

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1987

FIFTIETH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 12, 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 the Reverend Delton Krueger, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Larsen was excused until 2:00 p.m.

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

Anderson, R., and Dille were excused while in conference.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 939, 1002, 715, 1499, 1645, 236 and 629 and S. F. Nos. 634, 677, 462, 1369 and 1 have been placed in the members' files.

S. F. No. 677 and H. F. No. 701, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jacobs moved that the rules be so far suspended that S. F. No. 677 be substituted for H. F. No. 701 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 298, A bill for an act relating to hazardous waste; requiring a license for the transportation of hazardous waste; providing for license administration suspension, and revocation; requiring rulemaking; providing penalties; specifying articles which may be carried as household goods; revising fees for certain motor carrier permits and certificates; amending Minnesota Statutes 1986, sections 221.011, subdivision 31; 221.033, by adding a subdivision; 221.061; 221.121, subdivision 7, and by adding a subdivision; 221.131, subdivisions 2 and 3; 221.291, subdivision 3; 221.296, subdivision 5; and 221.60, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 221.

Reported the same back with the following amendments:

Page 1, delete sections 1 and 2

Page 1, after line 30, insert:

"Subdivision 1. [LICENSE REQUIREMENT.] A person may not transport hazardous waste that is required to have a manifest under Minnesota Rules, part 7045.0261, or is required to have shipping papers under Minnesota Rules, part 7045.0125, without a license issued under this section."

Page 2, delete lines 1 to 4

Page 3, line 35, delete "of section 2,"

Page 3, line 36, delete the comma

Page 9, delete lines 7 to 12, and insert:

"Subd. 6a. [HOUSEHOLD GOODS CARRIER.] A person who desires to hold out or to operate as a carrier of household goods shall follow the procedure established in subdivision 1, and shall specifically request an irregular route common carrier permit with authority to transport household goods. The permit granted by the board to a person who meets the criteria established in this subdivision and subdivision 1 shall authorize the person to hold out and to operate as an irregular route common carrier of household goods."

Page 12, after line 7, insert:

"Sec. 13. [APPROPRIATION.]

\$75,000 in fiscal year 1988 and \$78,000 in fiscal year 1989 is appropriated from the trunk highway fund to the department of transportation to administer and enforce the licensing program established in sections 1 to 3. The complement of the department of transportation is increased by two."

Renumber sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 8, before "amending" insert "appropriating money;"

Page 1, lines 9 and 10, delete "221.011, subdivision 31; 221.033, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 302, A bill for an act relating to health; providing for asbestos regulation; directing the commissioner of health to regulate and license persons or entities enclosing, removing, or encapsulating asbestos; providing for suspension and revocation of

licenses and certificates; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the following amendments:

Page 4, line 11, delete "A licensed" and insert "An"

Page 4, line 34, delete "a licensee" and insert "an employer"

Page 4, line 36, delete everything after the period

Page 5, delete lines 1 to 3

Page 5, line 26, delete the comma

Page 5, line 27, delete "before July 1, 1988,"

Page 7, line 35, after the comma insert "the employer does not have a permit," and after the second "or" insert "is not"

Page 9, delete sections 13 and 14 and insert:

"Sec. 13. [APPROPRIATIONS.]

\$23,800 is appropriated from the general fund to the commissioner of health for the purposes of sections 1 to 12, to be available for the fiscal year ending June 30, 1988. \$23,800 must be transferred from the asbestos abatement revolving fund to the general fund on June 30, 1989.

Sec. 14. [EFFECTIVE DATES.]

Sections 1, 2, 3, 6, 9, 10, 12, and 13 are effective July 1, 1987. Sections 4, 5, 7, subdivisions 1 and 2; 8; and 11 are effective on the date on which rules adopted by the commissioner under section 9 become effective. Section 7, subdivisions 3 and 4, are effective April 1, 1988.

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 438, A bill for an act relating to human services; authorizing the commissioner of human services to establish a study

committee on problems of elderly persons with mental retardation or related conditions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [STUDY OF ELDERLY PERSONS WITH MENTAL RETARDATION OR RELATED CONDITIONS.]

Subdivision 1. [STUDY; REPORT.] The commissioner of the department of human services shall study the needs of elderly citizens with mental retardation or related conditions. The study shall include existing programs providing services to this population, including funding and location of services, and the extent to which the services meet the needs of this population.

The study shall be completed in one year. The commissioner shall report to the legislature in 1988 on findings and recommendations, including methods of resolving problems through interagency cooperation.

Subd. 2. [ADVICE TO THE COMMISSIONER.] In performing the duties of subdivision 1, the commissioner shall seek the advice and review of the advisory task force established under Minnesota Statutes, section 252.31.”

Amend the title as follows:

Page 1, line 3, delete “establish a”

Page 1, line 4, delete “committee on problems” and insert “the needs”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 485, A bill for an act relating to agriculture; strengthening the pesticide laws; imposing penalties; appropriating money; amending Minnesota Statutes 1986, sections 18A.21, subdivisions 1, 4, 5, 7, 8, 10, 12, 16, 19, 20, 21, 22, 23, 27, 29, 30, 31, 32, 33, 34, 35, 36, and by adding subdivisions; 18A.22, subdivisions 1, 2, 5, 7, and 8; 18A.23; 18A.24; 18A.25; 18A.27; 18A.28, subdivisions 1, 2, 3, 4, and by adding a subdivision; 18A.29, subdivisions 1, 3, and by adding subdivisions; 18A.30; 18A.31; 18A.32; 18A.33; 18A.34; 18A.35; 18A.37; 18A.39; 18A.41; 18A.42; 18A.43; 18A.44; and 18A.45; proposing coding for new law in Minnesota Statutes, chapters 18A and 18B; repealing Minnesota Statutes 1986, sections

18A.26; 18A.28, subdivisions 5 and 6; 18A.29, subdivision 2; and 18A.36.

Reported the same back with the following amendments:

Page 12, line 3, delete "\$100" and insert "\$125"

Page 13, line 35, delete "\$100" and insert "\$125"

Page 15, line 6, delete "\$100" and insert "\$125"

Page 39, delete lines 32 to 36

Page 40, delete lines 1 to 6

Page 40, line 7, delete "account by June 30, 1989." and insert:

"Sec. 77. [COMPLEMENT.]"

Page 40, line 8, delete "and the special revenue" and insert ". 18.5 positions in fiscal year 1988 and 22.5 positions in fiscal year 1989 are to be funded from the special revenue fund."

Page 40, delete line 9

Renumber the sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 829, A bill for an act relating to human services; establishing the office of assistant commissioner of mental health; establishing a state advisory council on mental health; creating a mental health division in the department of human services; proposing coding for new law in Minnesota Statutes, chapter 245.

Reported the same back with the following amendments:

Page 1, line 13, after "shall" insert "enforce and"

Page 1, line 14, delete "and enforced"

Page 2, line 6, after "chapter" insert a semicolon

Page 2, delete lines 7 and 8, and insert:

“(4) as part of the biennial budget process, report to the legislature on staff use and staff performance, including in the report a description of duties performed by each person in the mental health division;”

Re-number remaining clauses

Page 3, after line 24, insert:

“(4) one representative from each of the following advocacy groups: Mental Health Association of Minnesota, Minnesota Alliance for the Mentally Ill, and Minnesota Mental Health Law Project;”

Re-number remaining clauses

Page 4, line 5, after “governor” insert “, the legislature.”

Page 4, after line 7, insert:

“(2) advise the commissioner of human services on all phases of the development of mental health aspects of the biennial budget;”

Re-number remaining clauses

Page 4, line 17, after “governor” insert “, the legislature.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 899, A bill for an act relating to education; establishing the Fond du Lac Higher Education Center; continuing the Fond du Lac Higher Education Task Force; appropriating money; amending Laws 1986, First Special Session chapter 1, article 10, section 1, subdivision 9.

Reported the same back with the following amendments:

Page 1, line 13, delete “The”

Page 1, delete line 14

Page 2, line 24, delete "\$800,000" and insert "\$200,000" and after "1988" delete "is" and insert "and \$200,000 in fiscal year 1989 are"

Page 2, after line 27, insert:

"Sec. 4. [REPORTS.]

The state board for community colleges shall report to the appropriations and finance committees of the legislature by January 15, 1988, and January 15, 1989, on the progress of establishing the center. Before this submission, the state board shall submit its reports to the higher education coordinating board for review and comment."

Amend the title as follows:

Page 1, line 4, after the first semicolon insert "requiring reports;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1326, A bill for an act relating to energy; authorizing loans to municipalities for energy conservation investments and authorizing repayment of those loans; authorizing issuance of bonds; appropriating money; amending Minnesota Statutes 1986, sections 116J.37; 275.50, subdivision 5; 471.65; and 475.51, subdivision 4.

Reported the same back with the following amendments:

Page 3, after line 24, insert:

"(c) Public schools shall receive funding priority whenever approvable loan applications exceed available funds."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 298, 302, 438, 485, 829, 899 and 1326 were read for the second time:

SECOND READING OF SENATE BILLS

S. F. No. 677 was read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Wynia, Vanasek, Rodosovich, Greenfield and Anderson, R., introduced:

H. F. No. 1665, A bill for an act relating to health care; establishing the Minnesota board on biomedical ethics; setting its membership; assigning its duties and powers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Bishop introduced:

H. F. No. 1666, A bill for an act relating to traffic regulations; requiring motorcycle riders to wear protective headgear; amending Minnesota Statutes 1986, section 169.974, subdivision 4.

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

Wenzel introduced:

H. F. No. 1667, A bill for an act relating to public administration; appropriating state money for public purposes during the 1987-1989 biennium, subject to certain conditions; eliminating and consolidating certain state agencies and departments; reducing the appropriations for certain state agencies and departments.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

McEachern; Nelson, K., and Bauerly introduced:

H. A. No. 36, A proposal to study the impact of seniority laws on school district cooperation.

The advisory was referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 564, A resolution memorializing the Federal Energy Regulatory Commission; expressing the Legislature's opposition to the installation of additional hydropower generating facilities at the Falls of St. Anthony in Minneapolis, Minnesota.

H. F. No. 624, A bill for an act relating to conciliation courts; providing for entry of judgment; providing for vacation of default

judgment in certain circumstances; providing for time limitation and service by mail on removal to county court; allowing a party to proceed without payment of a filing fee; amending Minnesota Statutes 1986, section 487.30, by adding subdivisions.

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

H. F. No. 948, A bill for an act relating to state government; providing for affirmative action improvements; regulating job eligibility lists; providing for the title of state agency heads; giving the commissioner of health access to private or confidential data on individual state employees for purposes of epidemiologic studies; setting a mandatory age for certain employees and abolishing it for others; regulating hiring and personnel practices; amending Minnesota Statutes 1986, sections 15.06, subdivision 1; 15.46; 43A.08, subdivision 1; 43A.13, subdivisions 1 and 7; 43A.18, subdivision 4; 43A.191, subdivision 3; 43A.24, subdivision 2; 43A.30, subdivision 4; 43A.33, subdivision 3; 43A.34, subdivisions 1, 3, and 4; repealing Minnesota Statutes 1986, sections 15.45, subdivision 3; 15.47; and 43A.34, subdivision 2.

PATRICK E. FLAHAVER, 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. 240, A bill for an act relating to commerce; prohibiting surcharges on credit card sales; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325G.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sarna moved that the House concur in the Senate amendments to H. F. No. 240 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 240, A bill for an act relating to commerce; prohibiting surcharges on credit card sales; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325G.

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 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clausnitzer

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. 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.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jefferson moved that the House concur in the Senate amendments to H. F. No. 508 and that the bill be repassed as amended by the Senate. The motion prevailed.

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, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 574, A bill for an act relating to manufactured homes; defining terms; clarifying the termination of a park lease for substantial annoyance to other residents; allowing certain new or amended rule violations to be cured; regulating park closings; requiring an impact report; providing for a public hearing; creating a right of first refusal; clarifying remedies; amending Minnesota Statutes 1986, sections 327C.01, by adding subdivisions; 327C.02, subdivision 5, and by adding a subdivision; 327C.09, subdivisions 1, 4, and 5; and 327C.11, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 327C; repealing Minnesota Statutes 1986, section 327C.09, subdivision 9.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Riveness moved that the House concur in the Senate amendments to H. F. No. 574 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 574, A bill for an act relating to manufactured homes; defining terms; clarifying the termination of a park lease for substantial annoyance to other residents; allowing certain new or amended rule violations to be cured; regulating park closings; requiring a closure statement; providing for a public hearing; clarifying remedies; requiring a feasibility study by the metropolitan council; amending Minnesota Statutes 1986, sections 327C.01, by adding subdivisions; 327C.02, subdivision 5, and by adding a subdivision; 327C.09, subdivisions 1, 4, and 5; and 327C.11, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 327C; repealing Minnesota Statutes 1986, section 327C.09, subdivision 9.

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 119 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bertram	Boo	Carlson, D.
Battaglia	Begich	Bishop	Brown	Carlson, L.
Bauerly	Bennett	Blatz	Burger	Carruthers

Clark	Kalis	Morrison	Peterson	Solberg
Clausnitzer	Kelly	Munger	Poppenhagen	Sparby
Cooper	Kelso	Murphy	Price	Stanius
DeBlieck	Kinkel	Nelson, C.	Quinn	Steensma
Dempsey	Kludt	Nelson, D.	Redalen	Sviggum
Forsythe	Knickerbocker	Nelson, K.	Reding	Swenson
Frederick	Knuth	Neuenschwander	Rest	Tjornhom
Greenfield	Kostohryz	O'Connor	Rice	Tompkins
Gruenes	Krueger	Ogren	Richter	Trimble
Gutknecht	Lasley	Olsen, S.	Riveness	Tunheim
Hartle	Lieder	Olsen, E.	Rodosovich	Valento
Haukoos	Long	Olsen, K.	Rukavina	Vanasek
Heap	Marsh	Omman	Sarna	Vellenga
Himle	McDonald	Onnen	Scheid	Voss
Jacobs	McEachern	Orenstein	Schoenfeld	Wagenius
Jefferson	McKasy	Osthoff	Schreiber	Welle
Jennings	McLaughlin	Otis	Seaberg	Wenzel
Jensen	McPherson	Ozment	Segal	Winter
Johnson, A.	Milbert	Pappas	Shaver	Wynia
Johnson, R.	Miller	Pauly	Simoneau	Spk. Norton
Johnson, V.	Minne	Pelowski	Skoghud	

Those who voted in the negative were:

Dorn	Hugoson	Rose	Thiede	Waltman
Frerichs	Quist	Schafer	Uphus	

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. 809, A bill for an act relating to natural resources; changing requirements for arrowheads used for big game hunting; amending Minnesota Statutes 1986, section 97B.211, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, A., moved that the House concur in the Senate amendments to H. F. No. 809 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 809, A bill for an act relating to natural resources; changing requirements for arrowheads used for big game hunting; amending Minnesota Statutes 1986, section 97B.211, subdivision 2.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	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	Stanius
Bertram	Hugoson	McPherson	Poppenhagen	Steensma
Bishop	Jacobs	Milbert	Price	Sviggun
Blatz	Jaros	Miller	Quinn	Swenson
Boo	Jefferson	Minne	Quist	Thiede
Brown	Jennings	Morrison	Redalen	Tjornhom
Burger	Jensen	Munger	Reding	Tompkins
Carlson, D.	Johnson, A.	Murphy	Rest	Trimble
Carlson, L.	Johnson, R.	Nelson, C.	Rice	Tunheim
Carruthers	Johnson, V.	Nelson, D.	Richter	Uphus
Clark	Kalis	Nelson, K.	Riveness	Valento
Clausnitzer	Kelly	Neuenschwander	Rodosovich	Vanasek
Cooper	Kelso	O'Connor	Rose	Vellenga
Dauner	Kinkel	Ogren	Rukavina	Voss
DeBlicek	Kludt	Olsen, S.	Sarna	Waltman
Dempsey	Knickerbocker	Olson, E.	Schafer	Welle
Dorn	Knuth	Olson, K.	Scheid	Wenzel
Forsythe	Kostohryz	Omann	Schoenfeld	Winter
Frederick	Krueger	Onnen	Schreiber	Wynia
Frerichs	Lasley	Orenstein	Seaberg	Spk. Norton
Greenfield	Lieder	Osthoff	Segal	

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. 1141, A bill for an act relating to the city of Champlin; permitting the city to use unexpended public improvement funds for a low-income special assessment grant program.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson, D., moved that the House concur in the Senate amendments to H. F. No. 1141 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1141, A bill for an act relating to the city of Champlin; permitting the city to use unexpended public improvement funds for a low-income special assessment grant program.

