49, 50, and 195 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; providing for a study of the Minnesota veterans' home; providing for information systems management; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; amending Minnesota Statutes 1986, sections 2.722, subdivision 1; 3.099, subdivision 3; 3.30, subdivision 2; 3.85, subdivision 12; 3C.11, subdivision 2; 3C.12, subdivision 7; 8.15; 14.07, subdivisions 1 and 2; 14.08; 14.47, subdivision 8; 15.01; 15.06, subdivision 1; 15A.081, subdivision 1; 16A.127, subdivision 8; 16A.85, by adding a subdivision; 16B.20, subdivision 2; 16B.41; 16B.42, subdivision 4; 69.021, subdivision 5; 84.01, subdivision 3; 84.091, subdivision 3; 84.83, subdivision 3; 85.30; 85.41; 85.42; 85.43; 85.45; 85A.04, subdivision 1; 88.065; 88.17, subdivision 2; 88.75, subdivision 1; 88.76; 88.79, subdivision 2; 89.04; 92.46, subdivision 1; 92.67, subdivisions 1, 4, and by adding a subdivision; 93.335, subdivision 4; 97A.061, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivision 1; 97A.415, subdivision 1; 97A.445, subdivision 1; 97A.451, subdivision 4; 97A.475, subdivisions 2, 3, 6, 7, 8, 9, 11, 12, 13, and 20; 97A.485, subdivision 6; 97C.211, by adding a subdivision; 115A.15, subdivision 6; 115A.42; 115A.44; 115A.45; 115A.46, subdivision 1; 115A.49; 115A.51; 115A.52; 115A.53; 115A.917; 116.41, subdivision 2; 116J.615, by adding a subdivision; 116M.06, subdivisions 2 and 4; 116M.11, subdivision 2; 161.1419, subdivision 4; 175A.07, subdivision 2; 176.611, subdivisions 2, 6a, and by adding a subdivision; 179A.03, subdivision 17; 179A.04, subdivision 3; 179A.13; 179A.16; 179A.21; 179A.25; 197.481, subdivision 5; 204B.11, subdivision 1; 221.67; 271.01, by adding a subdivision; 273.1314, subdivision 16a; 296.16, subdivision 1; 296.421, subdivision 5; 302A.011, subdivision 11; 302A.153; 303.13, subdivision 1; 303.21, subdivision 3; 317.67, subdivision 2; 322A.16; 322A.71; 330.11, subdivision 3; 333.055, subdivision 3; 363.05, subdivision 1; 363.071, subdivision 2; 363.14, subdivision 1; 403.11, subdivision 1; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 473.351, by adding a subdivision; 480.241; 480A.03, subdivision 2; 480A.08, subdivision 3; 480A.09, subdivisions 1, 2, and 4; 487.21, subdivision 4; 540.152; 543.08; 609.101; 626.861, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 43A; 84; 86; 88; 89; 93; 97A; 97C; 115A; 480; 481; repealing Minnesota Statutes 1986, sections 3.9226, subdivision 8; 3C.035, subdivision 2; 3C.055; 3C.056; 3C.057; 6.495, subdivision 2; 92.67, subdivision 6; 116J.87; 179A.03, subdivision 3; 179A.05; 296.421, subdivision 5a; 363.01, subdivisions 14 and 26; 363.04, subdivisions 1, 2, 9, and 10; 363.12, subdivision 3; 363.121; 473.351, subdivision 5."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1315 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Jaros introduced:

H. F. No. 1644, A bill for an act relating to the city of Duluth; limiting the increase in assessed value for taxes payable in 1987.

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

Kalis, Seaberg and Rodosovich introduced:

H. F. No. 1645, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Blatz, Kelly, Solberg, Vellenga and Dempsey introduced:

H. F. No. 1646, A bill for an act relating to adoptions; regulating the practice and permitting intermediaries to arrange adoptions; providing penalties; amending Minnesota Statutes 1986, sections 259.21, by adding a subdivision; 259.22, subdivision 2; 259.24, subdivisions 2 and 6a; 259.25, subdivisions 1 and 2a; 259.255; 259.27, subdivision 2; 259.31; 259.46, subdivision 1; and 259.47; proposing coding for new law in Minnesota Statutes, chapter 259.

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

Bishop and Vellenga introduced:

H. F. No. 1647, A bill for an act relating to family law; providing for surrogate mother agreements; proposing coding for new law as Minnesota Statutes, chapter 259A.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Clark, Greenfield, Jefferson, Trimble and Steensma introduced:

H. A. No. 31, A proposal to study the effect on Minnesota citizens of premature hospital discharges.

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

Clark, Greenfield, Quist, Morrison and Long introduced:

H. A. No. 32, A proposal to study public efforts in education, prevention and research on AIDS.

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

Price and Clark introduced:

H. A. No. 33, A proposal to study the appeals procedure for enrollees of health maintenance organizations.

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

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 Files, herewith returned:

H. F. No. 462, A resolution memorializing the United States Congress to maintain the Veteran's Administration system of health care facilities.

H. F. No. 1034, A bill for an act relating to crimes; repealing the requirement that the department of public safety must keep a record of all first convictions for the crime of possessing a small amount of marijuana; amending Minnesota Statutes 1986, section 152.15, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 554, A bill for an act relating to natural resources; changing certain provisions relating to state park motor vehicle permits; amending Minnesota Statutes 1986, section 85.05, subdivision 2.

The Senate has appointed as such committee:

Messrs. Pehler; Morse and Frederickson, D. R.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 753, A bill for an act relating to education; providing aids to education, aids to libraries, appropriations to the state academies for the deaf and blind, and the department of education; changing secondary pupil unit weighting; establishing a formula equity allowance; changing the calculation of special education aid; increasing the community education formula; changing the capital expenditure formula; changing the secondary vocational funding formula; increasing desegregation levies and appropriating desegregation aid; appropriating money; amending Minnesota Statutes 1986, sections 43A.08, subdivisions 1 and 1a; 43A.18, subdivision 4; 118.12; 118.13; 118.14; 120.03, subdivision 1; 120.0752, by adding a subdivision; 120.17, subdivisions 1, 2, 3, 3a, 3b, 5, 7a, 12, and by adding subdivisions; 121.609, subdivision 4; 121.612, subdivisions 3,

5, and by adding subdivisions; 121.87, subdivision 1, and by adding a subdivision; 121.88, subdivision 2, and by adding a subdivision; 121.935, subdivision 6; 121.936, subdivision 1; 122.541, subdivision 2; 123.36, subdivision 13; 123.39, subdivision 1, and by adding a subdivision; 123.58, subdivisions 6 and 8a; 123.705, subdivision 1; 124.05, subdivision 1; 124.17, subdivisions 1 and 1a; 124.195, subdivision 9; 124.2138, subdivision 4, and by adding a subdivision; 124.2162, by adding a subdivision; 124.223; 124.225, subdivisions 1, 4b, 7b, 8a, 8i, 10, and by adding a subdivision; 124.245, subdivisions 1, 3, and by adding subdivisions; 124.246, subdivision 2; 124.247, subdivision 3; 124.252, subdivision 3; 124.271, subdivision 2b; 124.2711, subdivision 1; 124.272, subdivision 1; 124.273, subdivision 1b, and by adding subdivisions; 124.32; 124.481; 124.524, by adding a subdivision; 124.573; 124.574, subdivisions 2b, 3, 4, and by adding subdivisions; 124.646, subdivision 1; 124A.01; 124A.02, subdivisions 7, 8, 9, 16, and by adding subdivisions; 124A.03, subdivisions 1a, 3, and by adding a subdivision; 124A.033, subdivision 2; 124A.036, by adding a subdivision; 124A.06; 124A.08, subdivisions 1, 3a, and 5; 124A.10, subdivision 1, and by adding a subdivision; 124A.12, subdivision 1; 124A.14, subdivision 4; 125.03, subdivision 5; 125.05, subdivision 1; 125.185, subdivision 4; 125.611, subdivisions 10, 11, 12, and 13; 126.02, subdivision 2; 126.48, by adding a subdivision; 126.56, subdivisions 3 and 6; 126.65; 126.66, subdivisions 1, 6, and by adding subdivisions; 126.67, subdivisions 1, 1a, 2a, 3a, 6, and 9; 126.81, subdivision 2; 129B.041, subdivisions 1 and 3; 134.10; 136D.27; 136D.71; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5, 6e, 8c, 9, 11a, 11c, and by adding subdivisions; Laws 1984, chapter 463, article 6, section 15, subdivision 1; Laws 1986, First Special Session chapter 1, article 5, section 9; proposing coding for new law in Minnesota Statutes, chapters 43A; 121; 122; 123; 124A; 125; 126; 128A; 129B; and 134; repealing Minnesota Statutes 1986, sections 120.17, subdivision 13; 123.937; 124.05, subdivision 2; 124.185; 124.2161; 124.2162; 124.2163; 124.225, subdivision 1a; 124.273, subdivision 2b; 124.275; 124A.20; 125.611, subdivisions 8 and 9; 129B.01; 129B.02; 129B.04; 129B.041, subdivision 4; 129B.05; 129B.17; 129B.20; 129B.21; 129B.35; 129B.37; and 275.125, subdivision 5d.

The Senate has appointed as such committee:

Messrs. Peterson, R. W. and Pehler; Meses. Peterson, D. C. and Reichgott and Mr. DeCramer.

Said House File is herewith returned to the House.

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. 436, A bill for an act relating to agriculture; providing minimum standards for seed potatoes; proposing coding for new law in Minnesota Statutes, chapter 21.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lieder moved that the House concur in the Senate amendments to H. F. No. 436 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, 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 83 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jefferson	McKasy	Ozment	Solberg
Battaglia	Johnson, A.	McLaughlin	Pappas	Sparby
Beard	Johnson, R.	McPherson	Pelowski	Stanis
Begich	Kahn	Milbert	Peterson	Swenson
Bennett	Kelly	Minne	Price	Tompkins
Bertram	Kelso	Munger	Quinn	Trimble
Bishop	Kinkel	Murphy	Reding	Tunheim
Brown	Kludt	Nelson, C.	Rest	Uphus
Carlson, L.	Knuth	Nelson, D.	Rice	Vanasek
Carruthers	Kostohryz	Nelson, K.	Riveness	Vellenga
Clark	Krueger	Neuenschwander	Rodosovich	Voss
Cooper	Larsen	O'Connor	Rose	Welle
Dauner	Lasley	Ogren	Rukavina	Wenzel
DeBlieck	Lieder	Olson, E.	Sarna	Wynia
Greenfield	Long	Omann	Segal	Spk. Norton
Gruenes	Marsh	Orenstein	Simoneau	
Jacobs	McEachern	Otis	Skoglund	

Those who voted in the negative were:

Bauerly	Frerichs	Knickerbocker	Poppenhagen	Steensma
Blatz	Gutknecht	McDonald	Redalen	Sviggum
Burger	Hartle	Miller	Richter	Thiede
Clausnitzer	Haukoos	Morrison	Schafer	Tjornhom
Dempsey	Hugoson	Olsen, S.	Scheid	Valento
Dille	Jennings	Olson, K.	Schoenfeld	Waltman
Dorn	Jensen	Onnen	Schreiber	Winter
Forsythe	Johnson, V.	Osthoff	Seaberg	
Frederick	Kalis	Pauly	Shaver	

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. 668, A bill for an act relating to health; extending the moratorium on hospital capacity expansion; amending Laws 1984, chapter 654, article 5, section 57, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Gruenes moved that the House concur in the Senate amendments to H. F. No. 668 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 668, A bill for an act relating to health; extending and creating exceptions to the moratorium on hospital capacity expansion; amending Laws 1984, chapter 654, article 5, section 57, subdivisions 1 and 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 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Waltman
Welle

Wenzel
Winter

Wynia
Spk. Norton

Those who voted in the negative were:

Onnen

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. 1355, A bill for an act relating to the city of Minneapolis; giving the city certain powers pertaining to conventions and tourism activities; providing for the use of certain tax revenues; amending Laws 1986, chapter 396, section 4, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 1355 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1355, A bill for an act relating to the city of Minneapolis; giving the city certain powers pertaining to conventions and tourism activities; providing for the use of certain tax revenues; amending Laws 1986, chapter 396, sections 2, subdivision 1; and 4, subdivisions 2 and 3.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Blatz	Cooper	Gruenes	Jennings
Anderson, R.	Boo	Dauner	Gutknecht	Jensen
Battaglia	Brown	DeBlieck	Hartle	Johnson, A.
Bauerly	Burger	Dempsey	Haukoos	Johnson, R.
Beard	Carlson, D.	Dorn	Himle	Johnson, V.
Begich	Carlson, L.	Forsythe	Hugoson	Kahn
Bennett	Carruthers	Frederick	Jacobs	Kalis
Bertram	Clark	Frerichs	Jaros	Kelly
Bishop	Clausnitzer	Greenfield	Jefferson	Kelso

Kinkel	Miller	Osthoff	Rose	Swenson
Kludt	Minne	Otis	Rukavina	Thiede
Knickerbocker	Morrison	Ozment	Sarna	Tjornhom
Knuth	Munger	Pappas	Schafer	Tompkins
Kostohryz	Murphy	Pauly	Scheid	Trimble
Krueger	Nelson, C.	Pelowski	Schoenfeld	Tunheim
Larsen	Nelson, D.	Peterson	Schreiber	Uphus
Lasley	Nelson, K.	Poppenhagen	Seaberg	Valento
Lieder	Neuenschwander	Price	Segal	Vanasek
Long	O'Connor	Quinn	Shaver	Vellenga
Marsh	Ogren	Quist	Simoneau	Voss
McDonald	Olsen, S.	Redalen	Skoglund	Waltman
McEachern	Olson, E.	Reding	Solberg	Welle
McKasy	Olson, K.	Rest	Sparby	Wenzel
McLaughlin	Omann	Rice	Stanisus	Winter
McPherson	Onnen	Richter	Steensma	Wynia
Milbert	Orenstein	Rodosovich	Sviggunm	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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 243, A bill for an act relating to the organization and operation of state government; appropriating money for human services, corrections, health, economic security, and other purposes with certain conditions; amending Minnesota Statutes 1986, sections 15A.081, subdivision 1; 86.33; subdivisions 2 and 3; 136C.06; 144.55, subdivision 6; 144.68; 144.69; 144A.05; 144A.071, subdivision 3; 144A.27; 144A.33, subdivision 3; 171.29, subdivision 2; 245.713, subdivision 2; 246.50, subdivisions 3, 4a, 5, 7, and by adding a subdivision; 246.51; 246.511; 251.011, subdivision 6; 252.275, subdivisions 1, 2, 4, and 7; 256.01, subdivisions 2 and 4; 256.045, subdivision 3; 256.73, by adding a subdivision; 256.736, subdivisions 3, 4, 6, and by adding subdivisions; 256.74, subdivision 1; 256.969, subdivision 2; 256.98; 256B.02, subdivision 8, and by adding a subdivision; 256B.03, subdivision 1; 256B.04, subdivisions 14 and 15; 256B.06, subdivision 1, and by adding a subdivision; 256B.064, subdivision 1a; 256B.15; 256B.17, subdivisions 4 and 5; 256B.19, subdivision 1; 256B.35, subdivisions 1 and 2; 256B.421, subdivision 1; 256B.431, subdivisions 2b, 2e, 3a, 4, and by adding subdivisions; 256B.433; 256B.47, subdivision 1, and by adding subdivisions; 256B.48, subdivisions 1 and 6; 256B.50, subdivision 2; 256B.69, subdivisions 6, 11, and by adding subdivisions; 256C.26; 256D.01, subdivision 1a; 256D.02, subdivisions 5 and 8; 256D.03, subdivisions 3, 4, and by adding a subdivision; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 6, and by adding a subdivision; 256D.06, subdivisions 1, 1b, 2, 3, and 6; 256D.08, subdivision 1; 256D.101; 256D.15; 256D.22; 256D.37, subdivision 1; 256E.03, subdivision 2; 256E.06, by adding a subdivision; 256E.07, by adding a subdivision; 256E.12, subdivision 3;

257.35; 257.351, subdivision 15, and by adding subdivisions; 257.354, subdivision 4, and by adding a subdivision; 268.0111, subdivision 8; 268.0122, subdivisions 2 and 3; 268.36; 268.37, subdivision 3; 268.673, subdivision 5, and by adding a subdivision; 268.6751; 268.676; 268.677, subdivision 1; 268.678, subdivisions 1 and 4; 268.681, subdivision 2, and by adding a subdivision; 268.85, subdivision 2; 268.86, subdivisions 1, 2, and 4; 268.871, subdivisions 1, 2, and by adding a subdivision; 268.88; 268.89, subdivision 2; 268.91, subdivisions 1, 2, 3, 4, 5, 6, 7, and by adding subdivisions; 268.911, subdivision 1; 393.07, subdivision 10; 517.08, subdivision 1a; 524.3-1201; proposing coding for new law in Minnesota Statutes, chapters 62D; 144; 144A; 245; 246; 256; 256B; 256D; 256E; 257; and 268; repealing Minnesota Statutes 1986, sections 116J.035, subdivision 3; 116L.04, subdivision 3; 136.63, subdivision 1b; 144.66; 144.67; 178.03, subdivision 5; 245.69, subdivision 1a; 245.713, subdivisions 1 and 3; 245.73; 245.74; 245.76; 256.966, subdivision 2; 256B.05, subdivision 4; 256B.07; 256D.051, subdivisions 4, 5, 11, and 12; 256E.12; 267.01; 267.02; 267.03; 267.04; 267.05; 267.06; and 268.0111, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wynia moved that the House refuse to concur in the Senate amendments to H. F. No. 243, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 674, A bill for an act relating to crimes; dictating circumstances in which the court may stay execution of sentence following conviction for a second or subsequent offense relating to criminal sexual conduct; providing that information regarding a sexual assault victim is private; amending Minnesota Statutes 1986, sections 609.346, subdivisions 2 and 3; and 611A.06.

PATRICK E. FLAHAVEN, Secretary of the Senate

Blatz moved that the House refuse to concur in the Senate amendments to H. F. No. 674, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 854, A bill for an act relating to judgments; clarifying the procedure and cost for filing foreign judgments; clarifying the procedure to be used in securing a judgment and execution; amending Minnesota Statutes 1986, sections 548.27; 548.30; 549.09; and 550.04.

PATRICK E. FLAHAVEN, Secretary of the Senate

Orenstein moved that the House refuse to concur in the Senate amendments to H. F. No. 854, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 80:

S. F. No. 80, A bill for an act relating to insurance; providing flexibility in the amount of coverages other than for the dwelling under a homeowner's policy; proposing coding for new law in Minnesota Statutes, chapter 65A.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Waldorf, Kroening and Larson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

McLaughlin moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 80. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 89:

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

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Berg; Stumpf; Brandl; Frederickson, D. R., and Davis.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Schoenfeld moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 89. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 94:

S. F. No. 94, A bill for an act relating to public health; requiring an itemized billing for hearing aid repairs; amending Minnesota Statutes 1986, section 145.43, by adding a subdivision.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Davis, Marty and Knutson.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bauerly moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 94. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 282:

S. F. No. 282, A bill for an act relating to metropolitan government; permitting regional railroad authorities to engage in certain activities; amending Minnesota Statutes 1986, section 473.398.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Luther and Purfeerst; Mmes. McQuaid and Lantry and Mr. Kroening.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Nelson, K., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 282. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1515:

S. F. No. 1515, A bill for an act relating to higher education; appropriating money for education and related purposes to the higher education coordinating board, state board of vocational technical education, state board for community colleges, state university board, University of Minnesota, the Mayo medical foundation, and the Minnesota job skills partnership board, with certain conditions; amending Minnesota Statutes 1986, sections 135A.03, subdivision 1; 136A.101, by adding a subdivision; 136A.111, by adding a subdivision; 136A.121, subdivisions 4 and 5; 136A.132, subdivisions 3, 6, and 7; 136A.233, subdivisions 1 and 2; 136A.85; 136A.86, subdivisions 1 and 2; 136A.87; 137.31, subdivision 3; and

645.445, subdivision 5; Laws 1983, chapter 334, section 7; repealing Minnesota Statutes 1986, section 136.09, subdivision 3.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Waldorf; Hughes; Dicklich; Johnson, D. E., and Taylor.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, G., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1515. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1516:

S. F. No. 1516, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; fixing and limiting fees; amending Minnesota Statutes 1986, sections 12.14; 17A.04, subdivision 5; 18.51, subdivision 2; 18.52, subdivision 5; 18.53; 27.041, subdivision 2; 28A.08; 32.075; 32.59; 60A.14, subdivision 1; 60A.206, subdivision 2; 60A.23, subdivision 7; 70A.14, subdivision 4; 83.23, subdivisions 2 and 3; 83.30, subdivision 2; 138.65; 138.91, by adding a subdivision; 309.531, subdivision 1; 326.241, subdivision 3; 326.244, subdivision 2; 332.33, subdivisions 3 and 4; amending Laws 1975, chapter 235, section 2, as amended.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Langseth, Purfeerst, Lessard, Metzen and Mehrkens.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, G., moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1516. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1184, 1204, 1268, 1313, 343, 1081, 1084, 1097, 446, 537, 785, 830, 292, 465, 743, 800, 69, 911, 915, 1230, 1308, 802, 1160, 1261 and 1323.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1184, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Pine county to the Amherst H. Wilder Foundation; amending Laws 1981, chapter 354, section 1, subdivisions 1 and 5; repealing Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4.

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

S. F. No. 1204, A bill for an act relating to community dispute resolution programs; authorizing the state and municipalities to make grants to programs; proposing coding for new law in Minnesota Statutes, chapter 494.

The bill was read for the first time.

Carruthers moved that S. F. No. 1204 and H. F. No. 1561, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1268, A bill for an act relating to energy and economic development; providing for the powers and duties of the commissioner of energy and economic development; clarifying definitions; authorizing certain Indian tribes to create community energy councils; providing the purpose for which an appropriation may be spent; amending Minnesota Statutes 1986, sections 116J.09; 116J.10; 116J.19, subdivision 6; 116J.36, subdivision 2; 116J.381, subdivision 2; and Laws 1981, chapter 334, section 11, subdivision 1.

The bill was read for the first time.

Nelson, C., moved that S. F. No. 1268 and H. F. No. 1188, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1313, A bill for an act relating to insurance; liquor liability assigned risk plan; regulating assigned risk plan premiums; amending Minnesota Statutes 1986, section 340A.409, subdivision 3.

The bill was read for the first time.

Osthoff moved that S. F. No. 1313 and H. F. No. 1482, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 343, A bill for an act relating to transportation; authorizing the issuance of limousine license plates; allowing limousines to have tinted windows; amending Minnesota Statutes 1986, sections 168.011, by adding a subdivision; and 169.71, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 168.

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

S. F. No. 1081, A bill for an act relating to custody; providing that evidence of domestic abuse is relevant to determinations of custody; amending Minnesota Statutes 1986, sections 518.17, subdivision 1; and 518B.01, by adding a subdivision.

The bill was read for the first time.

Rest moved that S. F. No. 1081 and H. F. No. 1278, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1084, 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.

The bill was read for the first time.

Jensen moved that S. F. No. 1084 and H. F. No. 1163, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1097, A bill for an act relating to crimes; domestic assault; requiring courts to issue written orders for conditional release; requiring arrest on violation of conditions of release; providing for notice to alleged victims of conditions of release; amending Minnesota Statutes 1986, section 629.72, subdivision 2, and by adding subdivisions.

The bill was read for the first time.

Kludt moved that S. F. No. 1097 and H. F. No. 1129, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 446, A bill for an act relating to civil actions; limitations on commencement of actions; providing for the limitation of actions for the recovery of wages before administrative agencies; amending Minnesota Statutes 1986, section 541.07.

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

S. F. No. 537, A bill for an act relating to public safety; imposing mandatory minimum penalties on habitual DWI offenders; amending Minnesota Statutes 1986, section 169.121, by adding a subdivision.

The bill was read for the first time.

Nelson, D., moved that S. F. No. 537 and H. F. No. 1165, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 785, A bill for an act relating to crimes; eliminating consent defense to charge of depriving another of parental rights; allowing filing of felony charges before 14 days have elapsed; increasing penalty for depriving another of parental rights; amending Minnesota Statutes 1986, section 609.26, subdivisions 2, 5, and 6.

The bill was read for the first time.

Segal moved that S. F. No. 785 and H. F. No. 307, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 830, A bill for an act relating to commerce; regulating nonrenewals and transfers of franchises; providing civil liability for

unfair practices in relation to franchises; amending Minnesota Statutes 1986, sections 80C.14; and 80C.17, subdivision 1.

The bill was read for the first time.

Gruenes moved that S. F. No. 830 and H. F. No. 1404, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 292, A bill for an act relating to insurance; health and accident; requiring coverage for scalp hair prostheses in certain circumstances; amending Minnesota Statutes 1986, section 62E.06, subdivision 1; and proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the first time.

Tunheim moved that S. F. No. 292 and H. F. No. 71, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 465, A bill for an act relating to transportation; providing for reduced speeds in work zones; providing for payment of administrative, filing, and plate fees; restricting unauthorized use of motor vehicles on public airport property; defining peace officer; describing qualifications for aircraft dealers license; amending Minnesota Statutes 1986, sections 168.012, subdivision 1c; 169.14, by adding a subdivision; 360.018, subdivision 6, and by adding a subdivision; 360.0751, subdivision 1; and 360.63, subdivision 1.

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

S. F. No. 743, A bill for an act relating to financial institutions; permitting additional detached facilities; amending Minnesota Statutes 1986, sections 47.52; and 49.34, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 47.

The bill was read for the first time.

Wynia moved that S. F. No. 743 and H. F. No. 791, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 800, A bill for an act relating to financial institutions; authorizing certain charges on open-end loan account arrange-

ments; amending Minnesota Statutes 1986, section 48.185, subdivision 4.

The bill was read for the first time.

Wynia moved that S. F. No. 800 and H. F. No. 986, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 69, A bill for an act relating to natural resources; establishing a commercial fish raising program; amending Minnesota Statutes 1986, sections 97A.475, by adding a subdivision; 97C.211, subdivisions 1 and 2, and by adding a subdivision; and 97C.391; proposing coding for new law in Minnesota Statutes, chapters 17 and 97C.

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

S. F. No. 911, A bill for an act relating to education; requiring school districts to make available instruction in Braille reading and writing to blind pupils; proposing coding for new law in Minnesota Statutes, chapter 126.

The bill was read for the first time.

Rukavina moved that S. F. No. 911 and H. F. No. 967, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 915, A bill for an act relating to crime; amending trespass law to prohibit harassment on private property; prohibiting following and stalking with intent to harass, abuse, or threaten; removing requirement that caller not disclose identity for purposes of misdemeanor harassing telephone calls; prohibiting intentional harassment by delivering a letter or object; providing penalties; amending Minnesota Statutes 1986, sections 609.605, subdivision 1; 609.746; 609.79, subdivision 1; and 609.795.

The bill was read for the first time.

Pappas moved that S. F. No. 915 and H. F. No. 1115, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1230, A bill for an act relating to the Minnesota state historical society; providing for preservation and interpretation of

public areas of the state capitol; amending Minnesota Statutes 1986, section 138.67; proposing coding for new law in Minnesota Statutes, chapter 138.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1308, 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.

Rose moved that S. F. No. 1308 and H. F. No. 1409, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 802, A bill for an act relating to education; appropriating funds from litigation to the state university board; clarifying that the state university board may consider the qualifications of bidders in capital project awards; allowing the board to receive nonstate funds for building on state land and to control bidding, contract awards and construction; authorizing the board to buy land; authorizing the board to trade state land; requiring legislative consultation before the board proceeds with construction, land purchases or trades; amending Minnesota Statutes 1986, section 136.142, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136.

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

S. F. No. 1160, A bill for an act relating to state lands; providing for exchange of tax-forfeited peat lands in Aitkin county.

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

S. F. No. 1261, A bill for an act relating to the state building code; changing certain provisions relating to public buildings; amending Minnesota Statutes 1986, sections 16B.60, subdivisions 3 and 6; 16B.61, by adding a subdivision; and 16B.71.

The bill was read for the first time.

DeBlieck moved that S. F. No. 1261 and H. F. No. 1060, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1323, A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; amending Minnesota Statutes 1986, sections 169.123, subdivision 7; 325B.15; 487.01, subdivisions 2, 3, and 4; 487.21, subdivision 4; 487.23, subdivisions 1, 2, and 3; 487.25, subdivisions 1 and 2; 487.33, subdivision 1; 488A.01, subdivision 14; 488A.18, subdivision 14; 501.35; and 525.712; repealing Minnesota Statutes 1986, sections 466.03, subdivision 2; 487.39; and 595.04.

The bill was read for the first time.

Bishop moved that S. F. No. 1323 and H. F. No. 1511, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Boo and Gutknecht were excused between the hours of 12:00 noon and 12:25 p.m.

CONSENT CALENDAR

S. F. No. 1183 was reported to the House.

Schreiber moved to amend S. F. No. 1183, as follows:

Page 1, line 9, before "American" insert "governing body of the American Swedish Institute, for the premises known as the"

The motion prevailed and the amendment was adopted.

S. F. No. 1183, A bill for an act relating to alcoholic beverages; authorizing the city of Minneapolis to issue an on-sale liquor license to the American Swedish Institute.

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 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dauner	McDonald	Osthoff	Skoglund
DeBlick	McEachern	Quist	Swiggum
Johnson, R.	O'Connor	Schafer	Thiede

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

SPECIAL ORDERS

Simoneau was excused between the hours of 12:15 p.m. and 1:20 p.m.

S. F. No. 225, A bill for an act relating to towns; providing for powers of town boards and board members; providing for elections; providing conditions for ownership of town cemetery lots; amending Minnesota Statutes 1986, sections 365.10; 365.27; 365.37; 365.51; 366.01, by adding a subdivision; 367.03; 367.33, subdivisions 1, 4, and 5; and 471.96; repealing Minnesota Statutes 1986, section 365.06.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Hartle	Long	Otis	Solberg
Anderson, R.	Haukoos	Marsh	Ozment	Sparby
Battaglia	Heap	McDonald	Pappas	Stanis
Bauerly	Himle	McEachern	Pauly	Steensma
Beard	Hugoson	McKasy	Pelowski	Sviggum
Begich	Jacobs	McLaughlin	Peterson	Swenson
Bennett	Jaros	McPherson	Poppenhagen	Thiede
Bertram	Jefferson	Milbert	Price	Tjornhom
Bishop	Jennings	Miller	Quinn	Tompkins
Blatz	Jensen	Minne	Quist	Trimble
Brown	Johnson, A.	Morrison	Redalen	Tunheim
Carlson, L.	Johnson, R.	Munger	Reding	Uphus
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
DeBlick	Kinkel	O'Connor	Rukavina	Waltman
Dempsey	Kludt	Ogren	Sarna	Welle
Dille	Knickerbocker	Olsen, S.	Schafer	Wenzel
Dorn	Knuth	Olson, E.	Scheid	Winter
Forsythe	Kostohryz	Olson, K.	Schoenfeld	Wynia
Frederick	Krueger	Omann	Seaberg	Spk. Norton
Frerichs	Larsen	Onnen	Segal	
Greenfield	Lasley	Orenstein	Shaver	
Gruenes	Lieder	Osthoff	Skoglund	

The bill was passed and its title agreed to.

The Speaker called Long to the Chair.

S. F. No. 183, A bill for an act relating to snowmobiles; authorizing certain operators possessing a motor vehicle operator's license to cross a highway; amending Minnesota Statutes 1986, section 84.872.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Carlson, L.	Frerichs	Jensen	Krueger
Anderson, R.	Carruthers	Greenfield	Johnson, A.	Larsen
Battaglia	Clark	Gruenes	Johnson, R.	Lasley
Bauerly	Clausnitzer	Hartle	Johnson, V.	Lieder
Beard	Cooper	Haukoos	Kahn	Long
Begich	Dauner	Heap	Kalis	Marsh
Bennett	DeBlick	Himle	Kelso	McDonald
Bertram	Dempsey	Hugoson	Kinkel	McEachern
Bishop	Dille	Jacobs	Kludt	McKasy
Blatz	Dorn	Jaros	Knickerbocker	McLaughlin
Brown	Forsythe	Jefferson	Knuth	McPherson
Carlson, D.	Frederick	Jennings	Kostohryz	Milbert

Miller	Omann	Redalen	Seaberg	Tunheim
Minne	Onnen	Reding	Segal	Uphus
Morrison	Orenstein	Rest	Shaver	Valento
Munger	Osthoff	Rice	Skoglund	Vanasek
Murphy	Otis	Richter	Solberg	Voss
Nelson, C.	Ozment	Riveness	Sparby	Wagenius
Nelson, D.	Pappas	Rodosovich	Stanisus	Waltman
Nelson, K.	Pauly	Rose	Steensma	Welle
Neuenschwander	Pelowski	Rukavina	Sviggum	Wenzel
O'Connor	Peterson	Sarna	Swenson	Winter
Ogren	Poppenhagen	Schafer	Thiede	Spk. Norton
Olsen, S.	Price	Scheid	Tjornhom	
Olson, E.	Quinn	Schoenfeld	Tompkins	
Olson, K.	Quist	Schreiber	Trimble	

The bill was passed and its title agreed to.

H. F. No. 307 was reported to the House.

There being no objection, H. F. No. 307 was continued on Special Orders for one day.

S. F. No. 461, A bill for an act relating to natural resources; changing certain provisions relating to the sale of state timber; eliminating laws relating to white pine blister rust control and cutting notices; amending Minnesota Statutes 1986, sections 88.49, subdivisions 5, 9, and 11; 90.031, subdivision 3; 90.041, subdivision 2; 90.101, subdivision 1; 90.14; 90.151, subdivisions 1 and 13; 90.161, subdivision 1; 90.173; and 97A.205; repealing Minnesota Statutes 1986, sections 18.431 to 18.436 and 88.13.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1163 was reported to the House.

There being no objection, H. F. No. 1163 was continued on Special Orders for one day.

H. F. No. 1409 was reported to the House.

There being no objection, H. F. No. 1409 was continued on Special Orders for one day.

H. F. No. 1188 was reported to the House.

There being no objection, H. F. No. 1188 was continued on Special Orders for one day.

H. F. No. 1278 was reported to the House.

There being no objection, H. F. No. 1278 was continued on Special Orders for one day.

H. F. No. 1511 was reported to the House.

There being no objection, H. F. No. 1511 was continued on Special Orders for one day.

H. F. No. 1482 was reported to the House.

There being no objection, H. F. No. 1482 was continued on Special Orders for one day.

S. F. No. 593 was reported to the House.

Greenfield moved that S. F. No. 593 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 557 was reported to the House.