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 89 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lieder	Ozment	Skoglund
Battaglia	Hartle	Long	Pappas	Solberg
Bauerly	Jacobs	McEachern	Pelowski	Sparby
Beard	Jaros	McKasy	Peterson	Steenasma
Begich	Jefferson	Minne	Price	Swenson
Bertram	Jensen	Munger	Quinn	Trimble
Bishop	Johnson, A.	Murphy	Redalen	Tunheim
Brown	Johnson, R.	Nelson, C.	Reding	Uphus
Burger	Johnson, V.	Nelson, D.	Rest	Vanasek
Carlson, D.	Kalis	Nelson, K.	Rice	Vellenga
Carlson, L.	Kelly	Neuenschwander	Riveness	Voss
Carruthers	Kelso	O'Connor	Rodosovich	Wagenius
Clark	Kinkel	Ogren	Rose	Welle
Cooper	Kludt	Olson, E.	Rukavina	Wenzel
Dauner	Knuth	Olson, K.	Sarna	Winter
DeBlicek	Kostohryz	Orenstein	Schoenfeld	Wynia
Dorn	Krueger	Osthoff	Segal	Spk. Norton
Forsythe	Lasley	Otis	Simoneau	

Those who voted in the negative were:

Bennett	Gutknecht	McDonald	Pauly	Shaver
Blatz	Haukoos	McPherson	Poppenhagen	Stanius
Boo	Heap	Milbert	Quist	Sviggum
Clausnitzer	Himle	Miller	Richter	Thiede
Dempsey	Hugoson	Morrison	Schafer	Tjornhom
Frederick	Jennings	Olsen, S.	Scheid	Tompkins
Frerichs	Knickerbocker	Omann	Schreiber	Valento
Gruenes	Marsh	Onnen	Seaberg	Waltman

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

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

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. 1420, A bill for an act relating to public safety; allowing bureau of criminal apprehension to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequency; amending Minnesota Statutes 1986, section 299C.37, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McDonald moved that the House concur in the Senate amendments to H. F. No. 1420 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1420, A bill for an act relating to public safety; allowing bureau of criminal apprehension to permit amateur radio operators to use radio equipment capable of receiving police emergency radio frequency; amending Minnesota Statutes 1986, section 299C.37, subdivision 1.

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

The question was taken on the repassage of the bill and the roll was called. There were 114 yeas and 13 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dauner	Greenfield	Johnson, A.	Rukavina	Vellenga
DeBlicek	Jefferson	Kahn	Tompkins	
Dorn	Jensen	Pappas	Trimble	

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. 96, A bill for an act relating to the state high school league; requiring the league to arrange certain conference memberships; providing standards; amending Minnesota Statutes 1986, section 129.121, subdivision 1, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McKasy moved that the House concur in the Senate amendments to H. F. No. 96 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 96, A bill for an act relating to the state high school league; requiring the league to arrange certain conference memberships; providing standards; amending Minnesota Statutes 1986, section 129.121, subdivision 1, and by adding a subdivision.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Wagenius	Wenzel	Wynia
Welle	Winter	Spk. Norton

Those who voted in the negative were:

Hugoson	Onnen	Sviggum
Milbert	Rodosovich	Waltman

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson, D., moved that the House concur in the Senate amendments to H. F. No. 332 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 332, A bill for an act relating to environment; authorizing the pollution control agency to issue administrative orders assessing penalties; establishing a hearing procedure; providing for the distribution and expenditure of monetary penalties; proposing coding for new law in Minnesota Statutes, chapter 116.

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 116 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bertram	Carlson, L.	DeBlicke	Hartle
Battaglia	Bishop	Carruthers	Dorn	Haukoos
Bauerly	Blatz	Clark	Frederick	Heap
Beard	Boo	Clausnitzer	Greenfield	Jacobs
Begich	Burger	Cooper	Gruenes	Jaros
Bennett	Carlson, D.	Dauner	Gutknecht	Jennings

Jensen	McEachern	Omann	Rodosovich	Tompkins
Johnson, A.	McKasy	Onnen	Rose	Trimble
Johnson, R.	McLaughlin	Orenstein	Rukavina	Tunheim
Kahn	McPherson	Otis	Sarna	Valento
Kalis	Milbert	Ozment	Scheid	Vanasek
Kelly	Miller	Pappas	Schoenfeld	Vellenga
Kelso	Minne	Pauly	Segal	Voss
Kinkel	Munger	Pelowski	Shaver	Wagenius
Kludt	Murphy	Peterson	Simoneau	Waltman
Knickerbocker	Nelson, C.	Poppenhagen	Skoglund	Welle
Knuth	Nelson, D.	Price	Solberg	Wenzel
Kostohryz	Nelson, K.	Quinn	Sparby	Winter
Krueger	Neuenschwander	Redalen	Stenius	Wynia
Lasley	O'Connor	Reding	Steensma	Spk. Norton
Lieder	Ogren	Rest	Swiggum	
Long	Olsen, S.	Rice	Swenson	
Marsh	Olson, E.	Richter	Thiede	
McDonald	Olson, K.	Riveness	Tjornhom	

Those who voted in the negative were:

Forsythe	Himle	Johnson, V.	Schafer	Seaberg
Frerichs	Hugoson	Quist	Schreiber	Uphus

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. 1120, A bill for an act relating to grain grading and testing; providing that state grades and test results may be the basis for market price; amending Minnesota Statutes 1986, section 17B.05.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brown moved that the House concur in the Senate amendments to H. F. No. 1120 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1120, A bill for an act relating to grain grading and testing; providing that state grades and test results may be the basis for market price; amending Minnesota Statutes 1986, section 17B.05.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gutknecht	Long	Ozment	Simoneau
Battaglia	Hartle	Marsh	Pappas	Skoglund
Bauerly	Haukoos	McDonald	Pauly	Solberg
Beard	Heap	McEachern	Pelowski	Sparby
Begich	Himle	McKasy	Peterson	Stanius
Bennett	Hugoson	McLaughlin	Poppenhagen	Steenasma
Bertram	Jacobs	McPherson	Price	Swiggum
Bishop	Jaros	Milbert	Quinn	Swenson
Blatz	Jefferson	Miller	Quist	Thiede
Boo	Jennings	Minne	Redalen	Tjornhom
Brown	Jensen	Morrison	Reding	Tompkins
Burger	Johnson, A.	Munger	Rest	Trimble
Carlson, D.	Johnson, R.	Murphy	Rice	Tunheim
Carlson, L.	Johnson, V.	Nelson, C.	Richter	Uphus
Carruthers	Kahn	Nelson, D.	Riveness	Valento
Clark	Kalis	Nelson, K.	Rodosovich	Vanasek
Clausnitzer	Kelly	Neuenschwander	Rose	Vellenga
Cooper	Kelso	O'Connor	Rukavina	Voss
Dauner	Kinkel	Ogren	Sarna	Wagenius
DeBlicck	Kludt	Olsen, S.	Schafer	Waltman
Dorn	Knickerbocker	Olson, E.	Scheid	Welle
Forsythe	Knuth	Olson, K.	Schoenfeld	Wenzel
Frederick	Kostohryz	Omman	Schreiber	Winter
Frerichs	Krueger	Onnen	Seaberg	Wynia
Greenfield	Lasley	Orenstein	Segal	Spk. Norton
Gruenes	Lieder	Otis	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. 1213, A bill for an act relating to retirement; teachers retirement association; making various changes in the law governing the association for the purpose of facilitating administration of retirement benefits and contributions; amending Minnesota Statutes 1986, sections 354.05, subdivision 35, and by adding a subdivision; 354.06, subdivision 1; 354.07, subdivision 3; 354.094, subdivision 1; 354.44, subdivision 5; 354.46, subdivision 5; 354.48, subdivision 7; 354.51, subdivision 5; 354.55, subdivision 11; 354.62, subdivision 5, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1986, section 354.44, subdivision 1a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 1213 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1213, A bill for an act relating to retirement; various public pension plans; implementing various administrative changes; making private certain membership data; conforming mandatory retirement provisions for public employees to the federal Age Discrimination in Employment Amendments of 1986; clarifying the obligation of the state auditor to undertake periodic public pension plan audits; establishing combined service disability and survivor benefits; amending Minnesota Statutes 1986, sections 13.43, by adding a subdivision; 43A.34, subdivisions 1 and 4; 136.81, subdivision 3; 136.82, subdivision 1; 181.81, subdivision 1; 181.811; 352.12, subdivision 6; 352.96, subdivision 1, and by adding a subdivision; 352D.015, subdivision 5; 353.01, subdivisions 2b and 20; 353.03, subdivision 3; 353.27, subdivisions 4, 10, and 12; 353.28, subdivision 5; 353.29, subdivision 8; 353.33, by adding a subdivision; 353.34, by adding a subdivision; 353.36, subdivision 2; 353.64, subdivisions 1 and 2; 353.656, subdivision 6, and by adding a subdivision; 353.657; 354.05, subdivision 35, and by adding a subdivision; 354.06, subdivision 1; 354.07, subdivision 3; 354.094, subdivision 1; 354.44, subdivisions 1a and 5; 354.46, subdivision 5; 354.48, subdivision 7; 354.51, subdivision 5; 354.55, subdivision 11; 354.62, subdivision 5, and by adding a subdivision; 354A.021, by adding a subdivision; 354A.21; 422A.09, subdivision 3; and 423.076; proposing coding for new law in Minnesota Statutes, chapters 13 and 356; repealing Minnesota Statutes 1986, sections 43A.34, subdivision 2; 125.12, subdivision 5; 353.64, subdivision 6; 356.301; and 473.419.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Sparby
Stanius
Steenasma
Sviggum
Swenson

Thiede
Tjornhom
Tompkins
Trimble
Funheim

Uphus
Valento
Vanasek
Vellenga
Voss

Wagenius
Waltman
Welle
Wenzel
Winter

Wynia
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. 1078; A bill for an act relating to natural resources; amending drainage law definitions; prescribing payment of attorney fees on certain drainage issues appealed by the commissioner; prescribing general provisions for petitions; amending petition requirements; allowing drainage proceedings to be delayed; prescribing conditions for assessments against property within a municipality; prescribing extent of benefits and damages; requiring a benefits and damages statement and a property owner's report; providing drainage liens to be recorded against tracts of property; changing rates of interest to be paid during drainage proceedings; amending definition of repair; authorizing conditions for repair if design elevation is different than original construction elevation; providing easement for drainage authority to inspect drainage system; requiring permanent grass strips; apportioning repair costs; renumbering sections; providing penalties; amending Minnesota Statutes 1986, sections 105.40, subdivision 11; 106A.005, subdivisions 2, 3, 4, 9, 10, 11, 12, 13, 14, 19, and by adding subdivisions; 106A.011, subdivisions 3 and 4; 106A.015; 106A.021, by adding subdivisions; 106A.031; 106A.051; 106A.055; 106A.081, subdivisions 2 and 3; 106A.091, subdivision 4; 106A.095, subdivisions 1, 3, and 4; 106A.101, subdivisions 2 and 4; 106A.215, subdivisions 4 and 5; 106A.221; 106A.225; 106A.231; 106A.235, subdivisions 1 and 2; 106A.241, subdivisions 1, 2, and 5; 106A.245; 106A.251; 106A.261, subdivisions 1, 3, 4, 5, 6, and 7; 106A.265, subdivision 1; 106A.271, subdivision 1; 106A.275; 106A.281; 106A.285, subdivisions 2, 4, 5, 6, 9, and 10; 106A.295; 106A.301; 106A.305, subdivision 1; 106A.311; 106A.315, subdivisions 1, 2, 5, 6, and by adding subdivisions; 106A.321, subdivision 1, and by adding a subdivision; 106A.325, subdivisions 2 and 3; 106A.335, subdivisions 1 and 3; 106A.341; 106A.345; 106A.351; 106A.401, subdivisions 2, 6, and by adding subdivisions; 106A.405; 106A.411, subdivisions 3 and 4; 106A.501, subdivisions 4, 6, and 7; 106A.505, subdivisions 1, 2, 3, 7, and 8; 106A.511, subdivisions 1, 2, 3, and 5; 106A.515; 106A.525, subdivisions 2, 3, and 4; 106A.541; 106A.555, subdivision 2; 106A.601; 106A.605; 106A.611, subdivisions 2, 3, 6, and 7; 106A.615, subdivisions 4 and 7; 106A.635, subdivisions 1 and 10; 106A.645, subdivision 7; 106A.651, subdivision 1; 106A.655, subdivision 1; 106A.701,

subdivision 1, and by adding a subdivision; 106A.705; 106A.715, subdivision 6; 106A.731, subdivision 1; 106A.741, subdivision 5; 106A.811, subdivisions 2, 4, and 5; 112.431, subdivision 2; 112.48, subdivision 1; 112.59; 112.60, subdivision 1; and 112.65, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 106A; repealing Minnesota Statutes 1986, sections 106A.005, subdivision 25; 106A.201; 106A.205; 106A.211; and 111.01 to 111.421.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jennings moved that the House concur in the Senate amendments to H. F. No. 1078 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1078, A bill for an act relating to natural resources; amending drainage law definitions; prescribing payment of attorney fees on certain drainage issues appealed by the commissioner; prescribing general provisions for petitions; amending petition requirements; allowing drainage proceedings to be delayed; prescribing conditions for assessments against property within a municipality; prescribing extent of benefits and damages; requiring a benefits and damages statement and a property owner's report; providing drainage liens to be recorded against tracts of property; changing rates of interest to be paid during drainage proceedings; amending definition of repair; authorizing conditions for repair if design elevation is different than original construction elevation; providing easement for drainage authority to inspect drainage system; requiring permanent grass strips; apportioning repair costs; renumbering sections; providing penalties; amending Minnesota Statutes 1986, sections 105.40, subdivision 11; 106A.005, subdivisions 2, 3, 4, 9, 10, 11, 12, 13, 14, 19, and by adding subdivisions; 106A.011, subdivisions 3 and 4; 106A.015; 106A.021, by adding subdivisions; 106A.031; 106A.051; 106A.055; 106A.081, subdivisions 2 and 3; 106A.091, subdivision 4; 106A.095, subdivisions 1, 3, and 4; 106A.101, subdivisions 2 and 4; 106A.215, subdivisions 4 and 5; 106A.221; 106A.225; 106A.231; 106A.235, subdivisions 1 and 2; 106A.241, subdivisions 1, 2, and 5; 106A.245; 106A.251; 106A.261, subdivisions 1, 3, 4, 5, 6, and 7; 106A.265, subdivision 1; 106A.271, subdivision 1; 106A.275; 106A.281; 106A.285, subdivisions 2, 4, 5, 6, 9, and 10; 106A.295; 106A.301; 106A.305, subdivision 1; 106A.311; 106A.315, subdivisions 1, 2, 5, 6, and by adding subdivisions; 106A.321, subdivision 1, and by adding a subdivision; 106A.325, subdivisions 2 and 3; 106A.335, subdivisions 1 and 3; 106A.341; 106A.345; 106A.351; 106A.401, subdivisions 2, 6, and by adding subdivisions; 106A.405; 106A.411, subdivisions 3 and 4; 106A.501, subdivisions 4, 6, and 7; 106A.505, subdivisions 1, 2, 3, 7, and 8; 106A.511, subdivisions 1, 2, 3, and 5; 106A.515; 106A.525, subdivisions 2, 3, and 4; 106A.541; 106A.555, subdivision 2; 106A.601;

106A.605; 106A.611, subdivisions 2, 3, 6, and 7; 106A.615, subdivisions 4 and 7; 106A.635, subdivisions 1 and 10; 106A.645, subdivision 7; 106A.651, subdivision 1; 106A.655, subdivision 1; 106A.701, subdivision 1, and by adding a subdivision; 106A.705; 106A.715, subdivision 6; 106A.731, subdivision 1; 106A.741, subdivision 5; 106A.811, subdivisions 2, 4, and 5; 112.431, subdivision 2; 112.48, subdivision 1; 112.59; 112.60, subdivision 1; and 112.65, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 106A; repealing Minnesota Statutes 1986, sections 106A.005, subdivision 25; 106A.201; 106A.205; 106A.211; and 111.01 to 111.421.