Kostohryz and Stanius moved to amend S. F. No. 557, the unofficial engrossment, as follows:

Page 4, delete line 20, and insert "If a majority of all the voters voting in the county at the election vote in"

The motion prevailed and the amendment was adopted.

S. F. No. 557, A bill for an act relating to Ramsey county; providing for a charter commission to recommend a form of county government and providing for its adoption.

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 78 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dille	Lasley	Onnen	Rukavina
Battaglia	Frederick	McDonald	Orenstein	Sarna
Bauerly	Gruenes	McEachern	Osthoff	Scheid
Beard	Hartle	McKasy	Otis	Schoenfeld
Begich	Jacobs	Milbert	Ozment	Seaberg
Bennett	Jaros	Minne	Pappas	Solberg
Bertram	Jennings	Morrison	Pauly	Tompkins
Bishop	Jensen	Murphy	Pelowski	Tunheim
Boo	Johnson, A.	Nelson, C.	Price	Valento
Brown	Johnson, R.	Nelson, D.	Quinn	Vellenga
Burger	Johnson, V.	Nelson, K.	Redalen	Wagenius
Carlson, D.	Kalis	Neuenschwander	Reding	Wenzel
Carlson, L.	Kelso	O'Connor	Rest	Wynia
Cooper	Kinkel	Ogren	Rice	Spk. Norton
Dauner	Knuth	Olson, K.	Riveness	
Dempsey	Kostohryz	Omann	Rose	

Those who voted in the negative were:

Blatz	Gutknecht	Knickerbocker	Poppenhagen	Steensma
Carruthers	Haukoos	Larsen	Quist	Sviggum
Clark	Heap	Lieder	Richter	Swenson
Clausnitzer	Himle	McLaughlin	Rodosovich	Thiede
DeBlick	Hugoson	McPherson	Schafer	Tjornhom
Dorn	Jefferson	Miller	Schreiber	Trimble
Forsythe	Kahn	Olson, S.	Shaver	Voss
Frerichs	Kelly	Olson, E.	Sparby	Waltman
Greenfield	Kludt	Peterson	Stanuis	Welle
				Winter

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

H. F. No. 967 was reported to the House.

There being no objection, H. F. No. 967 was continued on Special Orders for one day.

S. F. No 79 was reported to the House.

Vellenga moved to amend S. F. No. 79, as follows:

Page 3, line 25, delete "federation" and insert "national board"

Page 3, line 26, delete "boards" and insert "examiners"

Page 10, line 23, after "finds" insert ", after notice and hearing,"

The motion prevailed and the amendment was adopted.

S. F. No. 79, A bill for an act relating to occupations and professions; generally revising and updating the laws relating to licensure of podiatrists; providing for definitions, licensing, practice without a license, disciplinary action, and investigations; providing penalties; amending Minnesota Statutes 1986, sections 153.01, subdivisions 2 and 3; 153.02; 153.03; 214.01; and 319A.02; proposing coding for new law in Minnesota Statutes, chapter 153; repealing Minnesota Statutes 1986, sections 153.01, subdivision 4; 153.04 to 153.09; 153.13; 153.14; and 153.15.

The bill was read for the 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

H. F. No. 1115 was reported to the House.

There being no objection, H. F. No. 1115 was continued on Special Orders for one day.

S. F. No. 605, A bill for an act relating to crimes; defining the crime of using police radios while committing a criminal act; prescribing penalties; amending Minnesota Statutes 1986, section 609.035; proposing coding for new law in Minnesota Statutes, chapter 609.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Otis moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Long.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Vanasek, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bills as Special Orders to be acted upon immediately following Special Orders pending for today, Tuesday, May 5, 1987:

H. F. Nos. 401, 792, 1026 and 1071; S. F. No. 1152; H. F. No. 1393; S. F. No. 578; H. F. No. 1561; S. F. No. 25; H. F. No. 569; S. F. No. 751; H. F. Nos. 1515 and 1035; S. F. No. 353; H. F. Nos. 1283, 1350, 940 and 1129; S. F. No. 1114; H. F. Nos. 1622, 508, 867 and 1156; S. F. No. 385; H. F. Nos. 1302, 65 and 663.

SPECIAL ORDERS

H. F. No. 401 was reported to the House.

Sparby, Kalis and Anderson, G., moved to amend H. F. No. 401, the fourth engrossment, as follows:

Page 3, line 8, delete everything after the comma and insert "except for those wastes exempted under Minnesota Rules, parts 7045.0120, 7045.0213, and 7045.0304 in effect January 1, 1987."

Page 3, delete line 9

Page 7, delete lines 2 to 19

The motion prevailed and the amendment was adopted.

H. F. No. 401, A bill for an act relating to environment; providing criminal penalties for violation of laws and rules relating to hazardous waste; providing for the distribution and expenditure of monetary penalties; amending Minnesota Statutes 1986, sections 115.071, subdivision 2; and 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115; repealing Minnesota Statutes 1986, section 115.071, subdivisions 2a and 2b.

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 125 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Frerichs	Hugoson	Knickerbocker	Miller	Seaberg
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The bill was passed, as amended, and its title agreed to.

H. F. No. 792, A bill for an act relating to credit unions; permitting certain groups to join existing credit unions; amending Minnesota Statutes 1986, section 52.05.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DeBlieck	Himle	Poppenhagen	Steensma
Frederick	Miller	Quist	Thiede
Gruenes	Olson, E.	Schoenfeld	Winter

The bill was passed and its title agreed to.

H. F. No. 1026 was reported to the House.

Solberg and Gruenes moved to amend H. F. No. 1026, the first engrossment, as follows:

Page 19, after line 3, insert:

"Sec. 12. Minnesota Statutes 1986, section 179A.03, subdivision 19, is amended to read:

Subd. 19. [TERMS AND CONDITIONS OF EMPLOYMENT.] "Terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits, except retirement contributions or benefits of a public pension fund described in section 356.20, subdivision 2, and the employer's personnel policies affecting the working conditions of the employees. In the case of professional employees the term does not mean educational policies of a school district. "Terms and conditions of employment" is subject to section 179A.07."

Page 93, after line 3, insert:

"Sec. 80. Minnesota Statutes 1986, section 465.72, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] The provisions of subdivision 1 requiring that severance pay be paid over a period not to exceed five years from retirement or termination of employment and limiting severance pay to an amount equal to one year of pay do not apply to severance pay constituting compensation for accumulated sick leave in the form of periodic contributions toward premiums for group insurance policies provided for a former employee by a governmental subdivision, if the payments are made to a person who has at least ten years of allowable service with the employer who is making the severance payments. Allowable service for purposes of this subdivision has the same definition of allowable service credit as the public pension plan providing retirement coverage to the employee while employed by the employer.

This subdivision applies only to periodic contributions that have commenced before the effective date of Laws 1986, chapter 455 or that are required under contracts, or, with respect to employees not covered by contracts, personnel policies, formally adopted by the governing body of the governmental subdivision, in existence on the effective date of Laws 1986, chapter 455. After the effective date of Laws 1986, chapter 455, a governmental subdivision may not enter into a contract or adopt a personnel policy providing for a payment in violation of subdivision 1. A personnel policy or portion of a personnel policy in existence on the effective date of Laws 1986, chapter 455 and providing for a payment in violation of subdivision 1 is null and void (i) upon the expiration of a collective bargaining agreement containing a similar provision and covering employees of the governmental subdivision that has adopted the policy, or (ii) two years from the effective date of Laws 1986, chapter 455, whichever is earlier. Any payments by governmental subdivisions in accordance with this subdivision before the effective date of Laws 1986, chapter 455 are validated."

Renumber the sections in sequence

Correct internal references accordingly

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 1026, A bill for an act relating to retirement; clarifying the responsibilities of the actuary retained by the legislative commission on pensions and retirement; clarifying and revising various actuarial determinations and procedures; authorizing the retention of actuarial advisors by various retirement funds; specifying the contents and methods for supplemental and alternative actuarial

valuations; establishing a separate fund for the correctional employees retirement fund; amending Minnesota Statutes 1986, sections 3.85, subdivision 12; 3A.11, subdivision 1; 11A.18, subdivisions 6, 9, and 11; 69.77, subdivisions 2b and 2h; 69.772, subdivision 3; 69.773, subdivisions 2 and 4; 136.82, subdivision 2; 352.01, subdivision 12; 352.03, subdivision 6; 352.116, subdivisions 1, 3, and by adding a subdivision; 352.119, subdivision 2; 352.85, subdivision 6; 352.86, subdivision 4; 352B.01, by adding a subdivision; 352B.02, subdivision 1; 352B.08, subdivision 2; 352B.26, subdivision 3; 353.01, subdivision 14; 353.03, subdivision 3a; 353.271; 353.29, subdivision 6; 353.30, subdivision 3; 354.05, subdivision 7; 354.06, subdivision 2a; 354.07, subdivision 1; 354.35; 354.42, subdivision 5; 354.44, subdivision 2; 354.45; 354.48, subdivision 3; 354.532, subdivisions 1 and 2; 354.55, subdivisions 11, 12, and 13; 354.58; 354.62, subdivision 5; 354.63, subdivision 2; 354A.011, subdivision 17, and by adding a subdivision; 354A.021, by adding a subdivision; 354A.32; 354A.33; 354A.41, subdivision 2; 356.20, subdivisions 2, 3, and 4; 356.215; 356.216; 356.22, subdivision 2; 356.23; 356.41; 356.451, subdivision 1; 422A.01, subdivisions 6, 7, and 10; 422A.04, subdivisions 2 and 3; 422A.06, subdivisions 2, 5, 7, and 8; 422A.101; 422A.15, subdivisions 2 and 3; 422A.16, subdivisions 2, 3a, and 10; 422A.17; 422A.23, subdivisions 6 and 7; 490.121, subdivision 20; and 490.124, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 352; repealing Minnesota Statutes 1986, section 352B.26, subdivision 2.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Tjornhom
Tompkins
Uphus

Valento
Vanasek
Vellenga

Voss
Wagenius
Waltman

Welle
Wenzel
Winter

Wynia
Spk. Norton

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

H. F. No. 1071, A bill for an act relating to crimes; criminal sexual conduct; clarifying the definition of "mentally incapacitated"; providing that criminal sexual contact requires sexual or aggressive intent; expanding the definition of coercion; amending Minnesota Statutes 1986, section 609.341, subdivisions 7, 11, and 14.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1152 was reported to the House.

Jacobs moved to amend S. F. No. 1152, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 297C.09, is amended to read:

297C.09 [IMPORTATION BY INDIVIDUALS.]

A person, other than a person under the age of 19 21 years, entering Minnesota from another state may have in possession one liter of intoxicating liquor or 288 ounces of malt liquor and a person entering Minnesota from a foreign country may have in possession four liters of intoxicating liquor or ten quarts (320 ounces) of malt liquor without the required payment of the Minnesota excise tax. Amounts in excess of these quantities may be imported only by a licensee holding the appropriate license as manufacturer, wholesaler, or importer under section 340A.301 or 340A.302. A collector of commemorative bottles, other than a person under the age of 19 21 years, entering Minnesota from another state may have in possession 12 or fewer commemorative bottles without the required payment of the Minnesota excise tax. A person who imports or has in possession untaxed intoxicating liquor or malt liquor in excess of the quantities provided for in this section is guilty of a misdemeanor. This section does not apply to the consignments of alcoholic beverages shipped into this state by holders of Minnesota import licenses or Minnesota manufacturers and wholesalers when licensed by the commissioner of public safety or to common carriers with licenses to sell intoxicating liquor in more than one state. A peace officer, the commissioner, or their authorized agents, may seize untaxed liquor.

Sec. 2. Minnesota Statutes 1986, section 340A.302, subdivision 1, is amended to read:

Subdivision 1. [LICENSES REQUIRED.] Except as provided in section sections 297C.09 and 340A.301, subdivision 1, no retailer or other person may ship or cause to be shipped alcoholic beverages or ethyl alcohol for personal use or to a licensed manufacturer or wholesaler without obtaining an importer's license from the commissioner.

Sec. 3. Minnesota Statutes 1986, section 340A.308, is amended to read:

340A.308 [PROHIBITED TRANSACTIONS.]

(a) No brewer or malt liquor wholesaler may directly or indirectly, or through an affiliate or subsidiary company, or through an officer, director, stockholder, or partner:

- (1) give, or lend money, credit, or other thing of value to a retailer;
- (2) give, lend, lease, or sell furnishing or equipment to a retailer;

(3) have an interest in a retail license; or

(4) be bound for the repayment of a loan to a retailer.

(b) This section does not prohibit a manufacturer or wholesaler from:

(1) furnishing, lending, or renting to a retailer outside signs, of a cost of up to \$100 excluding installation and repair costs;

(2) furnishing, lending, or renting to a retailer inside signs and other promotional material, of a cost of up to \$100 in a year;

(3) furnishing to or maintaining for a retailer equipment for dispensing malt liquor, including tap trailers, cold plates and other dispensing equipment, of a cost of up to \$100 per tap in a year;

(4) using or renting property owned continually since November 1, 1933, for the purpose of selling intoxicating or nonintoxicating malt liquor at retail; or

(5) extending customary commercial credit to a retailer in connection with a sale of nonalcoholic beverages only, or engaging in cooperative advertising agreements with a retailer in connection with the sale of nonalcoholic beverages only.

Sec. 4. Minnesota Statutes 1986, section 340A.312, subdivision 2, is amended to read:

Subd. 2. [VOLUME PRICES.] A variable volume price offered by a wholesaler to a licensed retailer on sales of distilled spirits or wine may not be for a quantity of more than ~~300 one-liter or smaller bottles~~ 25 cases.

Sec. 5. Minnesota Statutes 1986, section 340A.318, subdivision 2, is amended to read:

Subd. 2. [REPORTING.] Every distiller, manufacturer or wholesaler selling to retailers shall submit to the commissioner in triplicate not later than Thursday of each calendar week a verified list of the names and addresses of each retail licensee purchasing distilled spirits or wine from that distiller, manufacturer or wholesaler who, on the first day of that calendar week, was delinquent beyond the 30-day period, or a verified statement that no delinquencies exist which are required to be reported. The name and address of each retail licensee who makes payment with a postdated check, or a check that is dishonored on presentment, must also be submitted to the commissioner at that time. If a retail licensee previously reported as delinquent cures the delinquency by payment, the name and address of that licensee shall be submitted in triplicate to the

commissioner not later than the close of the second full business day following the day the delinquency was cured.

Sec. 6. Minnesota Statutes 1986, section 340A.318, subdivision 3, is amended to read:

Subd. 3. [POSTING; NOTICE.] Verified list or statements required by subdivision 2 shall be posted by the commissioner in offices of the department in places available for public inspection and mailed to each licensed wholesaler not later than the day following receipt. Documents so posted and mailed shall constitute notice to every distiller, manufacturer or wholesaler of the information posted. Actual notice, however received, also constitutes notice.

Sec. 7. Minnesota Statutes 1986, section 340A.318, subdivision 4, is amended to read:

Subd. 4. [MISCELLANEOUS PROVISIONS.] The 30-day merchandising period allowed by this section shall commence with the day immediately following the date of invoice and shall include all successive days, including Sundays and holidays, to and including the 30th successive day. In addition to other legal methods, payment by check during the period for which merchandising credit may be extended shall be considered payment. All checks received in payment for distilled spirits or wine shall be deposited promptly for collection. A postdated check or a check dishonored on presentation for payment does not constitute payment. A retail licensee shall not be deemed delinquent for any alleged sale in any instance where there exists a bona fide dispute between the licensee and the distiller, manufacturer or wholesaler as to the amount owing as a result of the alleged sale. A delinquent retail licensee who engages in the retail liquor business at two or more locations shall be deemed to be delinquent with respect to each location. A retail licensee who engages in the retail liquor business at two or more locations means "a person or group of persons possessing 50 percent or more ownership in two or more locations."

Sec. 8. Minnesota Statutes 1986, section 340A.404, is amended by adding a subdivision to read:

Subd. 6a. [SEASONAL LICENSES; COUNTIES.] A county may issue seasonal on-sale intoxicating liquor licenses of periods specified in the licenses, which may not exceed six months, or in the case of Lake county, nine months. The county board shall determine the fee for such a license. Not more than one seasonal on-sale license may be issued to any one premises in any 12-month period.

Sec. 9. Minnesota Statutes 1986, section 340A.405, subdivision 2, is amended to read:

Subd. 2. [COUNTIES.] (a) A county may issue an off-sale intoxicating license with the approval of the commissioner to exclusive liquor stores located within unorganized territory of the county.

(b) A county board of any county except Ramsey county containing a town exercising powers under section 368.01, subdivision 1, may issue an off-sale license to an exclusive liquor store within that town with the approval of the commissioner. No license may be issued under this paragraph unless the town board adopts a resolution supporting the issuance of the license.

(c) A county board of any county except Ramsey county containing a town that may not exercise powers under section 368.01, subdivision 1, may issue a combination off-sale and on-sale license to restaurants within that town with the approval of the commissioner pursuant to section 340A.404, subdivision 6. No license may be issued under this paragraph unless the town board adopts a resolution supporting the issuance of the license.

(d) No license may be issued under this subdivision unless a public hearing is held on the issuance of the license. Notice must be given to all interested parties and to any city located within three miles of the premises proposed to be licensed. At the hearing the county board shall consider testimony and exhibits presented by interested parties and may base its decision to issue or deny a license upon the nature of the business to be conducted and its impact upon any municipality, the character and reputation of the applicant, and the propriety of the location. Any hearing held under this paragraph is not subject to chapter 14.

(e) A county board may not issue a license under this subdivision to a person for an establishment located less than three miles by the most direct route from the boundary of any statutory or home rule city except cities of the first class or within Pine or, Kanabec, or Red Lake counties within three miles of a statutory or home rule city with a municipal liquor store.

(f) The town board may impose an additional license fee in an amount not to exceed 20 percent of the county license fee.

(g) Notwithstanding any provision of this subdivision or Laws 1973, chapter 566, as amended by Laws 1974, chapter 200, a county board may transfer or renew a license that was issued by a town board under Minnesota Statutes 1984, section 340.11, subdivision 10b prior to January 1, 1985.

Sec. 10. Minnesota Statutes 1986, section 340A.405, is amended by adding a subdivision to read:

Subd. 4. [TEMPORARY OFF-SALE LICENSES; WINE AUCTIONS.] (a) The governing body of a city may issue a temporary

license for the off-sale of wine at an auction with the approval of the commissioner. A license issued under this subdivision authorizes the sale of only vintage wine of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than 600 cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by the issuing city. Licenses issued under this subdivision are subject to all laws and ordinances governing the sale of intoxicating liquor except section 340A.409 and those laws and ordinances which by their nature are not applicable.

(b) As used in the subdivision, "vintage wine" means bottled wine which is at least five years old.

Sec. 11. Minnesota Statutes 1986, section 340A.412, subdivision 10, is amended to read:

Subd. 10. [EMPLOYMENT OF MINORS.] No person under 18 years of age may be employed in a place where intoxicating liquor is sold for consumption on the premises, except persons under 18 years of age may be employed as musicians or in bussing or washing dishes in a restaurant or hotel that is licensed to sell intoxicating liquor and may be employed as waiters or waitresses at a restaurant, hotel, or motel where only wine is sold; provided that the person under the age of 18 may not serve or sell any wine serve or sell intoxicating liquor in a retail intoxicating liquor establishment.

Sec. 12. Minnesota Statutes 1986, section 340A.415, is amended to read:

340A.415 [LICENSE REVOCATION OR SUSPENSION.]

The authority issuing or approving any retail license or permit under this chapter shall either suspend for up to 60 days or revoke the license or permit or impose a civil fine not to exceed \$2,000 for each violation on a finding that the license or permit holder has failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages. No suspension or revocation takes effect until the license or permit holder has been afforded an opportunity for a hearing under sections 14.57 to 14.70 of the administrative procedure act. The issuing authority or the commissioner may impose the penalties provided in this section on a retail licensee who knowingly sells alcoholic beverages to another retail licensee for the purpose of resale, or on a retail licensee who purchases alcoholic beverages from another retail licensee for the purpose of resale.

Sec. 13. [340A.907] [INSPECTION.]

The commissioner of public safety or any duly authorized employee may, at all reasonable hours, enter in and upon the premises of any licensee or permit holder under this chapter to inspect the premises and examine the books, papers, and records of a manufacturer, wholesaler, importer, or retailer for the purpose of determining whether the provisions of this chapter are being complied with. If the commissioner or any duly authorized employee is denied free access or is hindered or interfered with in making an inspection or examination, the licensee or permit holder is subject to revocation pursuant to section 340A.304 in the case of a wholesaler, manufacturer, or importer, and section 340A.415 in the case of a retailer.

Sec. 14. [REPEALER.]

Minnesota Statutes 1986, sections 34.119; 34.12; 34.13; 34.14; 340A.307, subdivision 3; and 340A.313, are repealed.

Delete the title and insert:

"A bill for an act relating to alcoholic beverages; limiting imports by individuals; permitting certain transactions between brewers and wholesalers; specifying limits on variable volume prices; providing for notice of credit-delinquent retailers; authorizing counties to issue seasonal on-sale licenses; specifying counties which may issue licenses in certain locations; permitting wine auctions; setting minimum age to sell or serve alcoholic beverages; specifying who may impose administrative penalties for certain violations by retailers; authorizing inspections of licensed premises by the commissioner of public safety; repealing affirmation law, wholesale price filing, and percentage requirements for malt barley in beer; amending Minnesota Statutes 1986, sections 297C.09; 340A.302, subdivision 1; 340A.308; 340A.312, subdivision 2; 340A.318, subdivisions 2, 3, and 4; 340A.404, by adding a subdivision; 340A.405, subdivision 2, and by adding a subdivision; 340A.412, subdivision 10; 340A.415; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1986, section 34.119; 34.12; 34.13; 34.14; 340A.307, subdivision 3; and 340A.313."

The motion prevailed and the amendment was adopted.

Carlson, D., was excused for the remainder of today's session.

Ogren moved to amend S. F. No. 1152, as amended, as follows:

Page 6, line 16, before "or" insert "Carlton"

The motion prevailed and the amendment was adopted.

S. F. No. 1152, A bill for an act relating to alcoholic beverages; limiting imports by individuals; maximum volume for volume prices; purchases by delinquent licensees; restricting employment of minors in nonintoxicating liquor premises; providing for inspections; amending Minnesota Statutes 1986, sections 297C.09; 340A.302, subdivision 1; 340A.312, subdivision 2; 340A.318, subdivisions 1 and 3; and 340A.411, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

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 118 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brown	Greenfield	Jefferson	Nelson, D.	Skoglund
Clark	Haukoos	Johnson, R.	Rice	

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

H. F. No. 1393 was reported to the House.

Carruthers moved that H. F. No. 1393 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 578, 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 300.08, subdivision 1; 300.083, subdivisions 1, 4, 8, and by adding a subdivision; 302A.011, subdivision 40; 302A.111, subdivisions 2 and 3; 302A.133; 302A.135, subdivision 4, and by adding a subdivision; 302A.137; 302A.139; 302A.141, by adding a subdivision; 302A.161, subdivision 22; 302A.201, subdivision 2; 302A.255, subdivision 1; 302A.401, subdivision 3; 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, 4, and 8, and by adding a subdivision; 302A.553, subdivision 1; 302A.727; 302A.729; 302A.733, subdivisions 1 and 2; and 302A.781; proposing coding for new law in Minnesota Statutes, chapter 302A.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gutknecht	Long	Otis	Shaver
Battaglia	Hartle	Marsh	Ozment	Simoneau
Bauerly	Haukoos	McDonald	Pappas	Skoglund
Beard	Heap	McEachern	Pauly	Solberg
Begich	Himle	McKasy	Pelowski	Sparby
Bennett	Hugoson	McLaughlin	Peterson	Stanis
Bertram	Jacobs	McPherson	Poppenhagen	Steensma
Blatz	Jaros	Milbert	Price	Sviggum
Boo	Jefferson	Miller	Quinn	Swenson
Brown	Jennings	Minne	Quist	Thiede
Burger	Jensen	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	Uphus
Cooper	Kelly	Nelson, K.	Riveness	Valento
Dauner	Kelso	Neuenschwander	Rodosovich	Vanasek
DeBlick	Kinkel	O'Connor	Rose	Vellenga
Dempsey	Kludt	Ogren	Rukavina	Voss
Dille	Knickerbocker	Olsen, S.	Sarna	Wagenius
Dorn	Knuth	Olson, E.	Schafer	Waltman
Forsythe	Kostohryz	Olson, K.	Scheid	Welle
Frederick	Krueger	Omann	Schoenfeld	Wenzel
Frerichs	Larsen	Onnen	Schreiber	Winter
Greenfield	Lasley	Orenstein	Seaberg	Wynia
Gruenes	Lieder	Osthoff	Segal	Spk. Norton

The bill was passed and its title agreed to.

H. F. No. 1561 was reported to the House.

There being no objection, H. F. No 1561 was continued on Special Orders for one day.

S. F. No. 25, A bill for an act relating to traffic regulations; requiring additional reflective devices for persons using alternate slow moving vehicle emblems; amending Minnesota Statutes 1986, section 169.522, 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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Lasley

The bill was passed and its title agreed to.

H. F. No. 569 was reported to the House.

Johnson, R., moved to amend H. F. No. 569, the first engrossment, as follows:

Page 5, delete lines 19 to 23

Renumber the remaining sections

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Burger	Hugoson	Morrison	Richter	Tjornhom
Cooper	Johnson, R.	Olsen, S.	Rose	Valento
Dauner	Johnson, V.	Onnen	Schafer	Waltman
Dempsey	Knickerbocker	Osthoff	Skoglund	Welle
Forsythe	Marsh	Pauly	Sparby	Winter
Frederick	McKasy	Pelowski	Steenasma	
Gutknecht	McPherson	Poppenhagen	Sviggun	
Himle	Miller	Quist	Thiede	

Those who voted in the negative were:

Anderson, G.	Greenfield	Krueger	Olson, E.	Schoenfeld
Anderson, R.	Gruenes	Larsen	Olson, K.	Segal
Battaglia	Hartle	Lasley	Omann	Shaver
Bauerly	Haukoos	Lieder	Orenstein	Simoneau
Beard	Jacobs	Long	Otis	Solberg
Begich	Jaros	McEachern	Ozment	Stanisus
Bennett	Jefferson	McLaughlin	Peterson	Swenson
Bertram	Jennings	Milbert	Price	Trimble
Blatz	Jensen	Minne	Quinn	Tunheim
Brown	Johnson, A.	Munger	Redalen	Uphus
Carlson, L.	Kahn	Murphy	Reding	Vanasek
Clark	Kelly	Nelson, C.	Rice	Vellenga
Clausnitzer	Kelso	Nelson, D.	Riveness	Voss
DeBlick	Kinkel	Nelson, K.	Rodosovich	Wagenius
Dille	Kludt	Neuenschwander	Rukavina	Wenzel
Dorn	Knuth	O'Connor	Sarna	Wynia
Frerichs	Kostohryz	Ogren	Scheid	Spk. Norton

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

H. F. No. 569, A bill for an act relating to natural resources; authorizing acceptance of tips by food service and room cleaning employees at Itasca state park; authorizing additions to and deletions from certain state parks and waysides; abolishing Old Crossing Treaty State Wayside and Rice Lake State Wayside; authorizing sale and consumption of wine by the drink at Douglas Lodge in Itasca state park; amending Minnesota Statutes 1986, sections 43A.38, subdivision 2; and 85.012, subdivision 57; proposing coding for new law in Minnesota Statutes, chapter 85; repealing Minnesota Statutes 1986, sections 85.013, subdivisions 19 and 21a; and 138.55, subdivision 6.

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 103 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gruenes	Lasley	Orenstein	Shaver
Anderson, R.	Hartle	Lieder	Otis	Simoneau
Battaglia	Himle	Long	Ozment	Skoglund
Bauerly	Jacobs	Marsh	Pappas	Solberg
Beard	Jaros	McDonald	Pelowski	Sparby
Begich	Jefferson	McEachern	Peterson	Stanius
Bennett	Jennings	McLaughlin	Price	Swenson
Bertram	Jensen	Milbert	Quinn	Tompkins
Blatz	Johnson, A.	Minne	Redalen	Trimble
Brown	Johnson, R.	Munger	Reding	Tunheim
Burger	Johnson, V.	Murphy	Rest	Uphus
Carlson, L.	Kahn	Nelson, C.	Rice	Vanasek
Carruthers	Kalis	Nelson, D.	Riveness	Vellenga
Clark	Kelly	Nelson, K.	Rodosovich	Voss
Clausnitzer	Kelso	Neuenschwander	Rose	Wagenius
Cooper	Kinkel	O'Connor	Rukavina	Welle
Dauner	Kludd	Ogren	Sarna	Winter
Dempsey	Knuth	Olsen, S.	Scheid	Wynia
Dille	Kostohryz	Olson, E.	Schoenfeld	Spk. Norton
Dorn	Krueger	Olson, K.	Seaberg	
Greenfield	Larsen	Omann	Segal	

Those who voted in the negative were:

DeBlick	Heap	Morrison	Schafer	Valento
Forsythe	Hugoson	Onnen	Schreiber	Wenzel
Frederick	Knickerbocker	Pauly	Steensma	
Frerichs	McKasy	Poppenhagen	Swigum	
Gutknecht	McPherson	Quist	Thiede	
Haukoos	Miller	Richter	Tjornhom	

The bill was passed and its title agreed to.

S. F. No. 751, A bill for an act relating to financial institutions; authorizing the deposit of trust funds received by real estate brokers or salespersons in savings and loan associations and credit unions; amending Minnesota Statutes 1986, sections 51A.23, subdivision 1; 52.04; 82.17, subdivision 6; and 82.24, subdivisions 1, 2, and 6.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Boo	Dempsey	Haukoos	Johnson, V.
Anderson, R.	Brown	Dille	Heap	Kahn
Battaglia	Burger	Dorn	Himle	Kalis
Bauerly	Carlson, L.	Forsythe	Hugoson	Kelly
Beard	Carruthers	Frederick	Jacobs	Kelso
Begich	Clark	Frerichs	Jefferson	Kinkel
Bennett	Clausnitzer	Greenfield	Jennings	Kludd
Bertram	Cooper	Gruenes	Jensen	Knickerbocker
Bishop	Dauner	Gutknecht	Johnson, A.	Knuth
Blatz	DeBlick	Hartle	Johnson, R.	Kostohryz

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

The bill was passed and its title agreed to.

H. F. No. 1515, A bill for an act relating to public offices; fixing resignation effective dates; prohibiting contingent resignations; permitting the submission and withdrawal of prospective resignations in certain circumstances; providing for appeals in statewide election contests; amending Minnesota Statutes 1986, sections 209.09; 351.01; and 480A.06, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1035 was reported to the House.

Larsen moved to amend H. F. No. 1035, the first engrossment, as follows:

Page 2, line 10, after "teachers," insert "If more than two school districts enter into one agreement, the seniority provisions specified in this subdivision shall not apply to a school district that enrolls or sends less than 25 secondary pupils under the agreement."

The motion prevailed and the amendment was adopted.

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

McEachern moved that H. F. No. 1035, as amended, be re-referred to the Committee on Education.

A roll call was requested and properly seconded.

The question was taken on the McEachern motion and the roll was called. There were 73 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Bauerly	Frederick	Krueger	Onnen	Steensma
Begich	Frerichs	Marsh	Orenstein	Sviggum
Bennett	Greenfield	McDonald	Ozment	Thiede
Bertram	Gruenes	McEachern	Pauly	Tjornhom
Bishop	Gutknecht	McKasy	Poppenhagen	Tompkins
Blatz	Hartle	McPherson	Quist	Uphus
Boo	Haukoos	Milbert	Redalen	Valento
Burger	Heap	Miller	Richter	Vellenga
Carruthers	Himle	Morrison	Rose	Wagenius
Clark	Hugoson	Nelson, K.	Schafer	Waltman
Clausnitzer	Jensen	Neuenschwander	Schoenfeld	Wenzel
Dauner	Johnson, V.	Olsen, S.	Schreiber	Winter
DeBlieck	Kelso	Olson, E.	Seaberg	Wynia
Dille	Kludt	Olson, K.	Shaver	
Forsythe	Knickerbocker	Omann	Stanisus	

Those who voted in the negative were:

Anderson, R.	Johnson, R.	Long	Pelowski	Sarna
Battaglia	Kahn	McLaughlin	Peterson	Segal
Beard	Kalis	Minne	Price	Simoneau
Brown	Kelly	Murphy	Quinn	Skoglund
Carlson, L.	Kinkel	Nelson, C.	Reding	Solberg
Cooper	Knuth	Nelson, D.	Rest	Sparby
Jacobs	Kostohryz	O'Connor	Rice	Swenson
Jefferson	Larsen	Ogren	Riveness	Trimble
Jennings	Lasley	Osthoff	Rodosovich	Tunheim
Johnson, A.	Lieder	Pappas	Rukavina	Vanasek
				Voss
				Welle

The motion prevailed and H. F. No. 1035, as amended, was re-referred to the Committee on Education.

S. F. No. 353 was reported to the House.

Nelson, D., moved to amend S. F. No. 353, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 112.53, subdivision 2, is amended to read:

Subd. 2. [MAILING.] The managers shall give notice by mail, within one week after the beginning of publication, to the director and to each person, corporation, and public body that owns property benefited or damaged by the proposed improvement as shown by the engineers and appraisers report. The notice shall contain a brief description of the proposed improvement and state: that the engineer's and appraisers' report are on file with the managers and available for public inspection; the time and place of hearing; and that the addressee's name appears as an affected party.

In the case of a metropolitan county defined in section 473.121, subdivision 4, the notice must also include the following:

- (1) the amount to be specially assessed against the property;
- (2) the right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;
- (3) whether partial prepayment of the assessment is authorized;
- (4) the time within which prepayment may be made without the assessment of interest; and
- (5) the rate of interest to be accrued if the assessment is not prepaid within the required time period.

Sec. 2. Minnesota Statutes 1986, section 473.875, is amended to read:

473.875 [SURFACE METROPOLITAN WATER MANAGEMENT PROGRAM PROGRAMS; PURPOSES.]

The purpose of the surface water management programs required by sections 473.875 to 473.883 is to protect, preserve and use natural

(a) reduce to the greatest practical extent the public capital expenditures necessary to control excessive volumes and rates of runoff, (b) protect and improve surface and ground water quality, (c) prevent flooding and erosion from surface flows, (d) promote ground water recharge, (e) protect and enhance fish and wildlife habitat and water recreational facilities, and (f) secure the other benefits associated with the proper management of surface and ground water.