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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 196, A bill for an act relating to public safety; manufactured homes; requiring manufactured home park owners to provide

shelter for residents during severe weather; amending Minnesota Statutes 1986, section 327.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 327.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

O'Connor moved that the House concur in the Senate amendments to H. F. No. 196 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 196, A bill for an act relating to public safety; manufactured homes; requiring manufactured home park owners to provide underground shelter for residents during severe weather; requiring a feasibility study; amending Minnesota Statutes 1986, section 327.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 327.

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 112 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	Frerichs	Kalis	Olson, K.	Schafer
Dauner	Hugoson	Kelso	Poppenhagen	Schoenfeld
Frederick	Johnson, V.	McDonald	Richter	Thiede
				Uphus

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. 102, A bill for an act relating to game and fish; use of mechanical release bows during archery seasons; amending Minnesota Statutes 1986, section 97B.035, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stanius moved that the House concur in the Senate amendments to H. F. No. 102 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, 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 121 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Thiede	Tunheim	Vellenga	Wenzel
Tjornhom	Uphus	Voss	Winter
Tompkins	Valento	Waltman	Wynia
Trimble	Vanasek	Welle	Spk. Norton

Those who voted in the negative were:

Gutknecht	Skoglund	Sviggum
Omman	Sparby	Wagenius

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. 1170, A bill for an act relating to state government; prohibiting certain mandated leaves of absence for state employees; amending Minnesota Statutes 1986, section 43A.32, subdivision 2, and by adding a subdivision.

PATRICK E. FLAHAVERN, Secretary of the Senate

Welle moved that the House refuse to concur in the Senate amendments to H. F. No. 1170, 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. 638, A bill for an act relating to elections; requiring election judges to inform voters of certain laws; providing for selection of a party in certain primary elections; amending Minnesota Statutes 1986, sections 204C.13, subdivision 2; and 206.80.

PATRICK E. FLAHAVERN, Secretary of the Senate

Minne moved that the House refuse to concur in the Senate amendments to H. F. No. 638, 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.

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

Vanasek 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 the Speaker.

MESSAGES FROM THE SENATE, Continued

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. No. 852.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 361, 1018 and 1335.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 604.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 852, A bill for an act relating to taxes; exempting from gasoline excise tax propane fuel for vehicles operating under permit;

amending Minnesota Statutes 1986, sections 296.01, subdivision 25; 296.02, subdivision 1a; 296.025, subdivision 1a; 296.026; and 296.028.

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

S. F. No. 361, A bill for an act relating to state employees; permitting certain employees to donate vacation time to a union representative; amending Minnesota Statutes 1986, section 43A.04, subdivision 8.

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

S. F. No. 1018, A bill for an act relating to crimes; criminal sexual conduct; creating a crime of fifth degree criminal sexual conduct; amending Minnesota Statutes 1986, section 388.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Rest moved that S. F. No. 1018 and H. F. No. 1070, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1335, A bill for an act relating to unemployment compensation; limiting recovery of overpayments due to agency error; limiting amount of setoff from current benefit amount; amending Minnesota Statutes 1986, section 268.18, subdivision 1.

The bill was read for the first time.

Johnson, A., moved that S. F. No. 1335 and H. F. No. 1452, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 604, A bill for an act relating to elections; regulating lobbyist and candidate activities and contributions; amending Minnesota Statutes 1986, sections 10A.01, subdivision 15; 10A.04, subdivisions 2 and 4; and 10A.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Rose was excused while in conference.

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 12, 1987:

H. F. No. 938; S. F. No. 292; H. F. No. 727; S. F. Nos. 853 and 865; H. F. Nos. 177, 290, 606, 1045, 1183, 1210, 1351 and 1399; S. F. Nos. 51, 735 and 1.

SPECIAL ORDERS

The Speaker called Simoneau to the Chair.

S. F. No. 677 was reported to the House.

There being no objection, S. F. No. 677 was continued on Special Orders for one day.

S. F. No. 153 was reported to the House.

Milbert, McKasy, Sparby and Bishop moved to amend S. F. No. 153, as follows:

Page 2, line 16, delete "or"

Page 2, line 17, after "168.27" insert "or sales that are subject to a written agreement or contract under the uniform commercial code"

The motion prevailed and the amendment was adopted.

S. F. No. 153, A bill for an act relating to consumer protection; requiring cash refunds for goods returned on certain retail sales; providing enforcement; proposing coding for new law in Minnesota Statutes, chapter 325F.

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 98 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jefferson	McKasy	Otis	Skoglund
Battaglia	Jennings	McLaughlin	Pappas	Solberg
Bauerly	Jensen	McPherson	Pelowski	Sparby
Beard	Johnson, A.	Milbert	Peterson	Steenasma
Begich	Johnson, R.	Minne	Price	Sviggum
Bertram	Johnson, V.	Morrison	Quinn	Tompkins
Brown	Kahn	Munger	Redalen	Trimble
Burger	Kalis	Murphy	Reding	Tunheim
Carlson, D.	Kelly	Nelson, C.	Rest	Uphus
Carlson, L.	Kelso	Nelson, D.	Rice	Vanasek
Carruthers	Kinkel	Nelson, K.	Richter	Vellenga
Clark	Kludt	Neuenschwander	Riveness	Wagenius
Cooper	Knuth	O'Connor	Rodosovich	Waltman
Dauner	Kostohryz	Ogren	Rose	Welle
DeBlicke	Krueger	Olsen, S.	Rukavina	Wenzel
Dorn	Larsen	Olsen, E.	Sarna	Winter
Greenfield	Lasley	Olsen, K.	Schoenfeld	Wynia
Gruenes	Lieder	Omann	Seaberg	Spk. Norton
Jacobs	Long	Orenstein	Segal	
Jaros	McEachern	Osthoff	Simoneau	

Those who voted in the negative were:

Bennett	Frerichs	Hugoson	Onnen	Schreiber
Blatz	Hartle	Knickerbocker	Ozment	Shaver
Clausnitzer	Haukoos	Marsh	Pauly	Stanius
Dille	Heap	McDonald	Quist	Thiede
Forsythe	Himle	Miller	Schafer	Valento

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

Rose was excused while in conference.

S. F. No. 800 was reported to the House.

Carruthers and Wynia moved to amend S. F. No. 800, as follows:

Page 2, delete line 2, and insert:

“(d) in the case of a financial institution referred to in subdivision 1 that does not charge an annual fee, delinquency and collection charges as follows:”

The motion prevailed and the amendment was adopted.

S. F. No. 800, A bill for an act relating to financial institutions; authorizing certain charges on open-end loan account arrangements; amending Minnesota Statutes 1986, section 48.185, subdivision 4.

The bill was read for the 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 91 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Gutknecht	Lieder	Onnen	Shaver
Anderson, R.	Hartle	Long	Orenstein	Skoglund
Battaglia	Haukoos	Marsh	Osthoff	Solberg
Beard	Heap	McDonald	Otis	Sparby
Bennett	Himle	McEachern	Pauly	Stanius
Bertram	Hugoson	McKasy	Pelowski	Sviggum
Blatz	Jacobs	McLaughlin	Poppenhagen	Swenson
Boo	Jennings	Milbert	Quinn	Thiede
Brown	Jensen	Miller	Quist	Tjornhom
Burger	Johnson, A.	Morrison	Redalen	Trimble
Carlson, L.	Johnson, R.	Murphy	Reding	Valento
Carruthers	Kahn	Nelson, C.	Rest	Vanasek
Clausnitzer	Kelly	Nelson, K.	Richter	Wagenius
Cooper	Kelso	Neuenschwander	Rivness	Wynia
Dille	Kinkel	O'Connor	Rodosovich	Spk. Norton
Dorn	Knickerbocker	Ogren	Scheid	
Forsythe	Knuth	Olsen, S.	Schreiber	
Frerichs	Larsen	Olson, E.	Seaberg	
Gruenes	Lasley	Olson, K.	Segal	

Those who voted in the negative were:

Bauerly	Jaros	McPherson	Rice	Uphus
Begich	Jefferson	Minne	Rukavina	Vellenga
Carlson, D.	Johnson, V.	Munger	Sarna	Waltman
Clark	Kalis	Nelson, D.	Schoenfeld	Welle
Dauner	Kludt	Omamm	Simoneau	Wenzel
DeBlieck	Kostohryz	Ozment	Steensma	Winter
Greenfield	Krueger	Peterson	Tunheim	

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

S. F. No. 1053, A bill for an act relating to alcoholic beverages; providing for the licensing of low-volume brewers; allowing them to be granted an on-sale intoxicating liquor or nonintoxicating malt liquor license; amending Minnesota Statutes 1986, section 340A.301, subdivisions 6 and 7.

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

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

Those who voted in the affirmative were:

Anderson, G.	Brown	Forsythe	Jaros	Knickerbocker
Anderson, R.	Burger	Frerichs	Jefferson	Knuth
Battaglia	Carlson, D.	Greenfield	Jennings	Kostohryz
Bauerly	Carlson, L.	Gruenes	Jensen	Krueger
Beard	Carruthers	Gutknecht	Johnson, A.	Larsen
Begich	Clark	Hartle	Johnson, R.	Lasley
Bennett	Clausnitzer	Haukoos	Johnson, V.	Lieder
Bertram	Cooper	Heap	Kalis	Marsh
Bishop	Dauner	Himle	Kelso	McDonald
Blatz	DeBlieck	Hugoson	Kinkel	McEachern
Boo	Dille	Jacobs	Kludt	McKasy

McLaughlin	Olson, E.	Redalen	Shaver	Valento
McPherson	Olson, K.	Reding	Simoneau	Vanasek
Milbert	Omann	Rest	Skoglund	Vellenga
Miller	Onnen	Rice	Solberg	Voss
Minne	Orenstein	Richter	Sparby	Wagenius
Morrison	Osthoff	Riveness	Stanius	Waltman
Munger	Otis	Rodosovich	Steensma	Welle
Murphy	Ozment	Rose	Sviggum	Wenzel
Nelson, C.	Pappas	Rukavina	Swenson	Winter
Nelson, D.	Pauly	Sarna	Thiede	Wynia
Nelson, K.	Pelowski	Scheid	Tjornhom	Spk. Norton
Neuenschwander	Peterson	Schoenfeld	Tompkins	
O'Connor	Price	Schreiber	Trimble	
Ogren	Quinn	Seaberg	Tunheim	
Olsen, S.	Quist	Segal	Uphus	

The bill was passed and its title agreed to.

Olsen, S., was excused while in conference.

S. F. No. 300, A bill for an act relating to education; establishing chemical abuse pre-assessment teams and community advisory teams; requiring teachers to report possession, use, and transfer of chemical substances by students; amending Minnesota Statutes 1986, sections 127.41, subdivision 3; and 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Voss
Wagenius

Waltman
Welle

Wenzel
Winter

Wynia
Spk. Norton

The bill was passed and its title agreed to.

H. F. No. 938 was reported to the House.

There being no objection, H. F. No. 938 was temporarily laid over on Special Orders.

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 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 89 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jaros	McEachern	Ozment	Simoneau
Battaglia	Jefferson	McLaughlin	Pappas	Skoglund
Bauerly	Jensen	McPherson	Pelowski	Solberg
Beard	Johnson, A.	Milbert	Peterson	Sparby
Begich	Johnson, R.	Minne	Price	Swenson
Bennett	Kahn	Munger	Quinn	Tompkins
Bertram	Kalis	Murphy	Redalen	Trimble
Blatz	Kelly	Nelson, C.	Reding	Tunheim
Brown	Kelso	Neuenschwander	Rest	Uphus
Carlson, D.	Kinkel	O'Connor	Rice	Vanasek
Carlson, L.	Kludt	Ogren	Riveness	Vellenga
Carruthers	Knickerbocker	Olsen, S.	Rodosovich	Voss
Clark	Knuth	Olson, E.	Rukavina	Wagenius
Greenfield	Kostohryz	Omann	Sarna	Wenzel
Gruenes	Krueger	Onnen	Scheid	Winter
Heap	Larsen	Orenstein	Schoenfeld	Wynia
Himle	Lieder	Osthoff	Segal	Spk. Norton
Jacobs	Long	Otis	Shaver	

Those who voted in the negative were:

Anderson, R.	Dille	Johnson, V.	Pauly	Stanius
Boo	Forsythe	Lasley	Poppenhagen	Steensma
Burger	Frerichs	McDonald	Quist	Sviggum
Clausnitzer	Gutknecht	McKasy	Richter	Thiede
Cooper	Hartle	Miller	Schafer	Tjornhom
Dauner	Haukoos	Morrison	Schreiber	Valento
DeBlicck	Hugoson	Olson, K.	Seaberg	Waltman
				Welle

The bill was passed and its title agreed to.

H. F. No. 727 was reported to the House.

There being no objection, H. F. No. 727 was temporarily laid over on Special Orders.

S. F. No. 853, A bill for an act relating to public safety; establishing the "McGruff" symbol as the sign for a safe house for children; creating a safe house program; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 299A.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 865 was reported to the House.

Trimble moved to amend S. F. No. 865, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 116C.69, subdivision 3, is amended to read:

Subd. 3. [FUNDING; ASSESSMENT.] The board shall finance its base line studies, general environmental studies, development of criteria, inventory preparation, monitoring of conditions placed on site certificates and construction permits, and all other work, other than specific site and route designation, from an assessment made quarterly, at least 30 days before the start of each quarter, by the board against all utilities with retail kilowatt-hour sales greater than 4,000,000 kilowatt-hours in the previous calendar year. The Until June 30, 1992, the assessment shall also include an amount sufficient to cover 60 percent of the costs to the pollution control agency of developing achieving, maintaining, and monitoring compliance with the acid deposition control plan required by standard adopted under sections 116.42 to 116.45, reprinting informational booklets on acid rain, and costs for additional research on the impacts of acid deposition on sensitive areas published under section 116.44, subdivision 1. This amount shall be certified to the board by the executive director of the pollution control agency. A work plan and budget shall be submitted annually to the board which shall take public testimony on the budget and work plan. The board must approve the work plan and budget before an assessment is levied. The work plan and budget must be submitted to the board by June 30, 1987. A work plan and budget shall then be submitted annually to the legislative commission on Minnesota resources for approval before an assessment is levied. Each share shall be determined as follows: (1) the ratio that the annual retail kilowatt-hour sales in the state of each utility bears to the annual total retail kilowatt-hour sales in the state of all such these utilities, multiplied by 0.667, plus (2) the ratio that the annual gross revenue from retail kilowatt-hour sales in the state of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the state of all such these utilities, multiplied by 0.333, as determined by the board. The assessment shall be credited to the special revenue fund and shall be paid to the state treasury within 30 days after receipt of the bill, which shall constitute notice of said assessment and demand of payment thereof. The total amount which may be assessed to the several utilities under authority of this subdivision shall not exceed the sum of the annual budget of the board for carrying out the purposes of this subdivision plus 60 percent of the annual budget of the pollution control agency for developing the plan required by achieving, maintaining, and monitoring compliance with the acid deposition control standard adopted under sections 116.42 to 116.45, reprinting informational booklets on acid rain, and for costs for additional research on the impacts of acid deposition on sensitive areas published under section 116.44, subdivision 1. The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the board and the pollution control agency for the preceding fiscal year were more or less than the estimated expenditures previously assessed."

Delete the title and insert:

"A bill for an act relating to environment; authorizing an assessment against public utilities to finance the state costs of controlling acid deposition; amending Minnesota Statutes 1986, section 116C.69, subdivision 3."

The motion prevailed and the amendment was adopted.

S. F. No. 865, A bill for an act relating to environment; authorizing an assessment against public utilities to finance the state costs of controlling acid deposition; amending Minnesota Statutes 1986, section 116C.69, subdivision 3.

The bill was read for the 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 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 177 was reported to the House.

Thiede moved to amend H. F. No. 177, the second engrossment, as follows:

Page 5, line 13, before "language" insert "English"

A roll call was requested and properly seconded.

POINT OF ORDER

Otis raised a point of order pursuant to rule 3.9 that the Thiede amendment was not in order. Speaker pro tempore Simoneau ruled the point of order not well taken and the amendment in order.