Sec. 3. Minnesota Statutes 1986, section 473.876, is amended by adding a subdivision to read:

Subd. 2a. [GROUND WATER PLAN.] "Ground water plan" means a county plan adopted under section 473.8785.

Sec. 4. Minnesota Statutes 1986, section 473.876, is amended by adding a subdivision to read:

Subd. 2b. [GROUND WATER SYSTEM.] "Ground water system" means one of the 14 principal aquifers of the state as defined by the United States Geological Survey in the Water-Resources Investigations 81-51, entitled "Designation of Principal Water Supply Aquifers in Minnesota" (August 1981), and its revisions.

Sec. 5. Minnesota Statutes 1986, section 473.878, subdivision 3, is amended to read:

Subd. 3. [GENERAL STANDARDS.] The watershed management plan shall extend through the year 1990 or any year thereafter which is evenly divisible by five. The plan must be updated before the expiration of the period covered by the plan. During a period of five years following the effective date of section 10, an adopted watershed plan must be reviewed for consistency with an adopted county ground water plan, and revised as necessary, whenever the watershed plan undergoes substantial revision or updating. Thereafter, the plan must be reviewed for consistency with a county ground water plan, and revised as necessary, within one year following the adoption or amendment of the ground water plan. Upon the request of a watershed management organization, the county shall provide a written statement that: (1) identifies any substantial inconsistencies between the watershed plan and the ground water plan and any substantial adverse effects of the watershed plan on the ground water plan, and (2) evaluates, estimates the cost of, and recommends alternatives for amending the watershed plan to rectify any substantial inconsistencies and adverse effects. The plan shall contain the elements required by subdivision 4. Each element shall be set out in the degree of detail and prescription necessary to accomplish the purposes of sections 473.875 to 473.883, considering the character of existing and anticipated physical and hydrogeologic conditions, land use, and development and the severity of existing and anticipated water

management problems in the watershed. The plan shall be prepared and submitted for review under subdivision 5 not later than December 31, 1986. Existing plans of a watershed management organization shall remain in force and effect until amended or superseded by plans adopted under sections 473.875 to 473.883. Existing or amended plans of a watershed management organization which meet the requirements of sections 473.875 to 473.883 may be submitted for review under subdivision 5.

Sec. 6. Minnesota Statutes 1986, section 473.878, subdivision 5, is amended to read:

Subd. 5. [LOCAL REVIEW AND COMMENT.] Upon completion of the plan but before final adoption by the organization, the organization shall submit the plan for review and comment to all counties, soil and water conservation districts, towns, and statutory and home rule charter cities having territory within the watershed. Any local government unit which expects that substantial amendment of its local comprehensive plan will be necessary in order to bring local water management into conformance with the watershed plan shall describe as specifically as possible, within its comments, the amendments to the local plan which it expects will be necessary.

Subd. 5a. [COUNTY REVIEW; CAPITAL IMPROVEMENTS PLAN; GROUND WATER PLAN.] (a) Sixty days after the submission to local government units for comment, the organization shall submit the plan, any comments received, and any appropriate amendments to the plan, to the board of the county or counties having territory within the watershed.

(b) The county shall approve or disapprove projects in the capital improvement program which may require the provision of county funds pursuant to section 112.60, subdivision 2, or 473.883.

(c) If the county has a ground water plan, the county shall review the watershed plan for consistency with the county ground water plan. The county may disapprove the watershed plan, or part thereof, only for substantial adverse effect on or substantial departure from the ground water plan. If the county disapproves all or part of the watershed plan, the watershed plan must be submitted for review under subdivision 6 and review and final decision under subdivision 7. The county may delegate its review under this paragraph to a soil and water conservation district.

(d) The county shall have 60 days to complete its review of the capital improvement program. If the county fails to complete its review within the prescribed period, unless an extension is agreed to by the organization the plan and program shall be deemed approved.

(e) If the watershed extends into more than one county and one or more counties disapprove of all or part of a capital improvement plan

or program while the other county or counties approve, the plan and program shall be submitted to the water resources board for review pursuant to under subdivision 6 and review and final decision under subdivision 7.

Sec. 7. Minnesota Statutes 1986, section 473.878, subdivision 6, is amended to read:

Subd. 6. [REVIEW BY METROPOLITAN COUNCIL.] After completion of the review under subdivision 5, the plan and all comments received shall be submitted to the metropolitan council for review. Notwithstanding any provision to the contrary in sections 112.46 and 473.165, the council shall review the plan in the same manner and with the same authority and effect as provided for the council's review of the comprehensive plans of local government units under section 473.175. The council shall comment on the apparent conformity with metropolitan system plans of any anticipated amendments to local comprehensive plans. The council may mediate and attempt to resolve differences among local governmental agencies regarding the plan.

Sec. 8. Minnesota Statutes 1986, section 473.878, subdivision 7, is amended to read:

Subd. 7. [REVIEW BY STATE AGENCIES.] (a) After completion of the review under subdivision 6, the plan and all comments received shall be submitted to the ~~commissioner~~ commissioners of natural resources and health and the director of the pollution control agency for review and comment on the consistency of the plan with state laws and rules relating to water and related land resources, and to the water resources board for review under section 112.46.

(b) Except as otherwise provided in this subdivision, the water resources board shall review the plan as provided in section 112.46. The board shall review the plan for conformance with the requirements of chapter 112 and sections 473.875 to 473.883. The board shall not prescribe a plan, but may disapprove all or parts of a plan which it determines is not in conformance with the requirements of chapter 112 and sections 473.875 to 473.883.

(c) If the plan or part of the plan is disapproved by a county under subdivision 5, paragraph (c), the board shall make a final decision on the issue. If the plan or capital improvement program is the subject of a dispute between counties under subdivision 5, paragraph (e), the water resources board shall make a final decision on the issue. The decision shall be decisions of the board under this paragraph must be made following the hearing procedure specified in section 110B.25, subdivision 4 and are binding on the organization, affected local units of government, and the counties involved. The decision may be appealed as provided in sections 14.63 to 14.69.

Sec. 9. Minnesota Statutes 1986, section 473.878, subdivision 9, is amended to read:

Subd. 9. [AMENDMENTS.] To the extent and in the manner required by the adopted plan, all amendments to the adopted plan shall be submitted to the towns, cities, county, and other agencies for review in accordance with the provisions of subdivisions 5, 6, and 7. Amendments necessary to recognize a county ground water plan, as required by subdivision 3, must be submitted for review in accordance with subdivisions 5, 5a, 6, and 7.

Sec. 10. [473.8785] [GROUND WATER PLANS.]

Subdivision 1. [AUTHORITY.] Metropolitan counties may prepare and adopt ground water plans in accordance with this section.

Subd. 2. [RESPONSIBLE UNITS.] The county may prepare and adopt the plan or, upon request of a soil and water conservation district, the county may delegate to the soil and water conservation district the preparation and adoption of all or part of a plan and the performance of other county responsibilities regarding the plan under this section and section 473.878.

Subd. 3. [LOCAL COORDINATION.] To assure the coordination of efforts of all units of government during the preparation and implementation of watershed and ground water plans, the county shall conduct meetings with local units of government and watershed management organizations, and may enter into agreements with local units of government and watershed management organizations establishing the responsibilities during the preparation and implementation of the water plans.

Subd. 4. [ASSISTANCE; ADVISORY COMMITTEE.] The county may contract with the Minnesota geological survey, the United States geological survey, a soil and water conservation district, or other public or private agencies or persons for services in performing the county's responsibilities regarding the plan under this section and section 473.878. Counties may enter into agreements with other counties or local units of government under section 471.59 for the performance of these responsibilities. To assist in the development of the ground water plan, the county shall seek the advice of the Minnesota geological survey, the departments of health and natural resources, the pollution control agency, and other appropriate local, state, and federal agencies, and shall name an advisory committee of 15 members. The committee must include representatives of various interests, like construction, agriculture, hydrogeology, and well drilling. At least four members of the committee must be from the public at large with no direct pecuniary interest in any project involving ground water protection. At least seven members must be appointed from watershed management organizations, statutory and home rule charter cities, and towns, and these local government

representatives must be geographically distributed so that at least one is appointed from each county commissioner district. The county shall consult the advisory committee on the development, content, and implementation of the plan, including particularly the relationship of the ground water plan and existing watershed and local water management plans, the effect of the groundwater plan on the other plans, and the allocation of costs and governmental authority and responsibilities during implementation.

Subd. 5. [GENERAL STANDARDS.] The ground water plan must extend through the year 1995 or any year thereafter which is evenly divisible by five. The plan must contain the elements required by subdivision 6. Each element must be set out in the degree of detail and prescription necessary to accomplish the purposes of sections 473.875 to 473.883, considering the character of existing and anticipated physical and hydrogeologic conditions, land use, and development and the severity of existing and anticipated ground water management problems in the county. To the fullest extent possible consistent with groundwater protection, a county shall make maximum use of existing and available data and studies in preparing the ground water plan and incorporate into its ground water plan relevant data from existing plans and studies and the relevant provisions of existing plans adopted by watershed management organizations having jurisdiction wholly or partly within the county.

Subd. 6. [CONTENTS.] A ground water plan must:

- (1) cover the entire area within the county;
- (2) describe existing and expected changes to the physical environment, land use, and development in the county;
- (3) summarize available information about the ground water and related resources in the county, including existing and potential distribution, availability, quality, and use;
- (4) state the goals, objectives, scope, and priorities of ground water protection in the county;
- (5) contain standards, criteria, and guidelines for the protection of ground water from pollution and for various types of land uses in environmentally sensitive areas, critical areas, or previously contaminated areas;
- (6) describe relationships and possible conflicts between the ground water plan and the plans of other counties, local government units, and watershed management organizations in the affected ground water system;

(7) set forth standards and guidelines for implementation of the plan by watershed management organizations and local units of government; and

(8) include a procedure for amending the ground water plan.

Subd. 7. [LOCAL REVIEW AND COMMENT.] Upon completion of the ground water plan but before final adoption by the county, the county shall submit the plan for review and comment to each soil and water conservation district, town, statutory and home rule charter city, and watershed management organization having territory within the county. The county also shall submit the plan to any other county or watershed management organization or district in the affected ground water system that could affect or be affected by implementation of the plan. Any political subdivision or watershed management organization that expects that substantial amendment of its plans would be necessary in order to bring them into conformance with the county ground water plan shall describe as specifically as possible, within its comments, the amendments that it expects would be necessary and the cost of amendment and implementation. Reviewing entities have 60 days to review and comment.

Subd. 8. [REVIEW BY METROPOLITAN COUNCIL.] After completion of the review under subdivision 7, the plan and all comments received must be submitted to the metropolitan council for review. Notwithstanding any provision to the contrary in sections 112.46 and 473.165, the council shall review the plan in the same manner and with the same authority and effect as provided for the council's review of the comprehensive plans of local government units under section 473.175. The council shall comment on the apparent conformity with metropolitan system plans of any anticipated amendments to watershed plans and local comprehensive plans. The council shall summarize and evaluate the cost of rectifying inconsistencies between the groundwater plan and watershed plans. If the council finds that significant funding problems, needs, or inequities will result from the groundwater plan, the council shall report to the legislature on the matter and on appropriate means of allocating and paying costs. The council may mediate and attempt to resolve differences among local governmental agencies regarding the plan.

Subd. 9. [REVIEW BY STATE AGENCIES.] After completion of the review under subdivision 8, the plan and all comments received must be submitted to the commissioners of natural resources and health and the director of the pollution control agency for review and comment on the consistency of the plan with state laws and rules relating to water and related land resources, and to the water resources board for review under section 112.46. Except as otherwise provided in this subdivision, the water resources board shall review the plan as provided in section 112.46. The board shall review the plan for conformance with the requirements of chapter 112 and sections 473.875 to 473.883. The board may not prescribe a plan, but

may disapprove all or parts of a plan which it determines is not in conformance with the requirements of chapter 112 and sections 473.875 to 473.883.

Subd. 10. [ADOPTION; IMPLEMENTATION.] The county shall adopt and implement its groundwater plan within 120 days after compliance with the provisions of subdivision 9 and approval of the plan by the water resources board.

Subd. 11. [AMENDMENTS.] To the extent and in the manner required by the adopted plan, all amendments to the adopted plan must be submitted to the towns, cities, counties, and other agencies for review in accordance with the provisions of subdivisions 7 to 9.

Sec. 11. [APPLICATION.]

Sections 2 to 10 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan water management; authorizing county ground water plans; requiring consistency of watershed and ground water plans; relating to notice procedures in certain counties; amending Minnesota Statutes 1986, sections 112.53, subdivision 2; 473.875; 473.876, by adding subdivisions; and 473.878, subdivisions 3, 5, 6, 7, and 9; proposing coding for new law in Minnesota Statutes, chapter 473."

The motion prevailed and the amendment was adopted.

Jacobs and Nelson, D., moved to amend S. F. No. 353, as amended, as follows:

Page 1, delete lines 12 to 27

Page 2, delete lines 1 to 9 and insert:

"Section 1. Minnesota Statutes 1986, section 112.60, is amended by adding a subdivision to read:

Subd. 1a. In the case of a metropolitan county defined in section 473.121, subdivision 4, the managers shall give notice by mail, within one week after the filing of the statement as provided in subdivision 1, to each person, corporation, and public body that owns property benefited or damaged by the improvement as shown in the appraisers' report and approved by the managers. The notice shall contain a brief description of the improvement and shall also include:

- (1) the amount to be specially assessed against the property;
- (2) the right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;
- (3) whether partial prepayment of the assessment is authorized;
- (4) the time within which prepayment may be made without the assessment of interest; and
- (5) the rate of interest to be accrued if the assessment is not prepaid within the required time period."

Amend the title as follows:

Page 1, line 6, delete "112.53, subdivision 2" and insert "112.60, by adding a subdivision"

The motion prevailed and the amendment was adopted.

Schreiber moved to amend S. F. No. 353, as amended, as follows:

Page 2, delete from line 36 to page 6, line 23 (sections 5 to 9)

Renumber sections and correct the title

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Schreiber amendment and the roll was called. There were 68 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	Knuth	Onnen	Segal
Bauerly	Gruenes	Kostohryz	Ozment	Shaver
Beard	Hartle	Marsh	Poppenhagen	Solberg
Bennett	Haukoos	McDonald	Price	Sparby
Bertram	Heap	McEachern	Quist	Stanis
Bishop	Himle	McKasy	Redalen	Svigum
Blatz	Hugoson	McPherson	Rest	Thiede
Burger	Jaros	Milbert	Richter	Tjornhom
Carlson, L.	Jennings	Miller	Rose	Tompkins
Clausnitzer	Johnson, A.	Morrison	Sarna	Uphus
Dauner	Johnson, V.	Ogren	Schafer	Valento
Dille	Kelso	Olsen, S.	Scheid	Waltman
Forsythe	Kinkel	Olson, E.	Schreiber	
Frederick	Knickerbocker	Omann	Seaberg	

Those who voted in the negative were:

Anderson, G.	Jefferson	McLaughlin	Otis	Steensma
Battaglia	Jensen	Minne	Pappas	Swenson
Begich	Johnson, R.	Munger	Pauly	Tunheim
Brown	Kahn	Murphy	Pelowski	Vanasek
Carruthers	Kalis	Nelson, C.	Peterson	Vellenga
Clark	Kelly	Nelson, D.	Quinn	Voss
Cooper	Kludt	Nelson, K.	Reding	Wagenius
DeBlieck	Krueger	Neuenschwander	Riveness	Welle
Dorn	Larsen	O'Connor	Rodosovich	Wenzel
Greenfield	Lasley	Olson, K.	Schoenfeld	Winter
Gutknecht	Lieder	Orenstein	Simoneau	Wynia
Jacobs	Long	Osthoff	Skoglund	Spk. Norton

The motion prevailed and the amendment was adopted.

S. F. No. 353, A bill for an act relating to metropolitan water management; authorizing metropolitan counties to adopt ground water plans; relating to notice procedures in certain counties; amending Minnesota Statutes 1986, sections 112.53, subdivision 2; 473.875; 473.876, by adding subdivisions; 473.878, subdivisions 3, 5, 6, 7, and 9; proposing coding for new law in Minnesota Statutes, chapter 473.

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

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

H. F. No. 1283 was reported to the House.

Skoglund moved that H. F. No. 1283 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1350, A bill for an act relating to jobs and training; establishing limits for rates under the child care sliding fee program; amending Minnesota Statutes 1986, section 268.91, subdivision 8.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gutknecht	Lieder	Osthoff	Segal
Anderson, R.	Hartle	Long	Otis	Shaver
Battaglia	Haukoos	Marsh	Ozment	Simoneau
Bauerly	Heap	McDonald	Pappas	Skoglund
Beard	Himle	McEachern	Pauly	Solberg
Begich	Hugoson	McKasy	Pelowski	Sparby
Bennett	Jacobs	McLaughlin	Peterson	Stanisus
Bertram	Jaros	McPherson	Poppenhagen	Steensma
Blatz	Jefferson	Milbert	Price	Sviggum
Boo	Jennings	Miller	Quinn	Swenson
Brown	Jensen	Minne	Quist	Thiede
Burger	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	Uphus
Cooper	Kelly	Nelson, K.	Riveness	Valento
Dauner	Kelso	Neuenschwander	Rodosovich	Vanasek
DeBlicke	Kinkel	O'Connor	Rose	Vellenga
Dille	Kludd	Ogren	Rukavina	Voss
Dorn	Knickerbocker	Olsen, S.	Sarna	Wagenius
Forsythe	Knuth	Olson, E.	Schafer	Waltman
Frederick	Kostohryz	Olson, K.	Scheid	Welle
Frerichs	Krueger	Omann	Schoenfeld	Wenzel
Greenfield	Larsen	Onnen	Schreiber	Winter
Gruenes	Lasley	Orenstein	Seaberg	Wynia
				Spk. Norton

The bill was passed and its title agreed to.

H. F. No. 940 was reported to the House.

Clark moved to amend H. F. No. 940, the second engrossment, as follows:

Page 14, delete lines 14 to 18

The motion prevailed and the amendment was adopted.

H. F. No. 940, A bill for an act relating to retirement; various employee pension plans; specifying that exemptions from legal process do not include marital property divisions; requiring the provision of certain pension plan information in marriage dissolution actions; providing for court appointed actuaries in marriage dissolution actions; authorizing conversion of a certain joint and survivor annuity; amending Minnesota Statutes 1986, sections 69.51; 352.15, subdivision 1; 352.96, by adding a subdivision; 352B.071; 353.15; 354.10; 354A.11; 422A.24; 423.39; 423.61; 423.813; 424.27; 518.54, subdivision 5, and by adding subdivisions; and 518.58; proposing coding for new law in Minnesota Statutes, chapters 356 and 518.

The bill was read for the 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 119 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clausnitzer	Lasley	Miller	Schafer	Thiede
Himle	Milbert	Quist	Seaberg	

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

H. F. No. 1129 was reported to the House.

There being no objection, H. F. No. 1129 was continued on Special Orders for one day.

S. F. No. 1114 was reported to the House.

Jacobs moved to amend S. F. No. 1114, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 299A.02, subdivision 3, is amended to read:

Subd. 3. [REPORTS; RULES.] The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of Laws 1985, chapter 305, articles 2 to 11. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale. No rule may require the use of new containers in aging whiskey. No rule may require cordials or liqueurs to contain in excess of two and one-half percent by weight of sugar or dextrose or both. No rule may prohibit wine or other commodities from being offered at wholesale on original or assorted cases with distilled spirits or vice versa.

Sec. 2. Minnesota Statutes 1986, section 340A.101, subdivision 10, is amended to read:

Subd. 10. [EXCLUSIVE LIQUOR STORE.] "Exclusive liquor store" is an establishment used exclusively for the sale of intoxicating liquor except for the incidental sale of ice, tobacco, nonintoxicating malt liquor, beverages for mixing with intoxicating liquor, and soft drinks may also be sold, cork extraction devices, and books and videos on the use of alcoholic beverages in the preparation of food, and the establishment may offer recorded or live entertainment and make available coin-operated amusement devices. "Exclusive liquor store" also includes an on-sale or combination on-sale and off-sale intoxicating liquor establishment which sells food for on-premise consumption when authorized by the municipality issuing the license.

Sec. 3. Minnesota Statutes 1986, section 340A.410, is amended by adding a subdivision to read:

Subd. 9. [COIN-OPERATED DEVICES.] Coin-operated amusement devices may not be made available in establishments licensed solely for the off-sale of intoxicating liquor or municipal stores which sell only at off-sale. An establishment holding a combination on-sale and off-sale license or a municipal liquor store which sells at on-sale and off-sale which makes coin-operated devices available shall keep such devices to the greatest extent practicable in that area of the establishment where on-sales are made.

Sec. 4. [REPEALER.]

Minnesota Statutes 1986, sections 34.119, 34.12, 34.13, and 34.14 are repealed."

Delete the title and insert:

"A bill for an act relating to liquor; limitations on rule-making authority of commissioner; items which may be sold in exclusive liquor stores; locations where coin-operated amusement devices may be kept; amending Minnesota Statutes 1986, sections 299A.02, subdivision 3; 340A.101, subdivision 10; and 340A.410, by adding a subdivision; repealing Minnesota Statutes 1986, sections 34.119, 34.12, 34.13, and 34.14."

The motion prevailed and the amendment was adopted.

S. F. No. 1114, A bill for an act relating to liquor; limitations on rules of the commissioner of public safety; items which may be sold in exclusive liquor stores; regulating sales of fermented malt beverages; amending Minnesota Statutes 1986, sections 299A.02, subdivision 3; and 340A.101, subdivision 10; repealing Minnesota Statutes 1986, sections 34.119; 34.12; 34.13; and 34.14.

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

Trimble
Tunheim
Uphus

Valento
Vanasek
Vellenga

Wagenius
Waltman
Welle

Wenzel
Winter
Wynia

Spk. Norton

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

H. F. No. 1622, A bill for an act relating to courts; providing court of appeals and crime victim representation on the sentencing guidelines commission; providing that terms of commission members appointed by the governor are coterminous with the governor; changing the date on which the commission's report to the legislature is due; clarifying the membership on judicial appeal panels; permitting retired judges to solemnize marriages; clarifying judicial representation on the judicial standards board; authorizing the supreme court to adopt court rules; restricting mileage reimbursement for law clerks; amending Minnesota Statutes 1986, sections 244.09, subdivisions 2, 3, and 11; 253B.19, subdivision 1; 480.051; 481.02, subdivision 3; 484.545, subdivision 3; 484.62; 490.15, subdivision 1; 517.04; and 525.06.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 508, A bill for an act relating to housing; providing for administration of the state's low-income housing credit; authorizing the Minnesota housing finance agency to participate in certain housing construction projects and in certain nonprofit corporations; authorizing the sale or rental of certain housing property; providing definitions; providing for the issuance of certain bonds and notes; amending Minnesota Statutes 1986, sections 462A.03, subdivision 14; 462A.05, subdivisions 14, 21, and by adding subdivisions; 462A.06, subdivisions 7 and 12; 462A.08, subdivisions 1 and 3; and 462A.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 462A.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 867, A bill for an act relating to local improvements; authorizing the levy of special assessments for highway sound barriers; amending Minnesota Statutes 1986, sections 429.011, by adding a subdivision; and 429.021, 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 124 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DeBlick	Lasley	Olsen, S.	Segal	Simoneau
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The bill was passed and its title agreed to.

H. F. No. 1156, A bill for an act relating to Traverse county; allowing a property tax levy for the county agricultural society.

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

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Carlson, L.	Greenfield	Jennings	Knickerbocker
Anderson, R.	Carruthers	Gruenes	Jensen	Knuth
Battaglia	Clark	Gutknecht	Johnson, A.	Kostohryz
Bauerly	Cooper	Hartle	Johnson, R.	Krueger
Begich	Dauner	Haukoos	Johnson, V.	Larsen
Bennett	DeBlick	Heap	Kahn	Lieder
Bertram	Dille	Himle	Kalis	Long
Bishop	Dorn	Hugoson	Kelly	Marsh
Blatz	Forsythe	Jacobs	Kelso	McDonald
Boo	Frederick	Jaros	Kinkel	McEachern
Brown	Frerichs	Jefferson	Kludt	McKasy

McLaughlin	Olsen, S.	Poppenhagen	Seaberg	Valento
McPherson	Olson, E.	Quinn	Shaver	Vanasek
Milbert	Olson, K.	Redalen	Skoglund	Vellenga
Minne	Omann	Reding	Solberg	Voss
Morrison	Onnen	Riveness	Sparby	Waltman
Munger	Orenstein	Rodosovich	Stanis	Welle
Murphy	Osthoff	Rose	Steensma	Wenzel
Nelson, C.	Otis	Rukavina	Sviggun	Winter
Nelson, D.	Ozment	Sarna	Swenson	Wynia
Nelson, K.	Pappas	Schafer	Tompkins	Spk. Norton
Neuenschwander	Pauly	Scheid	Trimble	
O'Connor	Pelowski	Schoenfeld	Tunheim	
Ogren	Peterson	Schreiber	Uphus	

Those who voted in the negative were:

Beard	Lasley	Quist	Simoneau
Burger	Miller	Rice	Thiede
Clausnitzer	Price	Richter	Tjornhom

The bill was passed and its title agreed to.

S. F. No. 385 was reported to the House.

Trimble moved to amend S. F. No. 385, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [84.0911] [WILD RICE MANAGEMENT ACCOUNT.]

Subdivision 1. [ESTABLISHMENT.] The wild rice management account is established as an account in the state treasury.

Subd. 2. [RECEIPTS.] Money received from the sale of wild rice licenses issued by the commissioner under section 84.091, subdivision 3, clauses (1) and (3), shall be credited to the wild rice management account.

Subd. 3. [USE OF MONEY IN ACCOUNT.] (a) Money in the wild rice management account shall be used by the commissioner for management of designated public waters to improve natural wild rice production.

(b) Money that is not appropriated from the wild rice management account does not cancel but shall remain in the wild rice management account until appropriated.

Sec. 2. Minnesota Statutes 1986, section 97A.015, subdivision 18, is amended to read:

Subd. 18. [ENFORCEMENT OFFICER.] "Enforcement officer" means the commissioner, the director of the enforcement division, a conservation officer, or a game refuge manager.

Sec. 3. Minnesota Statutes 1986, section 97A.015, subdivision 25, is amended to read:

Subd. 25. [GAME FISH.] "Game fish" means walleye, sauger, yellow perch, channel catfish, flathead catfish; members of the pike family, Esocidae, including muskellunge and northern pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family, Percichthyidae, including white bass and yellow bass; members of the salmon and trout subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout, and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon family, Acipenseridae, including lake sturgeon, and shovelnose sturgeon. "Game fish" includes hybrids of game fish.

Sec. 4. Minnesota Statutes 1986, section 97A.015, subdivision 43, is amended to read:

Subd. 43. [ROUGH FISH.] "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin, burbot, ~~eiseee~~ cisco, gar, goldeye, and bullhead.

Sec. 5. Minnesota Statutes 1986, section 97A.015, subdivision 45, is amended to read:

Subd. 45. [SMALL GAME.] "Small game" means game birds, gray squirrel, fox squirrel, cottontail rabbit, snowshoe hare, jack rabbit, raccoon, lynx, bobcat, red fox and gray fox, fisher, pine marten, ~~opossum~~ opossum, badger, cougar, wolverine, muskrat, mink, otter, and beaver.

Sec. 6. Minnesota Statutes 1986, section 97A.015, subdivision 51, is amended to read:

Subd. 51. [UNLOADED.] "Unloaded" means, with reference to a firearm, without ammunition in the barrels and magazine, if the magazine is in the firearm. A muzzle loading firearm with a flintlock ignition is unloaded if it does not have priming powder in a pan. A muzzle loading firearm with percussion ignition is unloaded if it does not have a percussion cap on a nipple.

Sec. 7. Minnesota Statutes 1986, section 97A.055, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; PURPOSES.] The game and fish fund is established as a fund in the state treasury. The money in the fund is annually appropriated to the commissioner for the activities of the division of fish and wildlife and the division of enforcement.

Sec. 8. Minnesota Statutes 1986, section 97A.065, subdivision 2, is amended to read:

Subd. 2. [FINES AND FORFEITED BAIL.] (a) Fines and forfeited bail collected from prosecutions of violations of the game and fish laws, sections 84.09 to 84.15, and 84.81 to 84.88, chapter ~~34B~~ 348, and any other law relating to wild animals, and aquatic vegetation must be paid to the treasurer of the county where the violation is prosecuted. The county treasurer shall submit one-half of the receipts to the commissioner and credit the balance to the county general revenue fund except as provided in paragraph (b).

(b) The commissioner must reimburse a county, from the game and fish fund, for the cost of keeping prisoners prosecuted for violations under this section if the county board, by resolution, directs: (1) the county treasurer to submit all fines and forfeited bail to the commissioner; and (2) the county auditor to certify and submit monthly itemized statements to the commissioner.

Sec. 9. Minnesota Statutes 1986, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. [DEER AND BEAR LICENSES.] (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivision 2, clauses (4) and (5) and subdivision 3, clauses (2) and (3).

(b) At least \$2 from each deer license shall be used for deer habitat improvement.

(c) At least \$1 from each resident deer license and each resident bear license shall be used for deer and bear management programs, including a computerized licensing system.

Sec. 10. Minnesota Statutes 1986, section 97A.085, subdivision 5, is amended to read:

Subd. 5. [~~SPECIES~~ GAME REFUGE FOR SPECIFIED GAME.] The commissioner may, by order, designate a species game refuge for only specified species. The game refuge must be posted accordingly.

Sec. 11. Minnesota Statutes 1986, section 97A.085, subdivision 7, is amended to read:

Subd. 7. [GAME REFUGE BOUNDARY POSTING.] (a) The designation of a state game refuge is not effective until the boundary has been posted with notices that measure at least 12 inches. ~~The notices posted on state park boundaries must have black letters on a yellow background stating that the area is a state park. The notices on other game refuges must have black letters on a white background stating that the area is a state game refuge.~~

(b) The notices must be posted at intervals of not more than 500 feet or less along the boundary. The notices must also be posted at all public road entrances to the refuges, except where the boundary is also an international or state boundary in public waters. Where the boundary of a refuge extends more than 500 feet continuously through a body of water, instead of placing notices in the water, notices with the words, "Adjacent Waters Included," may be placed on the shoreline at the intersection of the boundary and the water 20 feet or less above the high water mark and at intervals of 500 feet or less along the shoreline.

(c) A certification by the commissioner or the director, or a certification filed with the commissioner or director by a conservation officer, refuge supervisor, or other authorized officer or employee, stating that the required notices have been posted is prima facie evidence of the posting.

Sec. 12. Minnesota Statutes 1986, section 97A.111, subdivision 2, is amended to read:

Subd. 2. [ISSUANCE OF LICENSE.] (a) The commissioner shall investigate the application filed and may require the applicant to produce evidence of the facts stated. The commissioner shall issue a muskrat farm license to an applicant if the commissioner determines that:

- (1) the applicant is the owner of the land;
- (2) the applicant intends to establish and operate a muskrat farm; and
- (3) the establishment of a muskrat farm in the proposed area will conserve the natural resources.

(b) The license must describe the land and certify that the licensee is entitled to use the land to breed, raise, trap, and trade muskrats. ~~The license expires on December 31 each year but may be renewed annually at the discretion of the commissioner upon payment of the license fee.~~

Sec. 13. Minnesota Statutes 1986, section 97A.111, subdivision 7, is amended to read:

Subd. 7. [ANNUAL REPORT.] By March 1 31 of each year, the licensee must submit a signed report to the commissioner covering the preceding calendar license year. The report must be completed on a form furnished by the commissioner stating the license number, the number and value of muskrats killed, transported, and sold from the muskrat farm, and other information required by the commissioner.

Sec. 14. Minnesota Statutes 1986, section 97A.121, subdivision 5, is amended to read:

Subd. 5. [MARKING HARVESTED GAME.] Harvested game, except ducks that are marked in accordance with regulations of the United States Fish and Wildlife Service, must be tagged with a self-sealing tag, identifying the private shooting preserve. The commissioner shall issue the tags at a cost of 15 cents each. The tag must remain attached on the bird until while the bird is actually prepared for consumption transported.

Sec. 15. Minnesota Statutes 1986, section 97A.135, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC HUNTING AND WILDLIFE AREAS.] (a) The commissioner or the commissioner of administration shall acquire and improve land for public hunting, game refuges, and food and cover planting. The land may be acquired by a gift, lease, easement, purchase, or condemnation. At least two-thirds of the total area acquired in a county must be open to public hunting. The commissioner may designate land acquired under this subdivision as a wildlife management area for the purposes of the outdoor recreation system.

(b) The commissioner of administration may transfer money to the commissioner for acquiring wetlands wildlife lands to qualify for Pittman-Robertson funds. The transferred money is reappropriated to the commissioner for the wetland wildlife land acquisition.

Sec. 16. Minnesota Statutes 1986, section 97A.201, subdivision 1, is amended to read:

Subdivision 1. [ENFORCEMENT BY THE COMMISSIONER.] The commissioner shall execute and enforce the laws relating to wild animals. The commissioner may delegate execution and enforcement of the wild animal laws to the director, ~~game refuge managers,~~ and conservation enforcement officers.

Sec. 17. Minnesota Statutes 1986, section 97A.211, subdivision 1, is amended to read:

Subdivision 1. [NOTICE TO APPEAR IN COURT.] (a) A person must be given notice to appear in court for a misdemeanor violation of the game and fish laws, chapter 84, 105, or ~~106~~ 106A, or section 609.68 if:

(1) the person is arrested and is released from custody prior to appearing before a court; or

(2) the person is subject to a lawful arrest and is not arrested because it reasonably appears to the enforcement officer that arrest is unnecessary to prevent further criminal conduct and that there is a substantial likelihood that the person will respond to a notice.

(b) The enforcement officer shall prepare, in quadruplicate, a written notice to appear in court. The notice must be in the form and has the effect of a summons and complaint. The notice must contain the name and address of the person charged, the offense, and the time and the place to appear in court. The court must have jurisdiction within the county where the offense is alleged to have been committed.

Sec. 18. Minnesota Statutes 1986, section 97A.211, subdivision 2, is amended to read:

Subd. 2. [RELEASE AFTER ARREST.] A person arrested for a misdemeanor violation of the game and fish laws, chapter 84, 105, or ~~106~~ 106A or section 609.68 may obtain release by signing the written notice prepared by the arresting officer promising to appear in court. The officer shall deliver a copy marked "SUMMONS" to the person arrested. The officer must then release the person from custody.