The question recurred on the Thiede amendment and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Bennett	Gutknecht	McKasy	Quist	Thiede
Bishop	Hartle	McPherson	Redalen	Tjornhom
Blatz	Heap	Miller	Richter	Uphus
Boo	Himle	Morrison	Rose	Valento
Burger	Hugoson	Olsen, S.	Schafer	Waltman
Carlson, D.	Jaros	Olson, E.	Schreiber	Wenzel
Clausnitzer	Johnson, V.	Omman	Seaberg	Winter
Dille	Knickerbocker	Onnen	Shaver	
Forsythe	Lieder	Ozment	Stanius	
Frerichs	Marsh	Pauly	Sviggum	
Gruenes	McDonald	Poppenhagen	Swenson	

Those who voted in the negative were:

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

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

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

H. F. No. 177, A bill for an act relating to human services; reducing state aid for general assistance to counties that fail to provide literacy training; requiring certain recipients of general assistance to attend adult literacy training; setting forth requirements for literacy training programs; appropriating money; amending Minnesota Statutes 1986, sections 256D.03, subdivision 2; 256D.05, subdivision 1; and 256D.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256D.

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 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Thiede

The bill was passed and its title agreed to.

Carlson, D., was excused between the hours of 3:45 p.m. and 5:00 p.m.

Seaberg was excused between the hours of 4:15 p.m. and 4:25 p.m.

H. F. No. 290 was reported to the House.

Gruenes, Jennings and Clausnitzer moved to amend H. F. No. 290, the third engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [148B.01] [CITATION.]

This chapter may be cited as the "mental health practitioners act of 1987."

Sec. 2. [148B.02] [DEFINITIONS.]

Subdivision 1. [TERMS.] As used in this chapter, the following terms have the meanings given them in this section.

Subd. 2. [BOARD.] "Board" means the board of mental health practitioners established in section 3.

Subd. 3. [MENTAL HEALTH PRACTITIONER.] "Mental health practitioner" or "practitioner" means any person who provides, for a remuneration, mental health services as defined in subdivision 4. This chapter does not apply to those persons holding valid licenses from the board of medical examiners under chapter 147, the board of nursing under sections 148.171 to 148.285, or the board of psychology under sections 148.88 to 148.98.

Subd. 4. [MENTAL HEALTH SERVICES.] "Mental health services" means the professional treatment, assessment, or counseling of a cognitive, behavioral, emotional, mental, or social dysfunction, including intrapersonal or interpersonal dysfunctions.

Subd. 5. [MARRIAGE AND FAMILY THERAPIST.] "Marriage and family therapist" means a mental health practitioner who is registered under section 20 as a marriage and family therapist.

Subd. 6. [SOCIAL WORKER.] "Social worker" means any person who is registered under section 21 as a social worker, whether or not the person provides mental health services.

Subd. 7. [MENTAL HEALTH CLIENT.] "Mental health client" or "client" means a person who receives the services of a mental health practitioner or registered social worker.

Sec. 3. [148B.03] [BOARD OF MENTAL HEALTH PRACTITIONERS.]

Subdivision 1. [COMPOSITION.] The board of mental health practitioners shall consist of 15 members. In its initial composition, the membership shall consist of:

(1) two marriage and family therapists whose qualifications are no less than those specified in section 20;

(2) two social workers whose qualifications shall be no less than those specified in section 21, one of whom must be employed by a public agency, and one of whom must be a private practitioner;

(3) two mental health practitioners who meet the criteria set forth in section 2, subdivision 3, and who do not meet the criteria to

become registered as marriage and family therapists or social workers;

(4) one representative of a currently licensed health care facility;

(5) one representative of a third party payer of health care costs, other than a health maintenance organization;

(6) one representative of a health maintenance organization as defined in section 62D.02;

(7) one representative of a local unit of government; and

(8) five public members as defined in section 214.02.

Within one year of the effective date of rules adopted by the board to govern the registration of marriage and family therapists and social workers, members of the board specified in clause (1) shall be registered marriage and family therapists, and members of the board specified in clause (2) shall be registered social workers, registered master social workers, or registered clinical social workers. Within one year of the effective date of this chapter, members of the board specified in clause (3) shall be mental health practitioners other than those specified in clause (1) or (2) who have filed with the board pursuant to section 4, subdivision 1.

Subd. 2. [APPOINTMENT.] Members of the board shall be appointed by the governor and shall serve under the provisions of section 214.09.

Subd. 3. [BOARD ADMINISTRATION.] The board shall elect from among its number a chairperson and a vice-chairperson who shall each serve for one year, or until a successor is elected and qualifies. The members of the board shall have authority to administer oaths and the board, in session, to take testimony as to matters pertaining to the duties of the board. Eight members of the board shall constitute a quorum for the transaction of business.

Subd. 4. [RULEMAKING.] The board shall adopt rules necessary to implement, administer, or enforce this chapter under chapter 14 and section 214.001, subdivisions 2 and 3. The board shall consult with the commissioner of health, the commissioner of human services, and the commissioner of employee relations in the development of rules. The board may not adopt rules restricting or prohibiting persons from providing mental health services on the basis of education, training, experience, or supervision.

The board may adopt by rule educational, training, or experiential criteria for the use of the titles marriage and family therapist, social worker, master social worker, and clinical social worker. The regis-

tration criteria may not restrict the scope of practice of any person so registered, nor may the board establish criteria for supervision of mental health practitioners, except as specifically provided in this chapter.

Subd. 5. [DESIGNATION.] The board of mental health practitioners shall be considered a health-related licensing board as defined in section 214.01, subdivision 2, and shall have all powers and duties granted to such boards in chapter 214.

Subd. 6. [REPORTS.] The board, in compiling the report required by section 214.07, shall present the information compiled according to the category of credentials held by practitioners, if any. The commissioner of health shall review this information under sections 214.01, 214.13, and 214.141 to determine the need for any additional regulation of mental health practitioners.

Sec. 4. [148B.04] [MANDATORY MENTAL HEALTH CLIENT PROTECTION SYSTEM.]

Subdivision 1. [FILING.] All persons providing mental health services as defined in section 2, subdivision 4, shall file with the state on a form provided by the board, their name, home and business address, telephone number, degrees held, if any, major field, and whether the degrees are from an accredited institution, how the institution is accredited, and any other relevant experience.

The board shall provide separate application forms for persons wishing to register as a marriage and family therapist or social worker, master social worker, and clinical social worker.

Any applicant for filing or registration who has practiced in any other state shall authorize, in writing, the licensing or regulatory entity in the other state or states to release to the board any information on complaints or disciplinary actions pending against that individual, as well as any final disciplinary actions taken against that individual. The board shall provide a form for this purpose.

The board shall review all filings and applications for registration and may reject any filings and applications if there is evidence of violations or any other failure to meet the provisions of sections 1 to 19, or in the case of applications for registration, failure to meet the provisions of section 20 or 21, as applicable.

Subd. 2. [CERTIFICATES.] The board of mental health practitioners shall issue an acknowledgement of filing to each mental health practitioner who files under subdivision 1, and relevant rules of the board, and who is determined by the board to be in compliance with sections 1 to 19. The board shall issue, in addition, a separate

certificate of registration to those individuals who satisfy the requirements of section 20 or 21.

Subd. 3. [POSTING.] All mental health practitioners shall display, in a prominent location, a copy of the acknowledgment of filing issued by the board of mental health practitioners. Registered marriage and family therapists and social workers shall, in addition to posting the acknowledgement of filing, display the certificate of registration issued by the board.

Subd. 4. [PENALTIES.] Failure to file with the board, or supplying false or misleading information on the filing form, application for registration, or any accompanying statements shall constitute grounds for disciplinary action under section 9.

Subd. 5. [PROVISION OF MENTAL HEALTH SERVICES WITHOUT FILING.] It is unlawful for any person not filing with the board to provide mental health services in this state as defined in section 2, subdivision 4. Any person violating subdivision 1 is guilty of a gross misdemeanor.

Sec. 5. [148B.05] [CODE OF PROFESSIONAL CONDUCT.]

Subdivision 1. [PROHIBITED CONDUCT.] Notwithstanding any law to the contrary, the board may reject a filing or application, or may impose disciplinary action as described in section 9 against any mental health practitioner for failure to comply with the provisions of sections 1 to 21. The following conduct is prohibited and is grounds for disciplinary action:

(a) Conviction of a crime reasonably related to the provision of mental health services. Conviction, as used in this subdivision, includes a conviction of an offense which, if committed in this state, would be deemed a felony without regard to its designation elsewhere, or a criminal proceeding where a finding or verdict of guilty is made or returned but the adjudication of guilt is either withheld or not entered.

(b) Conviction of crimes against persons. For the purposes of this chapter, a crime against a person means violations of the following sections: sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.221; 609.222; 609.223; 609.224; 609.23; 609.231; 609.235; 609.24; 609.245; 609.25; 609.255; 609.265; 609.26, subdivision 1, clause (1) or (2); 609.342; 609.343; 609.344; 609.345; 609.365; 609.498, subdivision 1; 609.50, clause (1); 609.561; 609.562; and 609.595.

(c) Revocation, suspension, restriction, limitation, or other disciplinary action against the mental health practitioner's license, certificate, registration, or right of practice in another state or jurisdiction, for offenses that would be subject to disciplinary action

in this state, or failure to report to the board that charges regarding the person's license, certificate, registration, or right of practice have been brought in another state or jurisdiction.

(d) Advertising that is false or misleading.

(e) Filing with the board false or misleading statements of credentials, training, or experience.

(f) Engaging in any unprofessional conduct; conduct likely to deceive, defraud, or harm the public; or demonstrating a willful or careless disregard for the health, welfare, or safety of a client; or any other practice that is professionally incompetent in that it may create unnecessary danger to any client's life, health, or safety, in any of which cases, proof of actual injury need not be established.

(g) Adjudication as mentally incompetent, or as a person who has a psychopathic personality as defined in section 526.09 or who is dangerous to himself or herself, or adjudication pursuant to chapter 253B as chemically dependent, mentally ill, mentally retarded, or mentally ill and dangerous to the public.

(h) Inability to provide mental health services with reasonable skill and safety to clients by reason of physical, mental, or emotional illness; drunkenness; or use of legend drugs, chemicals, controlled substances, or any other similar materials or mood-altering substances.

(i) Revealing a privileged communication from, or relating to, a client except when otherwise required or permitted by law.

(j) Improper management of client records, including failure to maintain adequate client records, to comply with a client's request made under section 144.335 or to furnish a client record or report required by law.

(k) Splitting fees or promising to pay a portion of a fee to any other mental health practitioner other than for services rendered by the other mental health practitioner to the client.

(l) Engaging in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws.

(m) Addiction to, or the habitual use of, a drug, intoxicant, chemical, or other mood-altering substance.

(n) Engaging in sexual contact with a client or former client as defined in section 148A.01.

(o) Failure to make reports as required by section 6, or cooperate with an investigation of the board as required by section 8.

(p) Obtaining money, property, or services from a client, other than reasonable fees for services provided to the client, through the use of undue influence, harassment, duress, deception, or fraud.

(q) Undertaking or continuing a professional relationship with a client in which the objectivity of the practitioner would be impaired due to a familial, social, emotional, economic, supervisory, or political interpersonal relationship.

(r) Undertaking or continuing a professional relationship with a client in which objectivity or effectiveness is or would be impaired due to divorce, grief reaction, severe health problem, or other situation affecting the practitioner.

(s) Failure to provide the client with a copy of the client bill of rights, or violation of any provision of the client bill of rights.

Subd. 2. [DISCLOSURE.] Subject to the exceptions listed in this subdivision, all communications or information received by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction, and all records of any action or proceedings thereon, except a final decision of the board, are confidential and privileged and any disciplinary hearing shall be closed to the public.

(a) Upon application of a party in a proceeding before the board under section 17, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota rules of civil procedure.

(b) If the board imposes disciplinary measures of any kind, the name and business address of the mental health practitioner, the nature of the misconduct, and the action taken by the board are public data.

(c) The board shall exchange information with other licensing boards, agencies, or departments within the state, as required under section 214.10, subdivision 8, paragraph (d), and may release information in the reports required under sections 3, subdivision 6, and 14.

Subd. 3. [EFFECTIVE DATES.] A suspension, revocation, condition, limitation, qualification or restriction of a practitioner's right to practice shall be in effect pending determination of an appeal unless the court, upon petition and for good cause shown, shall otherwise order.

The right to provide mental health services is automatically suspended if (1) a guardian of the person of a mental health practitioner is appointed by order of a probate court pursuant to sections 525.54 to 525.612, for reasons other than the minority of the mental health practitioner; or (2) the mental health practitioner is committed by order of a probate court pursuant to chapter 253B or sections 526.09 to 526.11. The right to provide mental health services remains suspended until the mental health practitioner is restored to capacity by a court and, upon petition by the mental health practitioner, the suspension is terminated by the board after a hearing.

Subd. 4. [CONDITIONS ON REISSUED RIGHT OF PRACTICE.] In its discretion, the board may restore and reissue permission to provide to practice mental health services, but as a condition thereof may impose any disciplinary or corrective measure which it might originally have imposed.

Subd. 5. [TEMPORARY SUSPENSION OF RIGHT OF PRACTICE.] In addition to any other remedy provided by law, the board may, without a hearing, temporarily suspend the right of practice of a mental health practitioner if the board finds that the practitioner has violated a statute or rule which the board is empowered to enforce and continued practice by the practitioner would create a serious risk of harm to the public. The suspension shall take effect upon written notice to the practitioner, specifying the statute or rule violated. The suspension shall remain in effect until the board issues a final order in the matter after a hearing. At the time it issues the suspension notice, the board shall schedule a disciplinary hearing to be held pursuant to the administrative procedure act. The practitioner shall be provided with at least 20 days notice of any hearing held pursuant to this subdivision. The hearing shall be scheduled to begin no later than 30 days after the issuance of the suspension order.

Subd. 6. [EVIDENCE.] In disciplinary actions alleging a violation of subdivision 1, paragraph (a), (b), (c), or (d), a copy of the judgment or proceeding under the seal of the court administrator or of the administrative agency which entered the same shall be admissible into evidence without further authentication and shall constitute prima facie evidence of the contents thereof.

Subd. 7. [MENTAL EXAMINATION; ACCESS TO MEDICAL DATA.] (a) If the board has probable cause to believe that a practitioner comes under subdivision 1, paragraph (h), (i), or (n), it may direct the practitioner to submit to a mental or physical examination or chemical dependency evaluation. For the purpose of this subdivision every practitioner regulated under this chapter is deemed to have consented to submit to a mental or physical examination or chemical dependency evaluation when directed in writing by the board and further to have waived all objections to the

admissibility of the examining physicians', psychologists', or mental health practitioners' testimony or examination reports on the ground that the same constitute a privileged communication. Failure of a practitioner to submit to an examination when directed constitutes an admission of the allegations against the practitioner, unless the failure was due to circumstance beyond the practitioner's control, in which case a default and final order may be entered without the taking of testimony or presentation of evidence. A practitioner affected under this paragraph shall at reasonable intervals be given an opportunity to demonstrate that the practitioner can resume the provision of mental health services with reasonable safety to clients.

In any proceeding under this paragraph, neither the record of proceedings nor the orders entered by the board shall be used against a practitioner in any other proceeding.

(b) In addition to ordering a physical or mental examination, the board may, notwithstanding section 13.42, 144.651, or any other law limiting access to medical or other health data, obtain medical data and health records relating to a practitioner or applicant without the practitioner's or applicant's consent if the board has probable cause to believe that a practitioner comes under subdivision 1, paragraph (g), (h), or (m). The medical data may be requested from a provider, as defined in section 144.335, subdivision 1, paragraph (b), an insurance company, or a government agency, including the department of human services. A provider, insurance company, or government agency shall comply with any written request of the board under this subdivision and is not liable in any action for damages for releasing the data requested by the board if the data are released pursuant to a written request under this subdivision, unless the information is false and the provider giving the information knew, or had reason to believe, the information was false. Information obtained under this subdivision is classified as private under sections 13.01 to 13.87.

Subd. 8. [TAX CLEARANCE CERTIFICATE.] (a) In addition to the provisions of subdivision 1, the board may not issue or renew a filing if the commissioner of revenue notifies the board and the practitioner or applicant for a filing that the practitioner or applicant owes the state delinquent taxes in the amount of \$500 or more. The board may issue or renew the filing only if (1) the commissioner of revenue issues a tax clearance certificate and (2) the commissioner of revenue or the practitioner or applicant forwards a copy of the clearance to the board. The commissioner of revenue may issue a clearance certificate only if the practitioner or applicant does not owe the state any uncontested delinquent taxes.

(b) For purposes of this subdivision, the following terms have the meanings given.

(1) "Taxes" are all taxes payable to the commissioner of revenue, including penalties and interest due on those taxes.

(2) "Delinquent taxes" do not include a tax liability if (i) an administrative or court action that contests the amount or validity of the liability has been filed or served, (ii) the appeal period to contest the tax liability has not expired, or (iii) the practitioner or applicant has entered into a payment agreement to pay the liability and is current with the payments.

(c) In lieu of the notice and hearing requirements of section 17, when a practitioner or applicant is required to obtain a clearance certificate under this subdivision, a contested case hearing must be held if the practitioner or applicant requests a hearing in writing to the commissioner of revenue within 30 days of the date of the notice provided in paragraph (a). The hearing must be held within 45 days of the date the commissioner of revenue refers the case to the office of administrative hearings. Notwithstanding any law to the contrary, the practitioner or applicant must be served with 20 days' notice in writing specifying the time and place of the hearing and the allegations against the practitioner or applicant. The notice may be served personally or by mail.

(d) The board shall require all practitioners or applicants to provide their social security number and Minnesota business identification number on all filing applications. Upon request of the commissioner of revenue, the board must provide to the commissioner of revenue a list of all practitioners and applicants, including the name and address, social security number, and business identification number. The commissioner of revenue may request a list of the practitioners and applicants no more than once each calendar year. Notwithstanding sections 290.61 and 297A.43, the commissioner of revenue may release information necessary to accomplish the purpose of this subdivision.

Sec. 6. [148B.06] [REPORTING OBLIGATIONS.]

Subdivision 1. [PERMISSION TO REPORT.] A person who has knowledge of any conduct constituting grounds for discipline under sections 1 to 21 may report the violation to the board.

Subd. 2. [INSTITUTIONS.] Any state agency, political subdivision, agency of a local unit of government, private agency, hospital, clinic, prepaid medical plan, or other health care institution or organization located in this state shall report to the board any action taken by the agency, institution or organization or any of its administrators or medical or other committees to revoke, suspend, restrict, or condition a practitioner's privilege to practice or treat patients or clients in the institution, or as part of the organization, any denial of privileges, or any other disciplinary action. The institution or organization shall also report the resignation of any

practitioners prior to the conclusion of any disciplinary proceeding, or prior to the commencement of formal charges but after the practitioner had knowledge that formal charges were contemplated or in preparation. No report shall be required of a practitioner voluntarily limiting the practice of the practitioner at a hospital provided that the practitioner notifies all hospitals at which the practitioner has privileges of the voluntary limitation and the reasons for it.

Subd. 3. [PROFESSIONAL SOCIETIES.] A state or local professional society for marriage and family therapists, social workers, or other mental health practitioners shall report to the board any termination, revocation, or suspension of membership or any other disciplinary action taken against a mental health practitioner. If the society has received a complaint which might be grounds for discipline under sections 1 to 21 against a member practitioner on which it has not taken any disciplinary action, the society shall report the complaint and the reason why it has not taken action on it or shall direct the complainant to the board of mental health practitioners.

Subd. 4. [MENTAL HEALTH PRACTITIONERS AND LICENSED PROFESSIONALS.] A mental health practitioner or a licensed health professional shall report to the board personal knowledge of any conduct which the practitioner or professional reasonably believes constitutes grounds for disciplinary action under sections 1 to 21 by any practitioner, including any conduct indicating that the practitioner may be medically incompetent, or may have engaged in unprofessional conduct or may be medically or physically unable to engage safely in the provision of mental health services. No report shall be required if the information was obtained in the course of a practitioner-client relationship if the client is another practitioner and the treating practitioner successfully counsels the other practitioner to limit or withdraw from practice to the extent required by the impairment.

Subd. 5. [INSURERS.] Four times each year as prescribed by the board, each insurer authorized to sell insurance described in section 60A.06, subdivision 1, clause (13), and providing professional liability insurance to mental health practitioners, or the medical joint underwriting association under chapter 62F, shall submit to the board a report concerning the practitioners against whom malpractice settlements or awards have been made to the plaintiff. The report must contain at least the following information:

(1) the total number of malpractice settlements or awards made to the plaintiff;

(2) the date the malpractice settlements or awards to the plaintiff were made;

(3) the allegations contained in the claim or complaint leading to the settlements or awards made to the plaintiff;

(4) the dollar amount of each malpractice settlement or award;

(5) the regular address of the practice of the practitioner against whom an award was made or with whom a settlement was made; and

(6) the name of the practitioner against whom an award was made or with whom a settlement was made.

The insurance company shall, in addition to the above information, report to the board any information it possesses which tends to substantiate a charge that a practitioner may have engaged in conduct violating sections 1 to 21.

Subd. 6. [COURTS.] The court administrator of district court or any other court of competent jurisdiction shall report to the board any judgment or other determination of the court which adjudges or includes a finding that a practitioner is mentally ill, mentally incompetent, guilty of a felony, or guilty of a violation of federal or state narcotics laws or controlled substances act, guilty of an abuse or fraud under Medicare or Medicaid, appoints a guardian of the practitioner pursuant to sections 525.54 to 525.61 or commits a practitioner pursuant to chapter 253B or sections 526.09 to 526.11.

Subd. 7. [SELF-REPORTING.] A practitioner shall report to the board any personal action which would require that a report be filed with the board by any person, health care facility, business, or organization pursuant to subdivisions 2 to 6.

Subd. 8. [DEADLINES; FORMS.] Reports required by subdivisions 2 to 7 must be submitted not later than 30 days after the occurrence of the reportable event or transaction. The board may provide forms for the submission of reports required by this section, may require that reports be submitted on the forms provided, and may adopt rules necessary to assure prompt and accurate reporting.

Subd. 9. [SUBPOENAS.] The board may issue subpoenas for the production of any reports required by subdivisions 2 to 7 or any related documents.

Sec. 7. [148B.07] [IMMUNITY.]

Subdivision 1. [REPORTING.] Any person, health care facility, business, or organization is immune from civil liability or criminal prosecution for submitting a report to the board pursuant to section 6 or for otherwise reporting to the board violations or alleged violations of section 5 or 13. All such reports are confidential and absolutely privileged communications.

Subd. 2. [INVESTIGATION.] Members of the board and persons employed by the board or engaged in the investigation of violations and in the preparation and management of charges of violations of sections 1 to 21 on behalf of the board are immune from civil liability and criminal prosecution for any actions, transactions, or publications in the execution of, or relating to, their duties under sections 1 to 21.

Sec. 8. [148B.08] [PRACTITIONER COOPERATION.]

A practitioner who is the subject of an investigation by or on behalf of the board shall cooperate fully with the investigation. Cooperation includes responding fully and promptly to any question raised by or on behalf of the board relating to the subject of the investigation and providing copies of client records, as reasonably requested by the board, to assist the board in its investigation. The board shall pay for copies requested. If the board does not have a written consent from a client permitting access to the client's records, the practitioner shall delete any data in the record which identifies the client before providing it to the board. The board shall maintain any records obtained pursuant to this section as investigative data pursuant to chapter 13.

Sec. 9. [148B.09] [DISCIPLINARY ACTIONS.]

Subdivision 1. [FORMS OF DISCIPLINARY ACTION.] When the board finds that a practitioner has violated a provision or provisions of sections 1 to 21, it may do one or more of the following:

- (1) deny or reject the filing or application for registration;
- (2) revoke the right to practice or the right to the use of a registered title;
- (3) suspend the right to practice or the right to the use of a registered title;
- (4) impose limitations or conditions on the practitioner's provision of mental health services, the imposition of rehabilitation requirements, or the requirement of practice under supervision;
- (5) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the practitioner of any economic advantage gained by reason of the violation charged or to reimburse the board for all costs of the investigation and proceeding;
- (6) order the practitioner to provide unremunerated professional service under supervision at a designated public hospital, clinic, or other health care institution; or

(7) censure or reprimand the practitioner.

Subd. 2. [PROCEDURES.] The board shall adopt a written statement of internal operating procedures for receiving and investigating complaints reviewing misconduct cases, and imposing disciplinary actions.

Subd. 3. [MANDATORY SUSPENSION OR REVOCATION OF RIGHT OF PRACTICE.] The board shall suspend or revoke the right of a practitioner to provide mental health services, and the right to use any registered title, for violations of section 5, subdivision 1, paragraphs (a), (b), and (n).

Sec. 10. [148B.10] [DISCIPLINARY RECORD ON JUDICIAL REVIEW.]

Upon judicial review of any board disciplinary action taken under sections 1 to 21, the reviewing court shall seal the administrative record, except for the board's final decision, and shall not make the administrative record available to the public.

Sec. 11. [148B.11] [PRACTITIONER ACCOUNTABILITY.]

Subdivision 1. [INVESTIGATION.] The board shall maintain and keep current a file containing the reports and complaints filed against practitioners in the state. Each complaint filed with the board pursuant to section 214.10, subdivision 1, shall be investigated according to section 214.10, subdivision 2.

Whenever the files maintained by the board show that a malpractice settlement or award to the plaintiff has been made against a practitioner as reported by insurers pursuant to section 6, the executive director of the board shall notify the board and the board may authorize a review of the practitioner's practice.

Subd. 2. [ATTORNEY GENERAL INVESTIGATES.] When the board initiates a review of a practitioner's practice it shall notify the attorney general who shall investigate the matter in the same manner as provided in section 214.10. If an investigation is to be made, the attorney general shall notify the practitioner, and, if the incident being investigated occurred there, the administrator and chief of staff at the health care facilities or clinics in which the practitioner serves, if applicable.

Subd. 3. [ACCESS TO RECORDS.] The board shall have access to records of a client treated by the practitioner under review if the client signs a written consent permitting such access. If no consent form has been signed, the hospital, clinic, or practitioner shall first delete data in the record which identifies the client before providing it to the board.

Sec. 12. [148B.12] [MALPRACTICE HISTORY.]

Subdivision 1. [SUBMISSION.] Practitioners who have previously practiced in another state shall submit with their filing the following information:

(1) number, date, and disposition of any malpractice settlement or award made to the plaintiff or other claimant relating to the quality of mental health services provided by the practitioner; and

(2) number, date, and disposition of any civil litigations or arbitrations relating to the quality of mental health services provided by the practitioner in which the party complaining against the practitioner prevailed or otherwise received a favorable decision or order.

Subd. 2. [BOARD ACTION.] The board shall give due consideration to the information submitted under this section. An applicant who willfully submits incorrect information shall be subject to disciplinary action under section 9.

Sec. 13. [148B.13] [MENTAL HEALTH CLIENT BILL OF RIGHTS.]

Subdivision 1. [SCOPE.] All mental health practitioners other than those providing services in a facility regulated under section 144.651 shall provide to each client prior to providing treatment a written copy of the mental health client bill of rights. Reasonable accommodations shall be made for those clients who cannot read or who have communication impairments and those who do not read or speak English. The mental health client bill of rights shall include the following:

(a) The name, title, business address, and telephone number of the mental health practitioner.

(b) The degrees, training, experience, or other qualifications of the mental health practitioner.

(c) The name, business address, and telephone number of the mental health practitioner's supervisor, if any.

(d) Notice that a client has the right to file a complaint with the practitioner's supervisor, if any, and the procedure for filing complaints.

(e) The name, address, and telephone number of the board of mental health practitioners and notice that a client may file complaints with the board.

(f) The practitioner's fees per unit of service, the practitioner's method of billing for such fees, the names of any insurance companies that have agreed to reimburse the practitioner, or health maintenance organizations with whom the practitioner contracts to provide service, whether the practitioner accepts Medicare, medical assistance, or general assistance medical care, and whether the provider is willing to accept partial payment, or to waive payment, and in what circumstances.

(g) A statement that the client has a right to reasonable notice of changes in services or charges.

(h) A brief summary, in plain language, of the theoretical approach used by the therapist in treating patients.

(i) Notice that the client has a right to complete and current information concerning the practitioner's diagnosis and recommended course of treatment, including the expected duration of treatment.

(j) A statement that clients may expect courteous treatment and to be free from verbal, physical, or sexual abuse by the therapist. For the purposes of this section, abuse has the meaning given to it in section 144.651.

(k) A statement that client records and transactions with the therapist shall be confidential, unless release of these records is authorized in writing by the client, or otherwise provided by law.

(l) The right to be allowed access to records and written information from records in accordance with section 144.335.

(m) A statement that other services may be available in the community, including where information concerning such services may be available.

(n) A statement that the client has the right to choose freely among available providers, and to change providers after services have begun, within the limits of health insurance, medical assistance, or other health programs.

(o) A statement that the client has a right to coordinated transfer when there will be a change in the provider of services.

(p) A statement that the client has a right to receive mental health services according to a suitable and up-to-date plan, and to take an active part in creating and changing the plan and evaluating care and services.

(q) A statement that the client may refuse services or treatment, unless otherwise provided by law.

(r) A statement that the client may assert the client's rights without retaliation.

Subd. 2. [ACKNOWLEDGMENT BY CLIENT.] Prior to the provision of any service, the client must sign a written statement attesting that the client has received the client bill of rights.

Sec. 14. [148B.14] [PUBLICATION OF DISCIPLINARY ACTIONS.]

At least annually, the board shall publish and release to the public a description of all disciplinary measures taken by the board. The publication must include, for each disciplinary measure taken, the name and business address of the practitioner, the nature of the misconduct, and the disciplinary measure taken by the board.

Sec. 15. [148B.15] [EVIDENCE OF PAST SEXUAL CONDUCT.]

In a proceeding for the suspension or revocation of the right to practice or other disciplinary action for unethical or unprofessional conduct involving sexual contact with a client or former client, the board or administrative law judge shall not consider evidence of the client's previous sexual conduct nor shall any reference to this conduct be made during the proceedings or in the findings, except by motion of the complainant, unless during the proceedings or in the findings, except by motion of the complainant, unless the evidence would be admissible under the applicable provisions of section 609.347, subdivision 3.

Sec. 16. [148B.16] [DISPUTE RESOLUTION.]

Subdivision 1. [ARBITRATION.] The board shall encourage mental health practitioners to submit all fee disputes to binding arbitration.

Subd. 2. [MEDIATION.] The board shall encourage mental health practitioners to submit all disputes which are not related to violations of the code of professional conduct set forth in section 5 to voluntary mediation.

Sec. 17. [148B.17] [CONTESTED CASES.]

In any disciplinary proceeding under section 9, the provisions of chapters 14 and 214 shall apply.

Sec. 18. [148B.18] [FEES.]

The board shall by rule establish fees for filings, applications for registration, and renewals of filings or applications for registration such that the total fees collected by the board will as closely as possible equal anticipated expenditures during the fiscal biennium, as provided in section 16A.128.

The fees established under this section shall include an amount necessary to recover, over a five-year period, expenditures of the board prior to the effective date of rules establishing fees.

Fees must be credited to the special revenue fund.

Sec. 19. [148B.19] [RENEWALS.]

Notwithstanding any law to the contrary, the board shall adopt rules providing for the renewal of filings and certificates of registration. The rules shall specify the period of time for which a filing or certificate of registration is valid, procedures and information required for the renewal, and renewal fees to be paid under section 18.

Sec. 20. [148B.20] [REGISTRATION OF MARRIAGE AND FAMILY THERAPISTS.]

Subdivision 1. [PROTECTION OF TITLE.] A person shall not use the title of marriage and family therapist, marriage and family counselor, marriage and family advisor, or marriage and family consultant if the person has not met the requirements of this section.

Subd. 2. [ADVISORY COUNCIL OF MARRIAGE AND FAMILY THERAPY.] (a) In its initial composition, the advisory council shall consist of (1) three persons who meet the criteria in subdivision 3, one of whom is also a member of the board of mental health practitioners, (2) three public members appointed by the board of mental health practitioners, and (3) one representative of a third party payer of health care costs.

(b) Within one year of the effective date of rules adopted by the board of mental health practitioners to govern the registration of marriage and family therapists, members of the advisory council specified in paragraph (a), clause (1) shall be registered marriage and family therapists.

(c) The advisory council of marriage and family therapy shall advise the board of mental health practitioners on rules to establish criteria for use of the title of marriage and family therapist. The advisory council shall advise the board of mental health practitioners as to whether an applicant for registration as a marriage and family therapist meets the criteria established in this section and relevant rules of the board of mental health practitioners.

Subd. 3. [CRITERIA FOR REGISTRATION AS A MARRIAGE AND FAMILY THERAPIST.] To be registered as a marriage and family therapist, or a closely related title, an applicant must provide to the board evidence that he or she holds a masters or doctoral degree in marriage and family therapy from an accredited institution as determined by the board of mental health practitioners in rule, or a masters or doctoral degree in an allied mental health profession as defined by the board of mental health practitioners in rule.

Subd. 4. [SUSPENSION, REVOCATION OF RIGHT TO USE TITLE.] The board of mental health practitioners may suspend or revoke the right to use the title of marriage and family therapist for failure to maintain compliance with the criteria established in this section and in relevant rules of the board of mental health practitioners for registration as a marriage and family therapist. The board may proceed jointly to suspend or revoke both the right to provide mental health services and the right to use of the title marriage and family therapist. Suspension or revocation of the right to use the title marriage and family therapist is automatic upon suspension or revocation of the right to provide mental health services by the board of mental health practitioners.

Subd. 5. [MANDATORY REPORTING.] The advisory council of marriage and family therapy shall report all cases of alleged or suspected violations of the mental health practitioners act to the board of mental health practitioners.

Sec. 21. [148B.21] [REGISTRATION OF SOCIAL WORKERS.]

Subdivision 1. [PROTECTION OF TITLE.] A person shall not use the title of social worker, master social worker, or clinical social worker, except in accordance with this section and relevant rules of the board of mental health practitioners.

Subd. 2. [ADVISORY COUNCIL OF SOCIAL WORK.] (a) In its initial composition, the advisory council shall consist of (1) three persons who meet the criteria in subdivision 3, one of whom shall be a member of the board of mental health practitioners, one of whom shall be employed by a public agency, and one of whom shall hold a degree related to social work as defined by the board of mental health practitioners in rule, (2) three public members appointed by the board of mental health practitioners, (3) one representative of a third party payer of health care costs, and (4) two representatives of a local unit of government.

(b) Within one year of the effective date of rules adopted by the board of mental health practitioners to govern the registration of social workers, members of the advisory council specified in paragraph (a), clause (1) shall be registered social workers.

(c) The advisory council of social work shall advise the board of mental health practitioners on rules to establish criteria for the use of the titles of social worker, master social worker, and clinical social worker. The advisory council shall also advise the board of mental health practitioners as to whether an applicant for registration as a social worker meets the criteria in this section and relevant rules established by the board of mental health practitioners.

Subd. 3. [CRITERIA.] (a) To be registered as a social worker, an applicant must provide satisfactory evidence that the applicant has received a baccalaureate degree with a major in social work or a related field from an accredited college or university as determined by the board of mental health practitioners in rule.

(b) To be registered as a master social worker, the applicant must provide satisfactory evidence that the applicant:

(1) has received a masters or doctoral degree in social work from an accredited college or university; and

(2) has engaged in supervised social work practice for two years or 4,000 hours after receiving the masters or doctoral degree in social work.

(c) To be registered as a clinical social worker, the applicant must provide satisfactory evidence that the applicant:

(1) has received a masters or doctoral degree in social work from an accredited college or university that includes an advanced concentration in clinically oriented course work as specified by the board in rule;

(2) has successfully completed a supervised clinical field placement at the graduate or post-graduate level; and

(3) has practiced clinical social work as defined by the board in rule for at least two years or 4,000 hours after receiving the masters or doctoral degree in social work.

Subd. 4. [SUSPENSION, REVOCATION OF TITLE.] The board of mental health practitioners may revoke or suspend the right to use the title of social worker, master social worker, or clinical social worker for failure to maintain compliance with the criteria established in this section and in relevant rules of the board of mental health practitioners for registration as a social worker, master social worker, or clinical social worker. The board may proceed jointly to suspend or revoke both the right to provide mental health services and the right to use the title social worker, master social worker, or clinical social worker. Suspension or revocation of the right to use these titles is automatic upon the suspension or revocation of the

right to provide mental health services by the board of mental health practitioners.

Subd. 5. [MANDATORY REPORTING.] The advisory board on social work shall report all alleged or suspected violations of the mental health practitioners act to the board of mental health practitioners.

Sec. 22. [144B.22] [ADVISORY COUNCILS PERMANENT.]

Notwithstanding the provisions of section 15.059, subdivision 5, the advisory council of marriage and family therapy and the advisory council of social work shall be permanent.

Advisory council members shall receive compensation under section 15.059, subdivision 3.

Sec. 23. Minnesota Statutes 1986, section 13.41, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] As used in this section "licensing agency" means any board, department or agency of this state which is given the statutory authority to issue professional or other types of licenses, including the board of mental health practitioners, except the various agencies primarily administered by the commissioner of human services. Data pertaining to persons or agencies licensed or registered under authority of the commissioner of human services shall be administered pursuant to section 13.46, subdivision 4.

Sec. 24. Minnesota Statutes 1986, section 144.335, subdivision 1, is amended to read:

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

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

(b) "Provider" means (1) any person who furnishes health care services and is licensed to furnish the services pursuant to chapters 147, 148, 150A, 151 or 153; a mental health practitioner under chapter 148B; and (2) a health care facility licensed pursuant to this chapter or chapter 144A.

Sec. 25. Minnesota Statutes 1986, section 148A.01, subdivision 5, is amended to read:

Subd. 5. [PSYCHOTHERAPIST.] "Psychotherapist" means a physician, psychologist, nurse, chemical dependency counselor, social worker, member of the clergy, mental health practitioner, or other person, whether or not licensed by the state, who performs or purports to perform psychotherapy.

Sec. 26. Minnesota Statutes 1986, section 214.01, subdivision 2, is amended to read:

Subd. 2. "Health-related licensing board" means the board of examiners of nursing home administrators established pursuant to section 144A.19, the board of medical examiners created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, the board of optometry established pursuant to section 148.52, the board of psychology established pursuant to section 148.90, the board of mental health practitioners established pursuant to section 3, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatry established pursuant to section 153.02, and the board of veterinary medicine, established pursuant to section 156.01.

Sec. 27. Minnesota Statutes 1986, section 609.341, subdivision 17, is amended to read:

Subd. 17. "Psychotherapist" means a physician, psychologist, nurse, chemical dependency counselor, social worker, clergy, mental health practitioner, or other person, whether or not licensed by the state, who performs or purports to perform psychotherapy.

Sec. 28. [EMERGENCY RULES.]

The board may adopt emergency rules under sections 14.29 to 14.385 to carry out the provisions of this chapter, including adopting emergency rules for implementing and administering sections 20 and 21. The authority to use sections 14.29 to 14.385 will expire on December 31, 1988.

Sec. 29. [APPROPRIATION.]

\$835,000 is appropriated from the special revenue fund to the board for costs of administering sections 1 to 27.

Sec. 30. [EFFECTIVE DATE.]

Sections 4 to 27 are effective July 1, 1988."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gruenes et al amendment and the roll was called. There were 49 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Gruenes	McDonald	Ozment	Sparby
Bennett	Gutknecht	McEachern	Poppenhagen	Svigum
Bertram	Hartle	McKasy	Quist	Thiede
Bishop	Haukoos	McPherson	Redalen	Tjornhom
Blatz	Heap	Miller	Richter	Tompkins
Boo	Himle	Morrison	Rose	Uphus
Burger	Hugoson	O'Connor	Sarna	Valento
Clausnitzer	Johnson, V.	Olsen, S.	Schafer	Waltman
Dille	Knickerbocker	Omann	Schreiber	Wenzel
Frerichs	Marsh	Onnen	Shaver	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lasley	Otis	Simoneau
Battaglia	Jacobs	Lieder	Pappas	Skoglund
Bauerly	Jaros	Long	Pelowski	Solberg
Beard	Johnson, R.	McLaughlin	Peterson	Stanisus
Begich	Kahn	Minne	Price	Steenma
Brown	Kalis	Munger	Quinn	Trimble
Carlson, L.	Kelly	Murphy	Reding	Tunheim
Carruthers	Kelso	Nelson, C.	Rest	Vanasek
Clark	Kinkel	Nelson, D.	Rice	Vellenga
Cooper	Kludt	Nelson, K.	Riveness	Wagenius
Dauner	Knuth	Ogren	Rodosovich	Welle
DeBlicke	Kostohryz	Olson, E.	Rukavina	Winter
Dorn	Krueger	Olson, K.	Schoenfeld	Wynia
Forsythe	Larsen	Orenstein	Segal	Spk. Norton

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

Poppenhagen was excused while in conference.

Gruenes moved to amend H. F. No. 290, the third engrossment, as follows:

Page 16, line 5, delete "Social"

Page 16, delete lines 6 to 10

Page 16, line 15, after the semicolon delete to the end of the line

Page 16, line 15, delete everything before the semicolon and insert "a clinical social worker with a masters degree in social work from an accredited college or university, licensed under chapter 148B,

with at least two years of post masters supervised experience in direct clinical practice"

Page 16, line 30, delete "9" and insert "10"

Page 16, line 30, after the period delete "For the"

Page 16, delete lines 31 to 36

Page 17, delete lines 1 to 25

Page 17, delete lines 32 to 36

Page 18, delete lines 1 to 7

Page 18, line 16, delete "The six social"

Page 18, delete lines 17 to 19

Page 19, line 23, delete "of each of the four groups of"

Page 20, line 16, after "of" insert a colon and delete to the end of the line

Page 20, delete lines 17 to 18

Page 20, delete lines 29 to 35

Page 21, line 7, after "work" insert "or a related field"

Page 21, delete lines 10 to 12

Page 21, delete lines 16 to 36

Page 22, delete lines 1 to 25

Page 23, line 4, delete the colon

Page 23, line 5, delete "(1) for a licensed social worker,"

Page 23, line 7, after "work" insert "or a related field"

Page 23, line 7, after the comma delete to the end of the line

Page 23, delete lines 8 to 11 and insert "or two years in full-time employment as a social worker within the last five years"

Page 23, delete lines 12 to 35

Page 24, line 3, delete "applicable supervision"

Page 24, after "4" delete "for"

Page 24, line 4, delete "each category of licensees"

Page 25, line 9, after "worker" insert a period

Page 25, delete lines 10 to 11,

Page 26, line 3, after "work" insert "or a related field"

Page 26, line 3, after the comma delete "or to"

Page 26, delete lines 4 to 6

Renumber remaining subdivisions and sections

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

Gruenes moved to amend H. F. No. 290, the third engrossment, as follows:

Page 26, after line 24, insert:

"Subd. 6. [HOSPITAL AND NURSING HOME SOCIAL WORKERS.] The licensure of social workers employed by hospitals and nursing homes licensed under chapters 144 and 144A shall be voluntary. Hospitals and nursing homes employing social workers shall not be required to employ licensed social workers, nor shall they require their social work employees to be licensed."

A roll call was requested and properly seconded.

The question was taken on the Gruenes amendment and the roll was called. There were 77 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cooper	Hugoson	Marsh	Onnen
Anderson, R.	Dauner	Jacobs	McDonald	Ozment
Bauerly	DeBlick	Jaros	McKasy	Pelowski
Bennett	Dille	Jennings	McPherson	Poppenhagen
Bertram	Forsythe	Jensen	Miller	Quist
Bishop	Frerichs	Johnson, V.	Minne	Redalen
Blatz	Gruenes	Kalis	Morrison	Richter
Boo	Gutknecht	Kelly	Neuenschwander	Rose
Brown	Hartle	Kelso	Olsen, S.	Schafer
Burger	Haukoos	Kinkel	Olson, E.	Schoenfeld
Clark	Heap	Knickerbocker	Olson, K.	Schreiber
Clausnitzer	Himle	Lieder	Omann	Seaberg

Shaver	Steensma	Tjornhom	Valento	Winter
Solberg	Sviggum	Tompkins	Vellenga	
Sparby	Swenson	Tunheim	Waltman	
Stanius	Thiede	Uphus	Wenzel	

Those who voted in the negative were:

Battaglia	Kahn	Munger	Pappas	Segal
Beard	Kludt	Murphy	Peterson	Simoneau
Begich	Knuth	Nelson, C.	Quinn	Skoglund
Carlson, L.	Kostohryz	Nelson, D.	Reding	Trimble
Carruthers	Krueger	Nelson, K.	Rice	Vanasek
Dorn	Larsen	O'Connor	Riveness	Voss
Greenfield	Lasley	Ogren	Rodosovich	Wagenius
Jefferson	Long	Orenstein	Rukavina	Welle
Johnson, A.	McEachern	Osthoff	Sarna	Wynia
Johnson, R.	McLaughlin	Otis	Scheid	Spk. Norton

The motion prevailed and the amendment was adopted.

Stanius moved to amend H. F. No. 290, the third engrossment, as amended, as follows:

Page 15, delete lines 12 to 19

Page 25, line 16, after the period, delete to the end of the line

Page 25, delete lines 17 to 19

Page 26, delete lines 12 to 17

Renumber the remaining subdivisions.

A roll call was requested and properly seconded.

POINT OF ORDER

Sviggum raised a point of order pursuant to rule 5.10 that H. F. No. 290, as amended, was not in order. Speaker pro tempore Simoneau ruled the point of order not well taken and H. F. No. 290, as amended, in order.

The question recurred on the Stanius amendment and the roll was called. There were 39 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Bennett	Dille	Knickerbocker	Miller	Redalen
Bishop	Gutknecht	Krueger	Olsen, S.	Richter
Blatz	Haukoos	Marsh	Omann	Rose
Burger	Heap	McDonald	Onnen	Schafer
Carlson, D.	Hugoson	McKasy	Poppenhagen	Schoenfeld
Clausnitzer	Johnson, V.	McPherson	Quist	Schreiber

Shaver Stanius	Sviggum Thiede	Tompkins Uphus	Valento Waltman	Wenzel
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Those who voted in the negative were:

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

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

Heap was excused between the hours of 5:05 p.m. and 6:50 p.m.

Stanius moved to amend H. F. No. 290, the third engrossment, as amended, as follows:

Page 1, delete line 30

Page 2, delete lines 1 to 3

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

Page 2, line 6, after the first comma, insert "and"

Page 2, line 6, after "therapy" delete to the end of the line and insert a period

Page 2, delete line 7

Page 2, line 8, delete "7" and insert "6"

Page 2, line 10, after "therapy" delete to the end of the line and insert a period

Page 2, delete line 11

Page 2, line 16, after the comma, insert "and"

Page 2, line 17, after the comma delete to the end of the line

Page 2, line 18, delete "service providers,"

Page 8, line 35, after the first comma, insert "and"

Page 8, line 35, after "therapy" delete to the end of the line

Page 8, line 36, delete "professionals"

Page 13, delete line 1

Page 13, line 2, delete "pursuant to article 4, section 2,"

Page 13, line 33, delete everything before "and"

Page 13, line 34, delete "15" and insert "14"

Page 14, line 27, delete "mental health"

Page 14, line 28, delete "service provider,"

Page 32, delete lines 28 to 36

Delete pages 33 to 42

A roll call was requested and properly seconded.

The question was taken on the Stanius amendment and the roll was called. There were 41 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Bennett	Gutknecht	McPherson	Rose	Tjornhom
Bishop	Haukoos	Miller	Schafer	Tompkins
Boo	Hugoson	Morrison	Schreiber	Uphus
Burger	Johnson, V.	Olsen, S.	Seaberg	Valento
Carlson, D.	Kludt	Omann	Shaver	Waltman
Clausnitzer	Knickerbocker	Onnen	Stanius	
Dauner	Marsh	Poppenhagen	Sviggun	
Dille	McDonald	Quist	Swenson	
Gruenes	McKasy	Richter	Thiede	

Those who voted in the negative were:

Anderson, G.	Cooper	Johnson, A.	Lasley	Neuenschwander
Battaglia	DeBlieck	Johnson, R.	Lieder	O'Connor
Bauerly	Dorn	Kahn	Long	Ogren
Beard	Forsythe	Kalis	McEachern	Olson, E.
Begich	Greenfield	Kelly	McLaughlin	Olson, K.
Bertram	Hartle	Kelso	Milbert	Orenstein
Blatz	Jacobs	Kinkel	Minne	Osthoff
Brown	Jaros	Knuth	Munger	Ozment
Carlson, L.	Jefferson	Kostohryz	Murphy	Pappas
Carruthers	Jennings	Krueger	Nelson, C.	Peterson
Clark	Jensen	Larsen	Nelson, K.	Price

Quinn	Rukavina	Skoglund	Vanasek	Wynia
Reding	Sarna	Solberg	Vellenga	Spk. Norton
Rest	Scheid	Sparby	Voss	
Rice	Schoenfeld	Steensma	Wagenius	
Riveness	Segal	Trimble	Wenzel	
Rodosovich	Simoneau	Tunheim	Winter	

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

H. F. No. 290, A bill for an act relating to occupations and professions; establishing an office of social work and mental health boards; establishing a board of social work; regulating and licensing social workers; establishing a board of marriage and family therapy; licensing and regulating marriage and family therapists; establishing a board of unlicensed mental health service providers; regulating unlicensed health service providers; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 144.335, subdivision 1; 148A.01, subdivision 5; 214.01, subdivision 2; 214.04, subdivision 3; and 609.341, subdivision 17; proposing coding for new law as Minnesota Statutes, chapter 148B.

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 99 yeas and 28 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bennett	Gruenes	Marsh	Poppenhagen	Thiede
Blatz	Gutknecht	McDonald	Quist	Tjornhom
Carlson, D.	Haukoos	McPherson	Richter	Uphus
Clausnitzer	Hugoson	Miller	Rose	Waltman
Dille	Johnson, V.	Olsen, S.	Schafer	
Frerichs	Knickerbocker	Onnen	Schreiber	

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

Speaker pro tempore Simoneau called Long to the Chair.

H. F. No. 606 was reported to the House.

Krueger moved to amend H. F. No. 606, the third engrossment, as follows:

Page 8, lines 28 and 29, delete "releases reported" and insert "costs incurred"

Page 8, line 32, delete "reported"

The motion prevailed and the amendment was adopted.

H. F. No. 606, as amended, was read for the third time.

POINT OF ORDER

Sviggum raised a point of order pursuant to rule 5.10 that H. F. No. 606, as amended, was not in order. Speaker pro tempore Long ruled the point of order well taken and H. F. No. 606, as amended, out of order.

Carlson, D., moved that H. F. No. 606, as amended, be re-referred to the Committee on Ways and Means. The motion prevailed.

Vanasek moved that the remaining bills on Special Orders for today with the exception of S. F. No. 1 be continued one day. The motion prevailed.

Vanasek moved pursuant to rule 5.10 that S. F. No. 1 meets the requirements of the House Budget Resolution.

A roll call was requested and properly seconded.

The question was taken on the Vanasek motion and the roll was called. There were 85 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bauerly	Bertram	Carlson, L.	Cooper
Anderson, R.	Beard	Brown	Carruthers	Dauner
Battaglia	Begich	Burger	Clark	DeBlicck

Dorn	Kinkel	Nelson, C.	Price	Sparby
Greenfield	Kludt	Nelson, D.	Quinn	Steensma
Hartle	Knuth	Nelson, K.	Reding	Trimble
Jacobs	Kostohryz	O'Connor	Rest	Tunheim
Jaros	Krueger	Ogren	Rice	Uphus
Jefferson	Larsen	Olson, E.	Riveness	Vanasek
Jennings	Lasley	Olson, K.	Rodosovich	Vellenga
Jensen	Lieder	Omann	Rose	Voss
Johnson, A.	Long	Orenstein	Rukavina	Wagenius
Johnson, R.	McEachern	Osthoff	Sarna	Welle
Kahn	McLaughlin	Otis	Schoenfeld	Wenzel
Kalis	Milbert	Pappas	Segal	Winter
Kelly	Minne	Pelowski	Simoneau	Wymia
Kelso	Murphy	Peterson	Solberg	Spk. Norton

Those who voted in the negative were:

Bennett	Haukoos	McPherson	Quist	Sviggum
Bishop	Himle	Miller	Redalen	Swenson
Blatz	Hugoson	Morrison	Richter	Thiede
Clausnitzer	Johnson, V.	Munger	Schafer	Tjornhom
Forsythe	Knickerbocker	Olsen, S.	Schreiber	Tompkins
Frerichs	Marsh	Onnen	Seaberg	Valento
Gruenes	McDonald	Ozment	Shaver	Waltman
Gutknecht	McKasy	Poppenhagen	Stanius	

The motion prevailed.

S. F. No. 1 was reported to the House.

Schoenfeld moved to amend S. F. No. 1, the unofficial engrossment, as follows:

Page 43, line 25, delete "grants"

Page 43, lines 26 and 27, delete "A set-aside grant may not be made" and insert "Under this subdivision, customized training may not be provided"

The motion prevailed and the amendment was adopted.

Burger moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 30, line 19, delete "\$3,500,000" and insert "\$3,150,000"

Page 43, line 32, delete "\$250,000" and insert "\$225,000"

Page 44, line 3, delete "\$250,000" and insert "\$225,000"

Page 45, line 24, delete "\$1,000,000" and insert "\$900,000"

Page 45, line 31, delete "\$500,000" and insert "\$450,000"

Page 45, line 32, delete "\$500,000" and insert "\$450,000"

Page 45, line 33, delete "\$1,000,000" and insert "\$900,000"

Page 45, line 36, delete "\$500,000" and insert "\$450,000"

Page 46, line 1, delete "\$500,000" and insert "\$450,000"

Page 63, line 14, delete "\$3,000,000" and insert "\$2,700,000"

A roll call was requested and properly seconded.

The question was taken on the Burger amendment and the roll was called. There were 43 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Bennett	Hartle	McPherson	Richter	Swenson
Bishop	Haukoos	Miller	Rose	Thiede
Blatz	Himle	Morrison	Schafer	Tjornhom
Burger	Hugoson	Olsen, S.	Scheid	Tompkins
Clausnitzer	Kelso	Onnen	Schreiber	Uphus
Dauner	Knickerbocker	Osthoff	Seaberg	Valento
Forsythe	Marsh	Ozment	Shaver	Waltman
Frerichs	McDonald	Poppenhagen	Stanius	
Gutknecht	McKasy	Quist	Sviggum	

Those who voted in the negative were:

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

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

Redalen and Carlson, D., moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 3, line 14, after "fish" insert "or rough fish, as defined in section 97A.015, subdivision 43, that are not commercially produced"

The motion prevailed and the amendment was adopted.

Schreiber moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 27, line 32, delete "a certified"

Page 27, line 33, delete "public accounting firm" and insert "the state auditor"

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment and the roll was called. There were 52 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Bennett	Gruenes	McPherson	Poppenhagen	Sviggum
Bishop	Gutknecht	Milbert	Quist	Swenson
Blatz	Hartle	Miller	Redalen	Thiede
Boo	Haukoos	Morrison	Richter	Tjornhom
Brown	Himle	Olsen, S.	Rose	Tompkins
Burger	Hugoson	Olson, E.	Schafer	Uphus
Carlson, D.	Johnson, V.	Omann	Scheid	Valento
Clausnitzer	Knickerbocker	Onnen	Schreiber	Waltman
Dille	Marsh	Orenstein	Seaberg	
Forsythe	McDonald	Osthoff	Shaver	
Frerichs	McKasy	Ozment	Stanius	

Those who voted in the negative were:

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

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

Olsen, S., was excused for the remainder of today's session.

Schreiber moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Pages 28 to 30, delete section 30

Renumber the sections in sequence

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment and the roll was called. There were 45 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Bennett	Gruenes	McKasy	Quist	Stanius
Bishop	Gutknecht	McPherson	Redalen	Swiggum
Blatz	Hartle	Miller	Richter	Swenson
Boo	Haukoos	Morrison	Rose	Thiede
Burger	Himle	Omann	Schafer	Tjornhom
Clausnitzer	Hugoson	Onnen	Scheid	Tompkins
Dille	Johnson, V.	Osthoff	Schreiber	Uphus
Forsythe	Knickerbocker	Ozment	Seaberg	Valento
Frerichs	McDonald	Poppenhagen	Shaver	Waltman

Those who voted in the negative were:

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

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

Schreiber moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 14, line 36, delete everything after the first period

Page 15, delete line 1

Page 15, line 2, delete "made by the board" and insert "The governor shall appoint all members of the board with the advice and consent of the majority leader and the minority leader of the senate and the speaker and minority leader of the house of representatives"

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

Schreiber moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 3, line 12, after the semicolon insert "or"

Page 3, line 14, delete everything after "fish" and insert a period

Page 3, delete lines 15 to 18

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment and the roll was called. There were 47 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frichs	Marsh	Poppenhagen	Sviggun
Bennett	Gruenes	McDonald	Quist	Swenson
Bishop	Gutknecht	McKasy	Redalen	Thiede
Blatz	Hartle	McPherson	Richter	Tjornhom
Boo	Haukoos	Miller	Rose	Uphus
Burger	Heap	Morrison	Schafer	Valento
Carlson, D.	Himle	Omann	Schreiber	Waltman
Clausnitzer	Hugoson	Onnen	Seaberg	
Dille	Johnson, V.	Osthoff	Shaver	
Forsythe	Knickerbocker	Ozment	Stanius	

Those who voted in the negative were:

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

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

Thiede moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 34, line 35, after "creation" delete "and" and insert a comma

Page 34, line 36, after "implementation" delete "of programs relating to rural development." and insert "and revision of tax, labor relations, insurance, and environmental regulatory programs and policies affecting the rural job market."

A roll call was requested and properly seconded.

The question was taken on the Thiede amendment and the roll was called. There were 47 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Forsythe	Knickerbocker	Poppenhagen	Swenson
Bennett	Frerichs	Marsh	Quist	Thiede
Bishop	Gruenes	McDonald	Richter	Tjornhom
Blatz	Gutknecht	McKasy	Rose	Tompkins
Boo	Hartle	McPherson	Schafer	Uphus
Burger	Haukoos	Miller	Schreiber	Valento
Carlson, D.	Heap	Morrison	Seaberg	Waltman
Clausnitzer	Himle	Omann	Shaver	
Dempsey	Hugoson	Onnen	Stanius	
Dorn	Johnson, V.	Ozment	Sviggum	

Those who voted in the negative were:

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

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

Rose moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 19, line 34, after "designed to" insert "encourage utilization of locally produced raw materials or to"

Page 20, line 1, after "priority must be given" insert "on the basis of economic benefit to farms and businesses located in the community where the project is to be located or"

The motion prevailed and the amendment was adopted.

Thiede moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 14, line 35, after "directors" insert ", seven of whom shall initially be"

Page 14, line 36, delete "The governor shall make the initial appointments."

Page 15, line 3, after "members." insert "Appointments made by the governor shall include persons with extensive experience in:

(1) administration of a corporate foundation or other philanthropic fund;

(2) administration of public or private trusts;

(3) venture capital management;

(4) corporate management; and

(5) administration of pure or applied research projects.

The remaining four members shall be current members of the legislature. The speaker of the house of representatives and the senate majority leader shall each appoint one majority and minority member of their respective legislative bodies to sit on the board."

A roll call was requested and properly seconded.

The question was taken on the Thiede amendment and the roll was called. There were 47 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	Marsh	Quist	Sviggum
Bennett	Gruenes	McDonald	Redalen	Swenson
Bishop	Hartle	McKasy	Richter	Thiede
Blatz	Haukoos	McPherson	Rose	Tjornhom
Boo	Heap	Miller	Schafer	Uphus
Burger	Himle	Morrison	Scheid	Valento
Carlson, D.	Hugoson	Omann	Schreiber	Waltman
Clausnitzer	Johnson, V.	Onnen	Seaberg	
Dempsey	Knickerbocker	Osthoff	Shaver	
Forsythe	Knuth	Poppenhagen	Stanius	

Those who voted in the negative were:

Anderson, G.	Dauner	Jensen	Krueger	Murphy
Battaglia	DeBlicke	Johnson, A.	Larsen	Nelson, C.
Bauerly	Dille	Johnson, R.	Lasley	Nelson, D.
Beard	Dorn	Kahn	Lieder	Nelson, K.
Begich	Greenfield	Kalis	Long	Neuenschwander
Bertram	Gutknecht	Kelly	McEachern	O'Connor
Brown	Jacobs	Kelso	McLaughlin	Ogren
Carlson, L.	Jaros	Kinkel	Milbert	Olson, E.
Carruthers	Jefferson	Kludt	Minne	Olson, K.
Cooper	Jennings	Kostohryz	Munger	Orenstein

Otis	Reding	Schoenfeld	Trimble	Wenzel
Ozment	Rest	Segal	Tunheim	Winter
Pappas	Rice	Simoneau	Vanasek	Wynia
Pelowski	Riveness	Skoglund	Vellenga	Spk. Norton
Peterson	Rodosovich	Solberg	Voss	
Price	Rukavina	Sparby	Wagenius	
Quinn	Sarna	Steensma	Welle	

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

Speaker pro tempore Long called Simoneau to the Chair.

Carlson, D., and Anderson, R., were excused while in conference.

Swiggum moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 16, line 3, delete everything after "471.705"

Page 16, line 4, delete everything before the period

A roll call was requested and properly seconded.

The question was taken on the Swiggum amendment and the roll was called. There were 53 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Gruenes	McDonald	Quist	Swenson
Bennett	Gutknecht	McKasy	Redalen	Thiede
Bishop	Hartle	McPherson	Richter	Tjornhom
Blatz	Haukoos	Milbert	Rose	Tompkins
Boo	Heap	Miller	Schafer	Uphus
Burger	Himle	Morrison	Scheid	Valento
Clausnitzer	Hugoson	Omann	Schreiber	Wagenius
Dauner	Johnson, A.	Onnen	Seaberg	Waltman
Dempsey	Johnson, V.	Osthoff	Shaver	Winter
Forsythe	Knickerbocker	Ozment	Stanisus	
Frerichs	Marsh	Poppenhagen	Swiggum	

Those who voted in the negative were:

Anderson, G.	Jacobs	Kostohryz	Nelson, K.	Rice
Battaglia	Jaros	Krueger	Neuenschwander	Rodosovich
Bauerly	Jefferson	Larsen	O'Connor	Rukavina
Beard	Jennings	Lasley	Ogren	Sarna
Begich	Jensen	Lieder	Olson, E.	Schoenfeld
Bertram	Johnson, R.	Long	Olson, K.	Segal
Brown	Kahn	McEachern	Orenstein	Simoneau
Carlson, L.	Kalis	McLaughlin	Otis	Skoglund
Carruthers	Kelly	Minne	Pappas	Solberg
Cooper	Kelso	Munger	Pelowski	Sparby
DeBlicke	Kinkel	Murphy	Peterson	Steensma
Dorn	Kludt	Nelson, C.	Quinn	Trimble
Greenfield	Knuth	Nelson, D.	Reding	Tunheim

Vanasek
Vellenga

Voss
Welle

Wenzel
Wynia

Spk. Norton

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

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

Rodosovich was excused between the hours of 7:45 p.m. and 8:20 p.m.

Waltman, McDonald and McPherson moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 11, lines 6 to 12, reinstate the stricken language

Page 11, line 13, after "may" reinstate the stricken language

Page 11, lines 19 to 22, reinstate the stricken language

A roll call was requested and properly seconded.

The question was taken on the Waltman et al amendment and the roll was called. There were 48 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Bennett	Gruenes	Marsh	Ozment	Svigum
Bishop	Gutknecht	McDonald	Poppenhagen	Swenson
Blatz	Hartle	McKasy	Quist	Thiede
Boo	Haukoos	McPherson	Redalen	Tjornhom
Burger	Heap	Miller	Richter	Tompkins
Carlson, D.	Himle	Minne	Rose	Uphus
Clausnitzer	Hugoson	Morrison	Schafer	Valento
Dempsey	Johnson, V.	Nelson, C.	Schreiber	Waltman
Forsythe	Kelso	Omann	Shaver	
Frerichs	Knickerbocker	Onnen	Stanius	

Those who voted in the negative were:

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

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

Valento moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 27, line 33, delete "audit" and insert "do a financial and compliance audit of"

The motion prevailed and the amendment was adopted.

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

Himle moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 30, line 19, delete "\$3,500,000" and insert "\$6,500,000"

Page 46, line 8, to page 63, line 26, delete article 6

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Himle amendment and the roll was called. There were 45 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Bennett	Frerichs	Knickerbocker	Poppenhagen	Stanius
Bishop	Gruenes	Marsh	Quist	Sviggum
Blatz	Gutknecht	McEachern	Redalen	Swenson
Boo	Hartle	McPherson	Richter	Thiede
Burger	Haukoos	Miller	Rose	Tjornhom
Carlson, D.	Heap	Morrison	Schafer	Uphus
Dempsey	Himle	Omann	Schreiber	Valento
Dille	Hugoson	Onnen	Shaver	Waltman
Forsythe	Johnson, V.	Ozment	Sparby	Wenzel

Those who voted in the negative were:

Anderson, G.	DeBlick	Kinkel	Munger	Otis
Battaglia	Greenfield	Kludt	Murphy	Pelowski
Bauerly	Jacobs	Knuth	Nelson, C.	Peterson
Beard	Jaros	Kostohryz	Nelson, D.	Price
Begich	Jefferson	Krueger	Nelson, K.	Quinn
Bertram	Jensen	Larsen	Neuenschwander	Reding
Brown	Johnson, A.	Lasley	O'Connor	Rest
Carlson, L.	Johnson, R.	Lieder	Ogren	Rice
Carruthers	Kahn	Long	Olson, E.	Riveness
Clark	Kalis	McLaughlin	Olson, K.	Rukavina
Cooper	Kelly	Milbert	Orenstein	Sarna
Dauner	Kelso	Minne	Osthoff	Scheid

Schoenfeld
Segal
Simoneau
Skoglund

Solberg
Steensma
Trimble
Tunheim

Vanasek
Vellenga
Voss
Wagenius

Welle
Winter
Wynia
Spk. Norton

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

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

Tjornhom moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 56, line 5, delete "or 3"

Page 56, delete lines 25 to 31

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

Kelly, Kludt and Nelson, D., moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 30, after line 33, insert:

"Sec. 34. [SUNSET AND REPLACEMENT.]

Subdivision 1. [REPLACEMENT.] Section 15, subdivision 7, is repealed and replaced with the language in subdivision 2 effective June 1, 1988.

Subd. 2. [MEETINGS AND ACTIONS OF THE BOARD.] The corporation board shall meet at least twice a year and may hold additional meetings upon giving whatever notice the bylaws of the corporation might provide. Meetings of the corporation board, institute boards, the governor's council on rural development, the greater Minnesota finance authority, and the research advisory board are subject to the provisions in section 471.705.

Subd. 3. [SUNSET.] Section 15, subdivision 8, is repealed effective June 1, 1988."

Page 30, line 34, delete "34" and insert "35"

The motion prevailed and the amendment was adopted.

Sviggum moved to amend S. F. No. 1, the unofficial engrossment, as amended, as follows:

Page 16, delete lines 16 to 21 and renumber the subsequent clause

The motion prevailed and the amendment was adopted.

S. F. No. 1, A bill for an act relating to economic development; rural development; renaming and providing powers to the agricultural resource loan guaranty board; establishing a mineral resources program; establishing duties for the community development division in the department of energy and economic development; transferring the independent wastewater treatment grant program from the pollution control agency to the Minnesota public finance authority; changing the membership of the Minnesota job skills partnership board; establishing the rural development board; establishing the challenge grant program; establishing the customized training program; establishing the greater Minnesota corporation; establishing the state supplemental education grant program; establishing the Minnesota public finance authority; providing a program for revitalization of the cities of St. Paul and Minneapolis; creating a program for funding economic development projects in the taconite tax relief area; permitting investment of earnings of the northeast Minnesota economic protection trust in venture capital enterprises; appropriating money; amending Minnesota Statutes 1986, sections 15.039, by adding a subdivision; 16A.80, subdivision 2a; 41A.01; 41A.02, subdivisions 3, 4, 6, 11, and by adding subdivisions; 41A.05, subdivisions 1 and 2; 41A.08; 116.16, subdivisions 2, 4, 5, 9, and by adding subdivisions; 116.18, subdivisions 2a and 3a; 116J.36, subdivisions 2, 3b, 3c, 8, 8a; and 11; 116J.37, subdivision 1, and by adding a subdivision; 116J.955, subdivisions 1 and 2; 116L.03, subdivision 2; 281.17; 298.292; 298.296, subdivision 2; 462.384, subdivision 7; 462.385, subdivisions 1 and 3; 462.386, subdivision 1; 462.387, subdivisions 1, 3 and 4; 462.39, subdivisions 2 and 3; 462.391, subdivisions 2, 3 and 4; 462.395; 462.396, subdivision 1; 462.398; and 462.445, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 41A; 93; 116J; 116L; and 136A; proposing coding for new law as Minnesota Statutes, chapters 116N; 116P; and 446A; repealing Minnesota Statutes 1986, sections 116.167; 116J.951; 116J.961; 116J.965; 116M.01; 116M.02; 116M.03; 116M.04; 116M.05; 116M.06; 116M.07; 116M.08; 116M.09; 116M.10; 116M.11; 116M.12; 116M.13; 472.11, subdivisions 3, 5, 6, 7, 8, and 9; 472.12, subdivisions 2, 3, and 4; 472.125; 472.13, subdivisions 2, 3, and 4; and Laws 1969, chapters 833 and 984.

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 93 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Krueger	Orenstein	Skoglund
Anderson, R.	Gruenes	Larsen	Otis	Solberg
Battaglia	Hartle	Lasley	Ozment	Sparby
Bauerly	Hugoson	Long	Pappas	Steensma
Beard	Jacobs	McEachern	Pelowski	Swiggum
Begich	Jaros	McLaughlin	Peterson	Trimble
Bertram	Jefferson	Milbert	Price	Tunheim
Boo	Jennings	Minne	Quinn	Uphus
Brown	Jensen	Munger	Redalen	Vanasek
Carlson, D.	Johnson, A.	Murphy	Reding	Vellenga
Carlson, L.	Johnson, R.	Nelson, C.	Rest	Voss
Carruthers	Johnson, V.	Nelson, D.	Rice	Wagenius
Clark	Kahn	Nelson, K.	Riveness	Waltman
Cooper	Kalis	Neuenschwander	Rodosovich	Welle
Dauner	Kelly	O'Connor	Rukavina	Wenzel
DeBlieck	Kinkel	Ogren	Sarna	Winter
Dempsey	Kludt	Olson, E.	Schoenfeld	Spk. Norton
Dille	Knuth	Olson, K.	Segal	
Dorn	Kostohryz	Omann	Simoneau	

Those who voted in the negative were:

Bennett	Haukoos	McKasy	Richter	Thiede
Bishop	Heap	McPherson	Schafer	Tjornhom
Blatz	Himle	Miller	Scheid	Tompkins
Burger	Kelso	Onnen	Schreiber	Valento
Forsythe	Knickerbocker	Osthoff	Shaver	Wynia
Frerichs	Marsh	Poppenhagen	Stanius	
Gutknecht	McDonald	Quist	Swenson	

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

MOTION FOR RECONSIDERATION

Anderson, G., moved that the vote whereby H. F. No. 606, as amended, was re-referred to the Committee on Ways and Means earlier today be now reconsidered. The motion prevailed.

H. F. No. 606, as amended, was reported to the House.

Anderson, G., moved that H. F. No. 606, as amended, be continued on Special Orders for one day. The motion prevailed.

The Speaker resumed the Chair.

MOTION FOR RECONSIDERATION

Larsen moved that the vote whereby S. F. No. 121, as amended, was not passed on Friday, May 8, 1987, be now reconsidered. The motion prevailed.

S. F. No. 121 was reported to the House.

Vellenga moved to lay S. F. No. 121, as amended, on the table. The motion prevailed and S. F. No. 121, as amended, was laid on the table.

MOTION FOR RECONSIDERATION

Shaver moved that the vote whereby H. F. No. 1496, as amended, was not passed on Friday, May 8, 1987, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Shaver motion and the roll was called. There were 80 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Battaglia	Forsythe	Kinkel	O'Connor	Schreiber
Beard	Greenfield	Kludt	Ogren	Segal
Begich	Gutknecht	Knickerbocker	Onnen	Shaver
Bennett	Haukoos	Knuth	Orenstein	Simoneau
Bertram	Heap	Larsen	Otis	Skoglund
Blatz	Himle	Lasley	Pappas	Stanisus
Boo	Jacobs	Long	Pelowski	Steensma
Burger	Jaros	McEachern	Price	Swenson
Carlson, L.	Jefferson	McKasy	Quinn	Trimble
Clark	Jennings	McLaughlin	Rest	Valento
Cooper	Jensen	Milbert	Rice	Vanasek
Dauner	Johnson, A.	Minne	Riveness	Vellenga
DeBlieck	Johnson, R.	Munger	Rodosovich	Voss
Dempsey	Kahn	Murphy	Rukavina	Wagenius
Dille	Kelly	Nelson, C.	Sarna	Wynia
Dorn	Kelso	Neuenschwander	Scheid	Spk. Norton

Those who voted in the negative were:

Bauerly	Kostohryz	Omann	Schafer	Tunheim
Bishop	Krueger	Osthoff	Schoenfeld	Uphus
Brown	Marsh	Peterson	Solberg	Waltman
Frerichs	McDonald	Poppenhagen	Sparby	Welle
Gruenes	McPherson	Quist	Sviggum	Wenzel
Hugoson	Miller	Reding	Thiede	Winter
Johnson, V.	Olson, E.	Richter	Tjornhom	

The motion prevailed.

H. F. No. 1496 was reported to the House.

Clark moved that H. F. No. 1496, as amended, be returned to General Orders. The motion prevailed.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 239, A bill for an act relating to elections; providing for school district elections to be conducted according to Minnesota election law; amending Minnesota Statutes 1986, sections 6.54; 122.22, subdivisions 2 and 4; 122.23, subdivisions 2, 9, and 10; 122.25, subdivision 1; 123.11, subdivision 7; 123.33, subdivision 4; 123.351, subdivision 1; 123.51; 127.09; 127.11; 200.01; 200.015; 200.02, by adding a subdivision; 201.016, subdivision 2; 201.018, subdivision 2; 201.061, subdivisions 3 and 6; 201.071, subdivisions 1, 3, 5, 6, and by adding a subdivision; 201.221, subdivisions 3 and 4; 201.27, subdivision 2; 203B.01, subdivision 2; 203B.04, subdivisions 1 and 2; 203B.05, subdivisions 1 and 2; 203B.06, subdivision 2; 203B.08, subdivision 4; 203B.10; 203B.11, subdivision 1; 203B.12, subdivision 6; 203B.13; 203B.15; 203B.19; 203B.23; 204B.02; 204B.09, subdivision 2; 204B.16, subdivision 1; 204B.18, subdivision 2; 204B.19, subdivision 1; 204B.21, subdivision 2; 204B.25, subdivision 1; 204B.29; 204B.31; 204B.32; 204B.34, by adding a subdivision; 204B.35, subdivision 1; 204C.02; 204C.06, subdivision 2; 204C.07, subdivision 3; 204C.08, subdivision 4; 204C.10, subdivision 2; 204C.19, subdivision 2; 204C.20, subdivision 4; 204C.24, subdivision 2; 204C.25; 204C.26, subdivisions 2 and 3; 204C.27; 204C.28, subdivision 2, and by adding a subdivision; 204C.29, subdivision 1; 204C.36; 206.56, by adding a subdivision; 206.58, subdivision 2; 209.02; 209.021, subdivision 3; 210A.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 205A; repealing Minnesota Statutes 1986, sections 123.015; 123.32; and 201.095.

Reported the same back with the following amendments:

Page 49, after line 1, insert:

“Sec. 14. [APPROPRIATION.]

\$20,000 the first year and \$20,000 the second year is appropriated to the secretary of state from the special revenue fund to carry out the purposes of this act.”

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 4, after the semicolon insert “appropriating money;”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 413, A bill for an act relating to public safety; increasing taxable gross weight of vehicles at which proof of payment of use tax is required; providing for permits for new vehicles used in events for promotion purposes; changing trip permit conditions; increasing fine for unlawful use of registration plates or certificates; allowing police to give age of parties in traffic accident to media; providing for service of notice of driver's license revocation by court; providing for chemical tests to determine presence of alcohol or controlled substance; prescribing contents of petition for judicial review of driver's license revocation; subjecting alcohol problem assessment rules to administrative procedure act; prescribing actions by drivers on one-way road when emergency vehicle approaching; requiring school buses on one-way, separated roads with shoulders to load and unload without flashing lights; allowing peace officers to weigh pickup towing trailer or semitrailer; providing for \$10 fee for class A classified provisional driver's license; allowing inspection of school buses for approved wheelchair devices; amending Minnesota Statutes 1986, sections 168.013, subdivision 20; 168.187, subdivision 17; 168.36, subdivision 2; 169.09, subdivision 13; 169.121, subdivision 7; 169.123, subdivision 5c; 169.124, subdivision 2; 169.20, subdivision 5; 169.44, subdivision 2; 169.85; 171.06, subdivision 2; and 299A.11; proposing coding for new law in Minnesota Statutes, chapter 168.

Reported the same back with the following amendments:

Page 3, line 4, strike everything after "misdemeanor"

Page 3, lines 5 and 6, strike the old language and delete the new language

Page 3, line 7, strike everything before the period

Page 9, after line 15, insert:

"Sec. 11. Minnesota Statutes 1986, section 169.57, is amended by adding a subdivision to read:

Subd. 4. [SINGLE STOP LAMPS.] On a vehicle which is required by federal motor vehicle safety standards to be equipped with a single center high-mounted stop lamp, and a vehicle equipped with a similar stop lamp, no person may alter the stop lamp by adding or installing an overlay, replacement lens, or other device which in any

way alters or obscures any portion of the lamp or affects the intensity of the light emitted."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, after the semicolon insert "prohibiting alteration of certain stop lamps;"

Page 1, line 27, after the first semicolon insert "169.57, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 705, A bill for an act relating to traffic regulations; requiring certain persons convicted of DWI or a DWI-related offense and certain juveniles adjudicated for a DWI offense to undergo chemical use assessment; imposing a penalty assessment on persons convicted of DWI or a DWI-related offense, and juveniles adjudicated for a DWI offense for the purpose of financing these chemical use assessments; appropriating money; amending Minnesota Statutes 1986, sections 169.121, by adding a subdivision; 169.124; 169.125; 169.126; and 260.193, subdivision 8.

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

The report was adopted.

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

H. F. No. 887, A bill for an act relating to environment; creating the clean water partnership program for the control of nonpoint source water pollution and providing for administration by the pollution control agency; requiring a state water quality assessment; authorizing technical and financial assistance to local govern-

ments; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Page 7, after line 20, insert:

“Sec. 12. [INTEGRATION OF DATA.]

The data collected for the activities of the clean water partnership program that have 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.”

Page 8, line 9, after “APPROPRIATION” insert “AND COMPLEMENT”

Page 8, delete lines 10 to 12, and insert:

“Subdivision 1. The following amounts are appropriated from the water pollution control fund to the pollution control agency:

	<u>1988</u>	<u>1989</u>
<u>(a) For administration and contractual services</u>	<u>\$299,500</u>	<u>\$348,000</u>

(b) \$1,352,500 for grants to local units of government under section 5. This amount is available until expended.

Subd. 2. The complement of the pollution control agency is increased by four positions.”

Renumber sections in sequence

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1505, A bill for an act relating to state government; creating an international music and communications arts center task force; appropriating money.

Reported the same back with the following amendments:

Page 1, line 24, delete everything after the period

Page 1, delete line 25

Page 2, delete line 1

Page 3, delete section 2

Page 3, line 8, delete "3" and insert "2"

Amend the title as follows:

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

With the recommendation that when so amended the bill pass.

The report was adopted.

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

S. F. No. 167, A bill for an act relating to the Minnesota zoological garden; increasing the size of the zoological board; permitting the board to appoint new members to the board; exempting members of the board from filing statements of economic interest; amending Minnesota Statutes 1986, section 85A.01, subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1986, section 85A.001, is amended to read:

85A.001 [PURPOSE.]

It is the intent of the legislature to foster a partnership between the private sector and the state for the purpose of operating a zoological garden. The legislature seeks to enable the Minnesota zoological garden to operate independently, efficiently, and economically and to be active in soliciting nonstate contributions. The legislature seeks to have the food and beverage facilities at the zoological garden operated in a manner designed to respond to the food and beverage service demands of visitors while maximizing the economic benefits accruing to the zoological garden from the operation of food and beverage facilities."

Page 2, line 2, delete the new language

Page 2, delete lines 3 and 4

Page 2, line 5, delete "and increasing public transportation to the zoo."

Page 2, after line 13, insert:

"Sec. 3. Minnesota Statutes 1986, section 85A.01, is amended by adding a subdivision to read:

Subd. 1b. The board shall design and maintain a schedule of admission fees that will encourage maximum year-round visitor attendance. The board shall, if practical, maintain facilities at the zoological garden to accommodate overnight groups of visitors from the nonmetropolitan area."

Page 2, line 23, delete "on" and insert "as"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 239, 413, 705, 887 and 1505 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 167 was read for the second time.

GENERAL ORDERS

Vanasek moved that the bills on General Orders for today be continued one day. The motion prevailed.

MOTIONS AND RESOLUTIONS

Vanasek, Schreiber and Rodosovich introduced:

House Resolution No. 45, A House resolution recognizing the participants in the 1987 High School Page Program.

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

ADJOURNMENT

Vanasek moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, May 13, 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 13, 1987.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