Sec. 19. Minnesota Statutes 1986, section 97A.221, subdivision 1, is amended to read:

Subdivision 1. [PROPERTY SUBJECT TO CONFISCATION.] (a) An enforcement officer may confiscate:

(1) wild animals, wild rice, and other aquatic vegetation taken, bought, sold, transported, or possessed in violation of the game and fish laws or chapter 84; and

(2) firearms, bows and arrows, nets, boats, lines, poles, fishing rods and tackle, lights, lanterns, snares, traps, spears, dark houses, fish houses, and wild rice harvesting equipment that are used, with the owner's knowledge to unlawfully take or transport wild animals, wild rice, or other aquatic vegetation.

(b) An enforcement officer must confiscate nets and equipment unlawfully possessed within ten miles of Lake of the Woods or Rainy Lake.

(c) Confiscated property may be disposed of, retained for use by the division, or sold at the highest price obtainable as prescribed by the commissioner.

Sec. 20. Minnesota Statutes 1986, section 97A.255, subdivision 2, is amended to read:

Subd. 2. [BURDEN OF PROOF.] In a prosecution that alleges animals have been taken, bought, sold, transported, or possessed in violation of the game and fish laws, the burden of establishing that the animals were domesticated, reared in a private preserve, raised in a private fish hatchery, taken for scientific purposes, or lawfully taken outside of this state, or received as a gift, is on the defendant.

Sec. 21. Minnesota Statutes 1986, section 97A.311, subdivision 4, is amended to read:

Subd. 4. [SUSPENSION OF LICENSE AGENT SUSPENSION.] In addition to other penalties, a license agent that violates a law, rule, or order of the commissioner relating to license sales, handling, or accounting forfeits the right to sell and handle licenses for a period of one year.

Sec. 22. Minnesota Statutes 1986, section 97A.315, subdivision 2, is amended to read:

Subd. 2. [LICENSE REVOCATIONS.] (a) If a person is convicted under ~~subdivision 1~~ of trespassing under subdivision 1 while exercising or attempting to exercise an activity licensed under the game and fish laws or requiring snowmobile registration under section 84.82, the applicable license and registration are null and void.

(b) A person convicted of a gross misdemeanor under subdivision 1, paragraph (b), may not be issued a license to take game for two years after the conviction.

Sec. 23. Minnesota Statutes 1986, section 97A.325, subdivision 1, is amended to read:

Subdivision 1. [GROSS MISDEMEANOR FOR SALES OF \$300 OR MORE.] (a) A person that buys or sells protected wild animals in violation of the game and fish laws where the sales total \$300 or more is guilty of a gross misdemeanor. The person is subject to the penalty in section ~~97A.301~~ 97A.301, subdivision 2, except that the fine is may not be less than \$3,000 or more than \$10,000.

(b) Licenses possessed by a person convicted under this subdivision are null and void and the person may not take wild animals for three years after the conviction.

Sec. 24. Minnesota Statutes 1986, section 97A.331, subdivision 1, is amended to read:

Subdivision 1. [HUNTING WHILE INTOXICATED OR USING NARCOTIC DRUGS UNDER THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE.] A person that violates ~~a the provision of section 97B.065 relating to hunting while visibly intoxicated or under the influence of alcohol or a narcotic drug under section 97B.065, controlled substance~~ is guilty of a gross misdemeanor.

Sec. 25. Minnesota Statutes 1986, section 97A.405, subdivision 2, is amended to read:

Subd. 2. [PERSONAL POSSESSION.] A person to whom a license is issued must have the license in personal possession while acting under the license and while traveling to and from the area where the licensed activity is performed. If possession of a license is required, a person must exhibit the proper license when requested by a conservation officer or peace officer. A receipt for license fees, a copy of a license, or evidence showing the issuance of a license does not entitle a licensee to exercise the rights or privileges conferred by a license.

Sec. 26. Minnesota Statutes 1986, section 97A.415, subdivision 1, is amended to read:

Subdivision 1. [ONE LICENSE PER PERSON.] Only one trapping and big game license of each kind may be issued to a person in a license year; ~~except the nonresident short term angling license,~~ unless authorized by commissioner's order.

Sec. 27. Minnesota Statutes 1986, section 97A.421, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] (a) The license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to take small game or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license; or

(3) the conviction occurs under a license not described in clause (1) or (2).

(b) Except for big game licenses and as otherwise provided in this section, and for one year after the conviction, the person may not obtain that the kind of license relating to the game and fish law violation.

Sec. 28. Minnesota Statutes 1986, section 97A.425, is amended to read:

97A.425 [RECORD AND REPORTING REQUIREMENTS FOR DEALERS, TANNERS, AND TAXIDERMISTS.]

Subdivision 1. [REQUIREMENT.] A person required to have a license under the game and fish laws to buy or sell wild animals, to tan or dress raw furs, or to mount specimens of wild animals, must keep complete records in a book of all transactions and activities covered by the license and submit reports to the commissioner.

Subd. 2. [RECORDS.] (a) The records must show:

(1) the names and addresses of persons from whom wild animals were obtained and to whom they were transferred;

(2) the dates of receipt, shipment, and sale of wild animals;

(3) detailed descriptions of the number and type of wild animals purchased, sold, and shipped;

(4) serial numbers of seals, tags, or permits required to be attached to the wild animals; and

(5) trapping license numbers for protected fur-bearing animals, unless the trapper is exempt from the license requirement, which must be noted.

(b) A licensed fur dealer, buying for one employer at the employer's place of business is not required to keep separate records if the employer notifies the commissioner in writing that the employer will account for the fur dealer.

(c) The records required under this section must be available for inspection by the commissioner, the director, or their agents at all reasonable times. The records must be preserved and available for two years after the expiration of a license that required them.

(d) Records required of persons licensed to buy or sell wild animals, or to tan or dress raw furs, must be kept in a book supplied by the commissioner.

Subd. 3. [REPORTS.] Except for persons licensed to mount specimens of wild animals, an annual notarized report covering the preceding calendar license year must be submitted to the commissioner by January March 15. The commissioner may require other reports for statistical purposes. The reports must be on forms supplied by the commissioner.

Sec. 29. Minnesota Statutes 1986, section 97A.445, subdivision 3, is amended to read:

Subd. 3. [ANGLING AND SPEARING; DISABLED RAILROAD AND POSTAL RETIREES.] A license is not required to take fish by angling or spearing for a resident that is:

(1) receiving aid under the federal Railroad Retirement Act of 1937, United States Code Annotated, title 45, section 228b(a)5; or

(2) a former employee of the United States Postal Service receiving disability pay under United States Code Annotated, title 4, section 8337.

Sec. 30. Minnesota Statutes 1986, section 97A.451, subdivision 1, is amended to read:

Subdivision 1. [RESIDENTS OVER AGE 65; FISHING.] A resident age 65 or over may take fish by angling or spearing without a license if the resident has a valid driver's license, Minnesota identification card, or other document showing age and residency in possession while taking fish and while traveling to and from the location where fish are taken. The person must exhibit the proof of age at the request of a conservation officer or peace officer.

Sec. 31. Minnesota Statutes 1986, section 97A.451, subdivision 5, is amended to read:

Subd. 5. [NONRESIDENTS UNDER AGE 16; ~~FISHING WITH PARENTS.~~] A nonresident under the age of 16 may take fish by angling without a license if a parent or guardian has a ~~nonresident~~ fishing license. Fish taken by a nonresident under the age of 16 without a license must be included in the limit of the parent or guardian. A nonresident under age 16 may purchase a nonresident fishing license, take fish by angling, and possess a limit of fish.

Sec. 32. Minnesota Statutes 1986, section 97A.475, subdivision 7, is amended to read:

Subd. 7. [NONRESIDENT FISHING.] Fees for the following licenses, to be issued to nonresidents, shall be

(1) to take fish by angling, \$16;

(2) to take fish by angling limited to seven consecutive days, \$13;

(3) to take fish by angling for three consecutive days, \$10; and

(4) to take fish by angling for a combined license for a family, \$27.50.

Sec. 33. Minnesota Statutes 1986, section 97A.481, is amended to read:

97A.481 [LICENSE APPLICATIONS UNDER OATH.]

All information required on a license application form must be furnished. The application must be made in writing and under oath. ~~A person authorized to issue licenses has the authority to administer oaths to applicants, and a license may not be issued without actually administering the oath.~~

Sec. 34. Minnesota Statutes 1986, section 97A.505, subdivision 4, is amended to read:

Subd. 4. [STORAGE OF PROTECTED WILD ANIMALS.] A person that stores protected wild animals for others must plainly mark the package, in ink, with the name and address of the owner, the license number of the person taking the animal, and the number and species in the package. A person may not use a commercial cold storage warehouse for protected wild animals, except lawfully taken fish and furs.

Sec. 35. Minnesota Statutes 1986, section 97A.505, subdivision 5, is amended to read:

Subd. 5. [LICENSE NOT REQUIRED FOR ANIMALS ACQUIRED BY GIFT.] Lawfully taken protected wild animals may be transferred by gift. A person is not required to have a license to possess and transport protected wild animals acquired by gift if the person has written proof as prescribed by the commissioner. If wild animals are transported out of the county where the recipient resides, the recipient must:

(1) ~~attach a tag marked in ink, with the name and address of the owner and the license number of the person taking the animals; or~~

(2) ~~furnish an affidavit showing the name and address of the donor.~~

Sec. 36. Minnesota Statutes 1986, section 97A.535, subdivision 3, is amended to read:

Subd. 3. [TRANSPORTATION PERIOD RESTRICTED.] A person may transport ~~one~~ deer, ~~one~~ bear, or ~~one~~ moose during the open season and the two days following the season, and afterwards as prescribed by the commissioner.

Sec. 37. Minnesota Statutes 1986, section 97A.535, subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION BY PERSON OTHER THAN LICENSEE.] A person other than the licensee may transport deer, bear, or moose that the licensee has registered as prescribed by the commissioner. ~~The person must transport the animal by the most direct route.~~ A tag must be attached to the animal and marked in ink with the address, license number, signature of the licensee, and the locations from which and to which the animal is being transported.

Sec. 38. Minnesota Statutes 1986, section 97A.545, subdivision 4, is amended to read:

Subd. 4. [UNDRESSED GAME BIRDS TAKEN IN ADJACENT STATES OUTSIDE OF THIS STATE.] (a) A person may transport into the state ~~dressed~~ undressed game birds that are lawfully taken and possessed ~~in adjacent states outside of this state.~~

(b) A resident may ship the undressed game birds by common carrier within the state. A nonresident may ship the undressed game birds out of the state by common carrier. Each shipment must be tagged or sealed by a conservation officer as prescribed by the commissioner.

Sec. 39. Minnesota Statutes 1986, section 97A.551, subdivision 3, is amended to read:

Subd. 3. [SHIPPING ~~ONE FISH TO ANY PERSON.~~] A person that has a license to take fish may ~~ship one~~ make three shipments of fish in a license year to any person within or out of the state after obtaining a permit for each shipment from the commissioner. A shipment may not contain more than a possession limit of one species of fish per licensee.

Sec. 40. Minnesota Statutes 1986, section 97B.001, subdivision 3, is amended to read:

Subd. 3. [ENTERING LAND PROHIBITED AFTER NOTICE.] Except as provided in ~~subdivisions 5 and subdivision 6,~~ a person may not enter any land to take a wild animal after being notified not to do so orally by the owner, occupant, or lessee.

Sec. 41. Minnesota Statutes 1986, section 97B.001, subdivision 5, is amended to read:

Subd. 5. [RETRIEVING WOUNDED GAME FROM AGRICULTURAL LAND.] Except as provided in subdivision 3, a hunter, on foot, may retrieve wounded game during the open season for the game, from agricultural land that is not posted under subdivision 4, without permission of the landowner. The hunter must leave the land immediately after retrieving the wounded game.

Sec. 42. Minnesota Statutes 1986, section 97B.001, subdivision 7, is amended to read:

Subd. 7. [TAKING WITH FIREARMS IN CERTAIN AREAS.] (a) A person may not take a wild animal with a firearm within 500 feet of a building occupied by a human or livestock without the written permission of the owner or occupant:

(1) on another person's private agricultural land; or

(2) on a public right-of-way.

(b) A person may not take a wild animal with a firearm without the ~~written~~ permission of the owner within 500 feet of a stockade or corral containing livestock.

(c) A person may not take a wild animal with a firearm:

(1) on land other than agricultural land within 200 feet of a building occupied by a human without the oral permission of the owner or occupant of the building; or

(2) within 500 feet of a burning area.

Sec. 43. Minnesota Statutes 1986, section 97B.041, is amended to read:

97B.041 [POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.]

A person may not possess a firearm or ammunition outdoors during the period beginning the tenth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) ~~a~~ an unloaded firearm that is ~~unloaded~~ and in a case or in a closed trunk of a motor vehicle;

(3) a shotgun and ~~only~~ shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle and only short, long, and long rifle cartridges that are caliber of .22 inches;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner.

Sec. 44. Minnesota Statutes 1986, section 97B.061, is amended to read:

97B.061 [REPORTS AND RECORDS.]

If requested by the commissioner, a person who has taken game must submit a report to the commissioner on a furnished form before ~~February 1~~ March 15, stating the number and kind of each game animal taken during the preceding ~~calendar~~ license year.

Sec. 45. Minnesota Statutes 1986, section 97B.065, is amended to read:

97B.065 [HUNTING WHILE INTOXICATED OR USING NARCOTICS PROHIBITED UNDER THE INFLUENCE OF ALCOHOL OR A CONTROLLED SUBSTANCE.]

A person may not take protected wild animals with a firearm or by archery while ~~visibly intoxicated or~~ under the influence of narcotics alcohol or a controlled substance.

Sec. 46. Minnesota Statutes 1986, section 97B.081, subdivision 1, is amended to read:

Subdivision 1. [WITH FIREARMS AND BOWS.] (a) A person may not cast the rays of a spotlight, headlight, or other artificial light on a highway, or in a field, woodland, or forest, to spot, locate, or take a wild animal, while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to kill big game.

(b) This subdivision does not apply to a firearm that is:

(1) unloaded;

(2) in a gun case expressly made to contain a firearm that fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the firearm exposed; and

(3) in the closed trunk of a motor vehicle.

(c) This subdivision does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

(e) This subdivision does not apply to persons taking raccoons under section 97B.621, subdivision 3.

Sec. 47. Minnesota Statutes 1986, section 97B.601, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION TO LICENSE REQUIREMENTS.] (a) A resident under age 16 may take small game without a small game license, and a resident under age 13 may trap without a trapping license, as provided in section 97A.451, subdivision 3.

(b) A person may take small game without a small game license on land occupied by the person as a principal residence.

(c) An owner or occupant may take certain small game causing damage without a small game or trapping license as provided in section 97B.655.

(d) A person may use dogs to pursue and tree raccoons under section 97B.621, subdivision 2, during the closed season without a license.

Sec. 48. Minnesota Statutes 1986, section 97B.605, is amended to read:

97B.605 [COMMISSIONER MAY RESTRICT TAKING OF CERTAIN SMALL GAME ANIMALS.]

The commissioner may prescribe restrictions on and designate areas where gray and fox squirrels, cottontail and jack rabbits, snowshoe hare, raccoon, lynx, bobcat, red fox and gray fox, fishers, fisher, pine marten, opossum, and badger may be taken and possessed.

Sec. 49. Minnesota Statutes 1986, section 97B.635, is amended to read:

97B.635 [FISHER; BADGER; ~~OPPOSSUM~~ OPOSSUM; AND PINE MARTEN.]

Based upon population estimates, the commissioner may set the open season for fisher, badger, ~~oppossum~~ opossum, and pine marten.

Sec. 50. Minnesota Statutes 1986, section 97B.655, subdivision 2, is amended to read:

Subd. 2. [SPECIAL PERMIT FOR TAKING PROTECTED WILD ANIMALS.] The commissioner may issue special permits under section 97A.401, subdivision 5, to take protected wild animals that are damaging property. A person must have the required license and seals to take beaver under the permit.

Sec. 51. Minnesota Statutes 1986, section 97B.701, subdivision 2, is amended to read:

Subd. 2. [PROHIBITED METHODS OF TAKING.] A person may not take protected birds:

- (1) with a trap, net, or snare;
- (2) using bird lime;
- (3) with a swivel or set gun; or
- (4) by dragging a rope, wire, or other device across a field; or
- (5) by using fire.

Sec. 52. Minnesota Statutes 1986, section 97C.345, subdivision 2, is amended to read:

Subd. 2. [POSSESSION.] (a) Except as specifically authorized, a person may not possess a spear, fish trap, net, dip net, seine, or other device capable of taking fish on or near any waters. Possession includes personal possession and in a vehicle.

(b) A person may possess spears, dip nets, bows and arrows, and spear guns allowed under section 97C.381 on or near waters between sunrise and sunset after April 30 between May 1 and February 15.

Sec. 53. Minnesota Statutes 1986, section 97C.345, subdivision 3, is amended to read:

Subd. 3. [DIP NETS.] A person may possess and use a dip net between one hour before sunrise and one hour after sunset ~~after April 30~~ between May 1 and February 15.

Sec. 54. [REPEALER.]

Minnesota Statutes 1986, sections 97A.065, subdivision 4; 97A.255, subdivision 3; 97A.505, subdivisions 1, 3, and 6; and 97A.551, subdivision 1, are repealed.

ARTICLE 2

CROSS REFERENCE AMENDMENTS

Section 1. Minnesota Statutes 1986, section 84.0894, is amended to read:

84.0894 [ENFORCEMENT OF AQUATIC PLANTS AND ENDANGERED SPECIES.]

An enforcement officer shall enforce a violation of Laws 1986, chapter 386, article 4, sections 9 to 13 84.0895, 84.091, 84.092, 84.093, and 84.152 in the same manner as a violation of the game and fish laws.

Sec. 2. Minnesota Statutes 1986, section 84.928, subdivision 7, is amended to read:

Subd. 7. [LIABILITY TO ROAD OR TRAIL AUTHORITY.] When a road, trail, or highway right-of-way is used as provided by sections 84.92 to 84.928, 85.018, ~~100.273, subdivision 9,~~ and 296.16, the authority having jurisdiction and the officers and employees of the authority are exempt from liability for any claim by any person arising from that use. This section shall have no effect on the liability of any party or organization having responsibility for the maintenance of a trail or roadway for all-terrain vehicles.

Sec. 3. Minnesota Statutes 1986, section 84.944, subdivision 1, is amended to read:

Subdivision 1. [ACQUISITION CONSIDERATIONS.] In determining what critical natural habitat shall be acquired or improved, the commissioner shall consider:

(1) the significance of the land or water as existing or potential habitat for fish and wildlife and providing fish and wildlife oriented recreation;

(2) the significance of the land, water, or habitat improvement to maintain or enhance native plant, fish, or wildlife species designated as endangered or threatened under section 97.488 84.0895;

(3) the presence of native ecological communities that are now uncommon or diminishing; and

(4) the significance of the land, water or habitat improvement to protect or enhance natural features within or contiguous to natural areas including fish spawning areas, wildlife management areas, scientific and natural areas, riparian habitat and fish and wildlife management projects.

Sec. 4. Minnesota Statutes 1986, section 84.944, subdivision 2, is amended to read:

Subd. 2. [DESIGNATION OF ACQUIRED SITES.] The critical natural habitat acquired by the commissioner under this section shall be designated by the commissioner as: (1) an outdoor recreation unit pursuant to section 86A.07, subdivision 3, or (2) as provided in section 97.48, subdivision 11, 26, or 27, 101.42, subdivision 9, or 101.475 sections 97A.101, 97A.125, 97C.001, 97C.011, and 97C.021.

Sec. 5. Minnesota Statutes 1986, section 84.944, subdivision 3, is amended to read:

Subd. 3. [COUNTY ACQUISITION APPROVAL.] The commissioner must follow the procedures under section 97.481 97A.145, subdivision 2, for critical natural habitat acquired under this section.

Sec. 6. Minnesota Statutes 1986, section 85.41, subdivision 2, is amended to read:

Subd. 2. [LICENSE AGENTS.] County auditors are appointed agents of the commissioner for the sale of annual cross country ski licenses and daily permits. A county auditor may appoint subagents within the county or within adjacent counties to sell licenses and permits. Upon appointment the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent at any time. Upon demand of the commissioner, the auditor shall revoke a subagent's appointment. The auditor shall furnish license and permit blanks on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the blanks to be consigned to that subagent. The county auditor shall be responsible for all blanks issued to, and user fees received by agents, except in St. Louis county or in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed upon the county auditor are imposed upon the

county. The commissioner may promulgate additional rules pursuant to as provided in section 98.50, subdivision 2 97A.485, subdivision 11.

Any resident desiring to sell annual cross country ski licenses and daily permits may either purchase for cash or obtain on consignment license and permit blanks from a county auditor in groups of not less than ten individual blanks. In selling licenses, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for the accounting and handling of licenses pursuant to section 98.50, subdivision 10 97A.485.

The county auditor shall promptly deposit all monies received from the sale of licenses and permits with the county treasurer, and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price to each annual licensee, exclusive of the issuing fee, for each annual license sold or consigned by the auditor and subsequently sold to a licensee during the accounting period. The county auditor shall retain as a commission four percent of all annual license fees, excluding the issuing fee for licenses consigned to subagents.

Unsold blanks in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Sec. 7. Minnesota Statutes 1986, section 106A.085, subdivision 1, is amended to read:

Subdivision 1. [WARRANTS AND ARRESTS.] The commissioner, director of the fish and game division, game refuge patrol officers, and conservation officers. An enforcement officer, as defined in section 97A.015, subdivision 18, may execute and serve warrants, and arrest persons detected in actual violation of sections 106A.005 to 106A.811 as provided in section 97.50, subdivision 1 sections 97A.205 and 97A.211.

Sec. 8. Minnesota Statutes 1986, section 106A.401, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER MUST RECOGNIZE DRAINAGE OUTLET PROCEEDINGS WHEN PURCHASING WETLANDS.] If the commissioner purchases wetlands under section 97.481 97A.145, the commissioner must recognize that when a majority of landowners or owners of a majority of the land in the watershed, petition for a drainage outlet, the state should not

interfere with or unnecessarily delay the drainage proceedings if the proceedings are conducted according to this chapter.

Sec. 9. Minnesota Statutes 1986, section 106A.615, subdivision 6, is amended to read:

Subd. 6. [ASSESSMENTS ON WILDLIFE LANDS TO BE PAID FROM WILDLIFE ACQUISITION FUND.] An assessment against state land acquired for wildlife habitat shall be paid from the wildlife acquisition fund as provided in section 97.484 97A.071, subdivision 4.

Sec. 10. Minnesota Statutes 1986, section 144.95, subdivision 4, is amended to read:

Subd. 4. [RESEARCH TRIALS.] Research trials of mosquito management methods and materials are subject to the following laws and rules unless a specific written exemption, license, or waiver is granted; sections 97.48, 97.488, 98.48 84.0895, 84.092, 97A.045, subdivision 1, 105.38, 105.41, and 105.463; and Minnesota Rules, chapters 1505, 6115, 6120, 6134, and 6140.

Sec. 11. Minnesota Statutes 1986, section 626.861, subdivision 4, is amended to read:

Subd. 4. [PEACE OFFICERS TRAINING ACCOUNT.] Receipts from penalty assessments must be credited to a peace officers training account in the special revenue fund. Money credited to the peace officers training account may be appropriated for but not limited to the following purposes, among others:

(a) Up to ten percent may be provided for reimbursement to board approved skills courses in proportion to the number of students successfully completing the board's skills licensing examination.

(b) Assessments related to violations described in section 97.49, subdivision 5 97A.065, subdivision 2, are appropriated to provide peace officer training for persons employed by the commissioner of natural resources who are licensed under section 626.84, subdivision 1, clause (c), and who possess peace officer authority for the purpose of enforcing game and fish laws.

(c) The balance may be used to pay each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount must be used exclusively for reimbursement of the cost of in-service training required under this chapter and chapter 214."

Delete the title and insert:

"A bill for an act relating to game and fish; clarifying and making technical changes in the game and fish laws; recodifying establishment of the wild rice management account; defining enforcement officer; defining brown trout as a game fish; defining an unloaded firearm; allowing the commissioner to use the game and fish fund for activities of the enforcement division; designating notices to be placed on state park and wildlife management area boundaries; changing the expiration date for muskrat farm licenses; removing certain restrictions on the size of shooting preserves; prescribing violations of hunting while under the influence of alcohol or a controlled substance; providing when license must be in personal possession; allowing more than one license, except a big game license, to be issued in a license year; exempting big game licenses from certain types of license revocations; prescribing submission of annual reports for tanners, fur dealers, and taxidermists; providing a nonresident under age 16 may purchase a nonresident fishing license and take and possess fish; prescribing conditions for oath administration; eliminating certain requirements for wild animals that are gifts; allowing a person to transport more than one big game animal; eliminating certain restrictions on transporting big game animals; prohibiting a person from trespassing to retrieve wounded game after being notified; allowing a person to ship more than one fish with a permit; prescribing permission needed to take wild animals in certain areas; allowing possession of shotgun and certain shells in areas where deer may be taken; allowing persons to take raccoons with lights and firearms at night; clarifying that a small game license is not required to pursue and tree raccoons during the closed season; authorizing the commissioner to restrict the taking of pine marten and opossum; eliminating requirement for a license and seals to take beaver damaging property; prescribing when certain devices to take fish may be possessed; amending Minnesota Statutes 1986, sections 84.0894, 84.928, subdivision 7; 84.944, subdivisions 1, 2, and 3; 85.41, subdivision 2; 97A.015, subdivisions 18, 25, 43, 45, and 51; 97A.055, subdivision 1; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.085, subdivisions 5 and 7; 97A.111, subdivisions 2 and 7; 97A.121, subdivision 5; 97A.135, subdivision 1; 97A.201, subdivision 1; 97A.211, subdivisions 1 and 2; 97A.221, subdivision 1; 97A.255, subdivision 2; 97A.311, subdivision 4; 97A.315, subdivision 2; 97A.325, subdivision 1; 97A.331, subdivision 1; 97A.405, subdivision 2; 97A.415, subdivision 1; 97A.421, subdivision 1; 97A.425; 97A.445, subdivision 3; 97A.451, subdivisions 1 and 5; 97A.475, subdivision 7; 97A.481; 97A.505, subdivisions 4 and 5; 97A.535, subdivisions 3 and 4; 97A.545, subdivision 4; 97A.551, subdivision 3; 97B.001, subdivisions 3, 5, and 7; 97B.041; 97B.061; 97B.065; 97B.081, subdivision 1; 97B.601, subdivision 4; 97B.605; 97B.635; 97B.655, subdivision 2; 97B.701, subdivision 2; 97C.345, subdivisions 2 and 3; 106A.085, subdivision 1; 106A.401, subdivision 1; 106A.615, subdivision 6; 144.95, subdivision 4; and 626.861, subdivision 4; repealing Minnesota Statutes 1986, sections 97A.065, subdivision 4; 97A.255, subdivision 3; 97A.505, subdivisions 1, 3, and 6; 97A.551, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84."

The motion prevailed and the amendment was adopted.

S. F. No. 385, A bill for an act relating to game and fish; clarifying and making technical changes in the game and fish laws; recodifying establishment of the wild rice management account; defining enforcement officer; defining brown trout as a game fish; defining an unloaded firearm; allowing the commissioner to use the game and fish fund for activities of the enforcement division; designating notices to be placed on state park and wildlife management area boundaries; changing the expiration date for muskrat farm licenses; removing certain restrictions on the size of shooting preserves; prescribing violations of hunting while under the influence of alcohol or a controlled substance; providing when license must be in personal possession; allowing more than one license, except a big game license, to be issued in a license year; exempting big game licenses from certain types of license revocations; prescribing submission of annual reports for tanners, fur dealers, and taxidermists; providing a nonresident under age 16 may purchase a nonresident fishing license and take and possess fish; prescribing conditions for oath administration; eliminating certain requirements for wild animals that are gifts; allowing a person to transport more than one big game animal; eliminating certain restrictions on transporting big game animals; prohibiting a person from trespassing to retrieve wounded game after being notified; allowing a person to ship more than one fish with a permit; prescribing permission needed to take wild animals in certain areas; allowing possession of shotgun and certain shells in areas where deer may be taken; allowing persons to take raccoons with lights and firearms at night; clarifying that a small game license is not required to pursue and tree raccoons during the closed season; authorizing the commissioner to restrict the taking of pine marten and opossum; eliminating requirement for a license and seals to take beaver damaging property; prescribing when certain devices to take fish may be possessed; amending Minnesota Statutes 1986, sections 84.0894; 84.928, subdivision 7; 84.944, subdivisions 1, 2, and 3; 85.41, subdivision 2; 97A.015, subdivisions 18, 25, 43, 45, and 51; 97A.055, subdivision 1; 97A.065, subdivision 2; 97A.075, subdivision 1; 97A.085, subdivisions 5 and 7; 97A.111, subdivisions 2 and 7; 97A.115, subdivision 3; 97A.121, subdivision 5; 97A.135, subdivision 1; 97A.201, subdivision 1; 97A.211, subdivisions 1 and 2; 97A.221, subdivision 1; 97A.255, subdivision 2; 97A.311, subdivision 4; 97A.315, subdivision 2; 97A.325, subdivision 1; 97A.331, subdivision 1; 97A.405, subdivision 2; 97A.415, subdivision 1; 97A.421, subdivision 1; 97A.425, subdivision 3; 97A.445, subdivision 3; 97A.451, subdivisions 1 and 5; 97A.475, subdivision 7; 97A.481; 97A.505, subdivisions 4 and 5; 97A.535, subdivisions 3 and 4; 97A.545, subdivision 4; 97A.551, subdivision 3; 97B.001, subdivisions 3, 5, and 7; 97B.041; 97B.061; 97B.065; 97B.081, subdivision 1; 97B.601, subdivision 4; 97B.605; 97B.635; 97B.655, subdivision 2; 97B.701, subdivision 2; 97C.345, subdivisions 2 and 3; 106A.085, subdivision 1; 106A.401, subdivision 1; 106A.615, subdivision 6; 144.95, subdivision 4; and 626.861,

subdivision 4; repealing Minnesota Statutes 1986, sections 97A.065, subdivision 4; 97A.255, subdivision 3; 97A.461; 97A.505, subdivisions 1, 3, and 6; 97A.551, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84.

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 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.	Kludt	Nelson, K.	Scheid
Forsythe	Lasley	Omann	Stanius
Greenfield	Milbert	Osthoff	Wynia

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

H. F. No. 1302, A bill for an act relating to Itasca county; permitting the county to levy a tax for economic development.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clausnitzer	McEachern	Poppenhagen	Tjornhom
Lasley	Miller	Richter	

The bill was passed and its title agreed to.

GENERAL ORDERS

Vanasek moved that the bills on General Orders for today be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Riveness moved that the name of Olsen, S., be added as an author on H. F. No. 574. The motion prevailed.

Schafer moved that his name be stricken as an author on H. F. No. 753. The motion prevailed.

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

Reding moved that the names of Simoneau, Knickerbocker and Clark be added as authors on H. F. No. 1096. The motion prevailed.

Greenfield moved that S. F. No. 593, now on Special Orders, be returned to General Orders. The motion prevailed.

Pappas moved that the name of Anderson, G., be added as chief author on H. F. No. 1315. The motion prevailed.

Gutknecht moved that H. F. No. 1092 be returned to its author. The motion prevailed.

Gutknecht moved that H. F. No. 1490 be returned to its author. The motion prevailed.

Pappas, Trimble, Rukavina, Swenson and Segal introduced:

House Resolution No. 44, A House resolution proclaiming Sunday, May 17, as Ethnic American Day in the State of Minnesota.

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 854:

Orenstein, Kelly and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 89:

Schoenfeld, Sparby, Steensma, Dille and Olson, E.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 94:

Bauerly, Bertram and Omann.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1515:

Carlson, L.; Price; Orenstein; Rose and Dorn.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1516:

Rice, Lieder, Sarna, Kalis and Seaberg.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 674:

Blatz, Kelly and Swenson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 282:

Nelson, K.; McLaughlin; Kalis; Segal and Olsen, S.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 80:

McLaughlin, Quinn and Milbert.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 243:

Wynia; Greenfield; Rodosovich; Anderson, R., and Jennings.

PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members register our protest and dissent regarding the actions of Speaker of the House Fred Norton who removed two Tax Committee members, Rep. Linda Scheid, DFL-Brooklyn Park, and Rep. Tom Osthoff, DFL-St. Paul, because they did not vote for the DFL Tax Bill on the House floor April 29, 1987.

Speaker Norton cuts at the very heart of Democracy in punishing two veteran Tax Committee members for voting on behalf of their constituents and not supporting the DFL Tax Bill. The people of Districts 66A and 47A, like people in every District, have the right to be represented in the House of Representatives. And in turn, Rep. Osthoff and Rep. Scheid have a sworn duty to uphold in casting votes in the best interest of the people they serve.

Reps. Osthoff and Scheid felt the DFL Tax Bill would hurt their constituents so they upheld their oath of office and voted no. Speaker Norton contends DFL Tax Committee members are obliged to vote for majority party tax bills on the House floor and that obligation is a long-standing committee tradition, therefore Osthoff and Scheid deserve punishment. We the undersigned disagree and suggest Speaker Norton is the guilty party for flagrantly disregarding fundamental provisions of the Minnesota Constitution by attempting to stifle the thoughts and expressions of two representatives who seek to effectively serve the people of their districts.

Furthermore, Speaker Norton clearly did not have the best interest of Minnesotans in mind when he ousted Reps. Osthoff and Scheid from the Tax Committee. The two knowledgeable, veteran panel members served this state well and should be rewarded for their actions instead of disciplined in such an abusive and dictatorial manner.

It truly is a dark day at the Capitol when the wishes and desires of one man can come between what is fair and equitable for the people of this great state. Speaker Norton's actions are unbecoming of the title he holds and he owes Minnesotans an apology.

Signed:

Bill Schreiber
Paul Thiede
Dale Clausnitzer
Craig Shaver
Don Valento
John Himle
Kathleen Blatz
Don Frerichs
Bob Haukoos
Marcus Marsh
Jim Heap
Mary Forsythe
Brad Stanius
Gene Hugoson
Dennis Poppenhagen
Marcel "Sal" Frederick
Chris Tjornhom
Howard Miller
Don Richter
Bert J. McKasy
Doug Swenson

Gary Schafer
Bob Waltman
Virgil Johnson
Sylvester Uphus
Sally Olsen
Eileen Tompkins
K. J. McDonald
Doug Carlson
John Rose
Tony Bennett
Tony Onnen
Steve Sviggum
Harriet McPherson
Terry Dempsey
Elton R. Redalen
John Burger
Steve Dille
Allen Quist
Gil Gutknecht
Dean Hartle
Gerald Knickerbocker

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, May 6, 1987. The motion prevailed.

Vanasek moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, May 6, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives