

## STATE OF MINNESOTA

## SEVENTY-FIFTH SESSION—1988

## FIFTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 18, 1988

The House of Representatives convened at 2:00 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Alan McCain, Pastor of Rochester Congregational Church and President of the Rochester Council of Churches, Rochester, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Blatz, Minne and Schreiber were excused.

Rest and Riveness were excused until 2:35 p.m. Clark was excused until 3:00 p.m.

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

#### REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1773, 297, 421 and 1754 and S. F. No. 236 have been placed in the members' files.

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 453, A bill for an act relating to state investments; limiting investments in companies doing business in Northern Ireland; proposing coding for new law in Minnesota Statutes, chapter 11A.

Reported the same back with the following amendments:

Page 2, lines 25 and 26, delete "consistent with sound investment policy."

Page 2, line 35, after "investments" insert "or to make investments that violate sound investment policy for public pensions"

Amend the title as follows:

Page 1, line 3, after "Ireland;" insert "protecting public pension investment policy;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1486, A bill for an act relating to railroads; providing reporting and disclosure requirements for railroad acquisitions; preserving contracts between acquiring railroad carriers and shippers, governmental entities, and labor organizations; proposing coding for new law in Minnesota Statutes, chapter 222.

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

The report was adopted.

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

H. F. No. 1659, A bill for an act relating to constables; authorizing town boards to form law enforcement agencies; abolishing the office of constable; authorizing the board of peace officer standards and training to issue peace officer licenses to persons possessing constable licenses; transferring responsibilities imposed by law upon constables to peace officers; amending Minnesota Statutes 1986, sections 38.01; 88.10, subdivision 2; 88.18; 97A.205; 115.32, subdivision 3; 123.352, subdivision 3; 136C.08, subdivision 4; 169.123, subdivision 1; 169.965, subdivisions 4 and 5; 169.966, subdivisions 4 and 5; 169.98, subdivision 1; 176.011, subdivision 9; 192.68, subdivision 1; 192.85; 260.133, subdivision 3; 277.11; 299C.03; 299C.06; 299D.03, subdivision 1; 306.13; 315.43; 317.66, subdivision 4; 325E.21, subdivision 1; 326.337, subdivision 1; 327.76, subdivision 3; 329.07; 329.14; 330.06; 332.37; 343.29, subdivision 1; 345.04; 345.05; 345.14; 346.05; 346.14; 346.17; 346.18; 347.06; 347.14, subdivisions 1 and 2; 349.33; 357.12; 359.11; 367.11; 367.40, by adding a subdivision; 367.42, subdivision 1, and by adding a subdivision; 375.24; 382.27; 383C.645; 383C.673; 395.23; 398.13; 398.35, subdivision 2; 412.101; 412.861, subdivision 1; 473.608, subdivision 17; 514.22; 514.58; 518B.01, subdivision 6; 541.06; 561.07; 566.06; 566.16; 566.175, subdivision 1; 617.27; 624.24; 624.62; 626.05, subdivision 2; 626.84, subdivision 1; 626.848; 626.86; 626.861, subdivision 4; 626.88, subdivisions 1 and 2; 629.34, subdivision 1; and 631.04; proposing coding for new law in Minnesota Statutes, chapter 367; repealing Minnesota Statutes 1986, sections 367.03, subdivision 3; 367.40, subdivision 3; 367.41; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 367.40, subdivision 3, is amended to read:

Subd. 3. “Constable” means any individual employed or appointed by a political subdivision and licensed by the board of peace officer standards and training on or before August 1, 1988, who is charged with the prevention and detecting of crime, the enforcement of the general criminal laws of the state, and who has full powers of arrest. The term shall apply even though the individual exercises powers

and duties on a part-time basis with or without receipt of compensation.

Sec. 2. Minnesota Statutes 1986, section 367.40, is amended by adding a subdivision to read:

Subd. 5. [PART-TIME PEACE OFFICER.] "Part-time peace officer" has the meaning assigned to it in section 626.84.

Sec. 3. [367.401] [LAW ENFORCEMENT OFFICERS; APPOINTMENT; CONSTABLES; ENDING LICENSURE.]

Subdivision 1. [APPOINTMENT.] The town, by majority vote at its annual meeting, may decide to authorize the town board to form a law enforcement agency and to appoint law enforcement officers. These positions may be filled by a combination of peace officers or part-time peace officers. The number of part-time peace officers must not exceed three.

Subd. 2. [CHIEF LAW ENFORCEMENT OFFICER.] The board of supervisors shall designate one of its law enforcement officers as the chief law enforcement officer of the agency.

Subd. 3. [RESERVE OFFICERS.] A town may appoint reserve officers as defined by section 626.84.

Subd. 4. [REQUIREMENTS.] Those towns that have either peace officers or constables, or both, on August 1, 1988, are considered to have met the requirements for forming a law enforcement agency.

Sec. 4. [367.411] [PEACE OFFICER LICENSE ISSUED TO CONSTABLES.]

Subdivision 1. [LICENSE ISSUANCE.] The board of peace officer standards and training shall issue a peace officer license to a person who possesses a constable license, who is employed as a constable on August 1, 1988, and who makes written application to the board.

Subd. 2. [ABOLITION OF CONSTABLE POSITION.] The position of constable is abolished and all constable licenses are canceled on August 15, 1988.

Sec. 5. Minnesota Statutes 1986, section 367.42, subdivision 1, is amended to read:

Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any deputy constable employed on or after March 23, 1982, by a political subdivision town of the state of Minnesota shall have has the following powers and duties:

- (a) to have the powers of arrest of a private person;
- (b) to perform the duties of a constable prescribed by law relative to election procedure;
- (c) to perform the following duties at the direction of the county sheriff or ~~constable~~ a peace officer:
  - (i) to inspect communication wire and cable or records of such wire and cable pursuant to section 325E.21;
  - (ii) to conduct hotel lien sales pursuant to section 327.06; and
  - (iii) to conduct public auction sales of unclaimed property pursuant to sections 345.04 and 345.05.
- (d) to ~~arrest any individual who, in the deputy constable's presence, commits a violation of the Intoxicating Liquor Act, chapter 340;~~
- (e) to provide general administrative or clerical assistance to county sheriffs, local police departments or constables; and
- (f) to ~~provide traffic or crowd control assistance to county sheriffs, local police departments or constables~~ the town's law enforcement agency.

Sec. 6. Minnesota Statutes 1986, section 367.42, is amended by adding a subdivision to read:

Subd. 3. [CRIMINAL RECORDS CHECK.] No person may be employed as a deputy constable unless the person submits proof from the sheriff that shows that the sheriff has checked the criminal records system and that the applicant has not been convicted of a felony within the past ten years.

Sec. 7. [CONTINUATION OF DUTIES AND POWERS.]

All investigations, law enforcement matters, and other business involving a person holding the position of constable on August 15, 1988, may be conducted and completed by that person holding the successor position of peace officer in the same manner and under the same terms and conditions, and with the same effect, as though they involved a person holding the position of constable before August 1, 1988.

Sec. 8. [REPEALER.]

Minnesota Statutes 1986, sections 367.41, subdivisions 4 and 5; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdi-

vision 2; and Minnesota Statutes 1987 Supplement, sections 367.03, subdivision 3; and 367.41, subdivision 1, are repealed."

Delete the title and insert:

"A bill for an act relating to constables; authorizing town boards to form law enforcement agencies; abolishing the office of constable; authorizing the board of peace officer standards and training to issue peace officer licenses to persons possessing constable licenses; amending Minnesota Statutes 1986, sections 367.40, subdivision 3, and by adding a subdivision; and 367.42, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 367; repealing Minnesota Statutes 1986, sections 367.41, subdivisions 4 and 5; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdivision 2; and Minnesota Statutes 1987 Supplement, sections 367.03, subdivision 3; and 367.41, subdivision 1."

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

The report was adopted.

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

H. F. No. 1705, A bill for an act relating to the organization of state government; restoring certain duties of the state treasurer; appropriating money; amending Minnesota Statutes 1986, sections 11A.20, subdivision 1; 16A.055, subdivision 7; 16A.42, subdivision 2, and by adding a subdivision; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 69.031, by adding a subdivision; 268.05, subdivision 2; 349.212, by adding a subdivision; 361.03, subdivision 5; 361.27; and 473.606, subdivision 1; and Minnesota Statutes 1987 Supplement, sections 16A.275, subdivision 1; and 609.101, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 7 and 10.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [7.011] [DUTIES.]

The state treasurer shall receive and account for all money paid into the state treasury and safely keep it until lawfully disbursed and shall have and use a seal.

Sec. 2. [7.021] [EMPLOYEES.]

The state treasurer may appoint and, at pleasure, remove a deputy treasurer, who shall serve in the unclassified service and perform the duties of the office when the treasurer is absent or disabled. The appointment must be in writing and filed with the secretary of state. The treasurer shall be liable for the acts of the deputy. The treasurer may also employ other employees in accord with chapter 43A.

Sec. 3. [7.031] [ACCOUNTS; DISBURSEMENTS.]

The state treasurer shall keep accurate accounts of receipts and disbursements in accordance with generally accepted accounting principles. The treasurer shall redeem warrants issued by the commissioner of finance and presented to the treasurer for payment. No money may be paid out of the treasury except upon the warrant of the commissioner of finance. Money lawfully deposited in banks is not considered as paid out.

Sec. 4. [7.051] [STATEMENTS.]

At the close of each business day the state treasurer shall deliver to the commissioner of finance a statement, accounting for all the treasurer's receipts and disbursements during the day in accordance with generally accepted accounting principles, accompanied by all warrants redeemed. The treasurer shall report to the legislature by November 15 of each even-numbered year, and to the governor at the governor's request, the condition of the treasury and of the treasurer's public funds in accordance with generally accepted accounting principles, including receipts and disbursements, balances on hand, and where those balances are deposited.

Sec. 5. [7.131] [COLLECTIONS.]

The treasurer may require the assistance of the attorney general to facilitate the collection of money that the treasurer is required or authorized to receive and collect. The attorney general may institute suit in the name of the state to enforce collection of the money.

Sec. 6. [7.151] [PARTIAL PAYMENTS ACCEPTED.]

The treasurer may accept partial payments of money that the treasurer is required or authorized to receive and collect. No partial payment operates as a compromise of the claim covered by the payment, and the unpaid portion remains a claim of the state as fully as if no partial payment had been made.

Sec. 7. [7.161] [DISPOSAL OF CERTAIN MONEY.]

All money received by the state treasurer in the treasurer's official capacity from persons making payment without disclosing

their identities or without direction as to application must be deposited in the state treasury and credited to the general fund. The treasurer shall keep a record of money received and credited under this section, in accordance with generally accepted accounting principles.

Sec. 8. [7.171] [REVOLVING FUND.]

A revolving fund of \$100,000 must be kept in the state treasurer's office to cash drafts, checks, and state warrants. The treasurer shall keep an accurate daily account of the fund, in accordance with generally accepted accounting principles.

Sec. 9. Minnesota Statutes 1986, section 11A.20, subdivision 1, is amended to read:

Subdivision 1. [CERTIFICATION OF STATE TREASURY FUNDS NOT CURRENTLY NEEDED.] The state treasurer shall report to the commissioner of finance daily, or according to another schedule determined by the commissioner, on the funds in the state treasury together with any other information that the commissioner may prescribe. When there are funds in the state treasury over and above the amount that the commissioner of finance has determined are advised the treasurer is currently needed, the commissioner state treasurer shall certify to the state board the amount thereof of those surplus funds.

Sec. 10. Minnesota Statutes 1986, section 16A.055, subdivision 1, is amended to read:

Subdivision 1. [LIST.] The commissioner shall:

(1) receive and record all money paid into the state treasury and safely keep it until lawfully paid out exercise the rights, powers, and duties of the office;

(2) manage the state's financial affairs;

(3) keep the state's general account books according to generally accepted government accounting principles;

(4) keep expenditure and revenue accounts according to generally accepted government accounting principles;

(5) develop, provide instructions for, prescribe, and manage a state uniform accounting system; and

(6) provide to the state the expertise to ensure that all state funds are accounted for under generally accepted government accounting principles.

Sec. 11. Minnesota Statutes 1987 Supplement, section 16A.275, subdivision 1, is amended to read:

Subdivision 1. [IF \$250, DAILY.] Except as otherwise provided by law, an agency shall deposit receipts totaling \$250 or more in the state treasury with the treasurer daily. The depositing agency shall send a report to the commissioner on the disposition of receipts since the last report. The treasurer and the commissioner shall credit the deposits received during a month to the proper funds not later than the first day of the next month.

Notwithstanding the general rule stated above, the treasurer and commissioner of revenue is are not required to make daily deposits if (1) the volume of tax receipts cannot be processed daily with available resources, or (2) receipts cannot be immediately identified for posting to accounts.

Sec. 12. Minnesota Statutes 1986, section 16A.42, subdivision 2, is amended to read:

Subd. 2. [APPROVAL.] If the claim is approved, the commissioner shall complete and sign a warrant in the amount of the claim. The treasurer shall then accept and make the warrant negotiable by signing it.

Sec. 13. Minnesota Statutes 1986, section 16A.42, is amended by adding a subdivision to read:

Subd. 3a. [TREASURER'S DESIGNEE.] The treasurer may authorize an assistant to accept a warrant for the treasurer.

Sec. 14. Minnesota Statutes 1986, section 16A.45, subdivision 2, is amended to read:

Subd. 2. [PRESENTMENT OF CANCELED WARRANT.] When a canceled warrant is presented for payment, it shall must be paid by the treasurer and charged by the commissioner to the fund credited with the amount of the canceled warrant.

Sec. 15. Minnesota Statutes 1986, section 16A.47, is amended to read:

16A.47 [COMMISSIONER'S ACCOUNT, DOCUMENT DUTIES ACCOUNTS AND DOCUMENTS.]

The commissioner shall make and keep in the department's office a record of all accounts and documents required by law to be returned to or filed with the commissioner. The commissioner shall file and keep all official receipts and vouchers. The commissioner shall keep an account with the treasurer. The commissioner shall

charge the treasurer for all money paid into the treasury and credit the treasurer for all warrants redeemed by the treasurer and returned to the commissioner. The commissioner shall also keep an account for each appropriation, showing the disbursements. The commissioner shall keep other accounts needed to show the daily condition of state finances.

Sec. 16. Minnesota Statutes 1986, section 16A.58, is amended to read:

16A.58 [COMMISSIONER CUSTODIAN OF PAYMENT DOCUMENTS.]

The commissioner is the custodian of original documents on which money has been or may be paid out of the state treasury by the treasurer.

Sec. 17. Minnesota Statutes 1986, section 16A.672, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The commissioner and treasurer may issue, execute, deliver, register, and pay bonds and certificates of indebtedness in the form and manner provided in this section, when authorized under section 16A.641 or 16A.671.

Sec. 18. Minnesota Statutes 1986, section 16A.672, subdivision 2, is amended to read:

Subd. 2. [APPLICATION OF COMMERCIAL CODE.] All bonds and certificates are securities under sections 336.8-101 to 336.8-408. The commissioner and treasurer may do for the state whatever may or must be done under those sections to comply with the orders authorizing them. The bonds or certificates may be issued:

- (1) in one or more denominations;
- (2) in bearer form, with interest coupons attached; and
- (3) with provision for registration as to principal only; or
- (4) in fully registered form; and
- (5) with provision for registration of conversion and exchange of forms and denominations, transfer of ownership, and replacement of lost or damaged bonds.

Sec. 19. Minnesota Statutes 1986, section 16A.672, subdivision 3, is amended to read:

Subd. 3. [PREPARATION AND EXECUTION.] (a) Bonds and certificates of indebtedness may be printed or otherwise reproduced in the style and form the commissioner prescribes. They may state in a general way the purpose for which they are issued and the security provided for their payment or may incorporate the authorizing order by reference.

(b) They must be executed by the commissioner and the treasurer under the commissioner's their official seal seals. The signature signature and seals may be a reproduced facsimile facsimiles, but no bond or certificate is valid for any purpose unless it is manually signed on its face by the commissioner or treasurer or by a duly authorized representative of a bank or trust company named by the commissioner as an agent of the state to authenticate it.

Sec. 20. Minnesota Statutes 1986, section 69.031, is amended by adding a subdivision to read:

Subd. 2a. [PAYMENT.] The state treasurer shall, upon presentation of the warrant of the commissioner of finance as provided for in this section, pay out of the general fund of the state the amount of the warrant to the auditor of the county presenting the warrant.

Sec. 21. Minnesota Statutes 1986, section 268.05, subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER OF FINANCE STATE TREASURER TO BE CUSTODIAN; SEPARATE ACCOUNTS; BONDS.] The commissioner of finance state treasurer shall be ex officio the treasurer and custodian of the fund, administer the fund in accordance with the directions of the commissioner, and issue warrants upon it in accordance with such rules as the commissioner shall prescribe. The commissioner of finance treasurer shall maintain within the fund three separate accounts:

- (1) a clearing account;
- (2) an unemployment trust fund account; and
- (3) a benefit account.

All money payable to the fund, upon receipt thereof by the commissioner, shall be forwarded to the commissioner of finance treasurer, who shall immediately deposit them in the clearing account. All money in the clearing account, after clearance thereof, shall, except as herein otherwise provided, be immediately deposited with the secretary of the treasury of the United States to the credit of the account of this state in the unemployment trust fund established and maintained pursuant to section 904 of the Social Security Act, as amended, any provisions of law in this state relating to the

deposit, administration, release, or disbursement of money in the possession or custody of this state to the contrary notwithstanding. Refunds payable pursuant to sections 268.16, subdivision 6, and 268.04, subdivision 12, clause (8) (f), may be paid from the clearing account or the benefit account. The benefit account shall consist of all money requisitioned from this state's account in the unemployment trust fund in the United States Treasury for the payment of benefits. Except as herein otherwise provided, money in the clearing and benefit accounts may be deposited by the ~~commissioner of finance~~ treasurer, under the direction of the commissioner, in any depository bank in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. Money in the clearing and benefit accounts shall not be commingled with other state funds, but shall be maintained in separate accounts on the books of the depository bank. Such money shall be secured by the depository bank to the same extent and in the same manner as required by the general depository law of this state; and collateral pledged for this purpose shall be kept separate and distinct from any collateral pledged to secure other funds of the state. All sums recovered for losses sustained by the fund shall be deposited therein in the fund.

Sec. 22. Minnesota Statutes 1986, section 361.03, subdivision 5, is amended to read:

Subd. 5. [DISPOSITION OF RECEIPTS.] All money received by the commissioner ~~shall~~ must be deposited ~~in with~~ the state treasury treasurer and ~~shall~~ be credited to the water recreation account.

Sec. 23. Minnesota Statutes 1986, section 361.27, subdivision 2, is amended to read:

Subd. 2. [FINES, BAIL MONEY.] All fines, installment payments, and forfeited bail money collected from persons convicted of violations of sections 361.01 to 361.28 shall be paid to the county treasurer of the county where the violation occurred by the court administrator of court or other person collecting the money within 15 days after the last day of the month in which they were collected. One-half of the receipts shall be credited to the general revenue fund of the county. The other one-half of the receipts shall be transmitted by the county treasurer to the ~~commissioner of natural resources~~ state treasurer to be deposited in the water recreation account in the state treasury for the purpose of boat and water safety.

Sec. 24. Minnesota Statutes 1987 Supplement, section 609.101, is amended to read:

609.101 [SURCHARGE ON FINES, ASSESSMENTS; MINIMUM FINES.]

Subdivision 1. [SURCHARGES AND ASSESSMENTS.] When a

court sentences a person convicted of a felony, gross misdemeanor, or misdemeanor, other than a petty misdemeanor such as a traffic or parking violation, and if the sentence does not include payment of a fine, the court shall impose an assessment of not less than \$25 nor more than \$50. If the sentence for the felony, gross misdemeanor, or misdemeanor includes payment of a fine of any amount, including a fine of less than \$100, the court shall impose a surcharge on the fine of ten percent of the fine. This section applies whether or not the person is sentenced to imprisonment and when the sentence is suspended. The court may not waive payment or authorize payment of the assessment or surcharge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment or surcharge would create undue hardship for the convicted person or that person's immediate family. If the court fails to waive or impose an assessment required by this section, the court administrator shall correct the record to show imposition of an assessment of \$25 if the sentence does not include payment of a fine, or if the sentence includes a fine, to show an imposition of a surcharge of ten percent of the fine.

Except for assessments and surcharges imposed on persons convicted of violations described in section 97A.065, subdivision 2, the court shall collect and forward to the ~~commissioner of finance~~ state treasurer the total amount of the assessment or surcharge and the ~~commissioner~~ treasurer shall credit all money so forwarded to a crime victim and witness account, which is established as a special account in the state treasury.

Money credited to the crime victim and witness account may be appropriated for but is not limited to the following purposes:

(1) use for crime victim reparations under sections 611A.51 to 611A.68;

(2) use by the crime victim and witness advisory council established under section 611A.71; and

(3) to supplement the federally funded activities of the crime victim ombudsman under section 611A.74.

If the convicted person is sentenced to imprisonment, the chief executive officer of the correctional facility in which the convicted person is incarcerated may collect the assessment or surcharge from any earnings the inmate accrues for work performed in the correctional facility and forward the amount to the ~~commissioner of finance~~ state treasurer, indicating the part that was imposed for violations described in section 97A.065, subdivision 2, which must be credited to the game and fish fund.

Subd. 2. [MINIMUM FINES.] Notwithstanding any other law:

(1) when a court sentences a person convicted of violating section 609.221, 609.267, or 609.342, it must impose a fine of not less than \$500 nor more than the maximum fine authorized by law;

(2) when a court sentences a person convicted of violating section 609.222, 609.223, 609.2671, 609.343, 609.344, or 609.345, it must impose a fine of not less than \$300 nor more than the maximum fine authorized by law; and

(3) when a court sentences a person convicted of violating section 609.2231, 609.224, or 609.2672, it must impose a fine of not less than \$100 nor more than the maximum fine authorized by law.

The court may not waive payment of the fine or authorize payment of it in installments unless the court makes written findings on the record that the convicted person is indigent or that the fine would create undue hardship for the convicted person or that person's immediate family.

The court shall collect the minimum fine mandated by this subdivision and forward 70 percent of it to a local victim assistance program that provides services locally in the county in which the crime was committed. The court shall forward the remaining 30 percent to the ~~commissioner of finance~~ state treasurer to be credited to the crime victim and witness account established in subdivision 1. If more than one victim assistance program serves the county in which the crime was committed, the court may designate on a case-by-case basis which program will receive the fine proceeds, giving consideration to the nature of the crime committed, the types of victims served by the program, and the funding needs of the program. If no victim assistance program serves that county, the court shall forward 100 percent of the fine proceeds to the ~~commissioner of finance~~ treasurer to be credited to the crime victim and witness account. Fine proceeds received by a local victim assistance program must be used to provide direct services to crime victims. Fine proceeds credited to the crime victim and witness account may be appropriated to the crime victim and witness advisory council, and the council may use all or part of the proceeds for the purpose of providing grants to establish new victim assistance programs.

The minimum fine required by this subdivision is in addition to the surcharge or assessment required by subdivision 1 and is in addition to any term of imprisonment or restitution imposed or ordered by the court.

As used in this subdivision, "victim assistance program" means victim witness programs within county attorney offices or any of the following programs approved by the department of corrections: crime victim crisis centers, victim-witness programs, battered women shelters and nonshelter programs, and sexual assault programs."

Delete the title and insert:

"A bill for an act relating to the organization of state government; restoring certain duties of the state treasurer; amending Minnesota Statutes 1986, sections 11A.20, subdivision 1; 16A.055, subdivision 1; 16A.42, subdivision 2, and by adding a subdivision; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 69.031, by adding a subdivision; 268.05, subdivision 2; 361.03, subdivision 5; and 361.27, subdivision 2; Minnesota Statutes 1987 Supplement, sections 16A.275, subdivision 1; and 609.101; proposing coding for new law in Minnesota Statutes, chapter 7."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1740, A bill for an act relating to criminal sexual conduct; clarifying the definition of "consent"; amending Minnesota Statutes 1986, section 609.341, subdivision 4.

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

The report was adopted.

Voss from the Committee on Taxes to which was referred:

H. F. No. 1749, A bill for an act relating to transportation; increasing the tax on gasoline and special fuel to 20 cents per gallon; increasing the share of motor vehicle excise tax revenues dedicated to highways and transit to 35 percent; amending Minnesota Statutes 1986, section 296.02, subdivision 1b; and Minnesota Statutes 1987 Supplement, sections 296.025, subdivisions 2a and 2b; and 297B.09, subdivision 1.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1750, A bill for an act relating to transportation; creating

a transportation study board and prescribing its duties; appropriating money.

Reported the same back with the following amendments:

Page 3, line 24, delete "June 30" and insert "January 1"

Page 3, line 28, delete "June 30" and insert "January 1"

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1757, A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 6.

Subd. 2. [APPROVED ADULT FARM MANAGEMENT PROGRAM.] "Approved adult farm management program" means a farm management training program designed for persons currently engaged in farming that has been approved by the commissioner under section 6, subdivision 3.

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

Subd. 4. [COMMISSIONER'S INTEREST INDEX.] "Commissioner's interest index" means an interest rate that is 3.5 percent above the current lending rate of the Federal Intermediate Credit Bank to production credit associations as certified each month by the commissioner.

Subd. 5. [ELIGIBLE BORROWER.] "Eligible borrower" means a farmer who applies to a lender for a farm operating loan and meets all qualifications established in section 2 and any further qualifications that may be established in the guidelines adopted by the commissioner under section 6, subdivision 1.

An eligible borrower must have a loan balance with a participating lender between January 1, 1988, and June 30, 1989.

Subd. 6. [FARM OPERATING LOAN.] “Farm operating loan” means an original, extended, or renegotiated loan or line of credit obtained by a farmer from a lender for the purpose of financing the operations of a farm. A farm operating loan includes an open line of credit even though the maximum principal amount of the line of credit may not be drawn at any one time.

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

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

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

Subd. 10. [LENDER AGRICULTURAL LOAN INDEX.] “Lender agricultural loan index” means the weighted average effective interest rate charged by the lender on all agricultural operating loans originated or renewed during the previous four months.

Subd. 11. [PARTICIPATING LENDER.] “Participating lender” means a lender who has been granted participating lender status by the commissioner.

## Sec. 2. [FARMER ELIGIBILITY.]

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

Subd. 2. [NET WORTH STATEMENT.] Only a farmer with a calculated net worth of \$200,000 or less is an eligible borrower for purposes of interest rate buy-down. The net worth must be determined by the lender and must be based on a financial statement prepared not more than six months prior to the date of the loan application.

Subd. 3. [ASSESSMENT OF CONTINUED VIABILITY.] Only a farmer determined by the lender to have a reasonable opportunity for long-term financial viability in the farmer's current farm operation is an eligible borrower. A determination of financial viability by a lender is deemed to be reasonable and accurate without further audit or substantiation.

Subd. 4. [ENROLLMENT IN ADULT FARM MANAGEMENT PROGRAM.] To be an eligible borrower, a farmer shall agree to enroll in an approved adult farm management program if enrollment is required by the lender and an approved program is offered not more than 50 miles from the farmer's residence. The approved adult farm management program must bill the lender for one-half of the course tuition.

Sec. 3. [LENDER ELIGIBILITY; OBLIGATIONS.]

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

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

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

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

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

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

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

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

Subd. 4. [LENDER APPROVAL OF FARM OPERATION FINANCIAL STATEMENTS.] A participating lender must require that a farmer who applies for a farm operating loan under the interest rate buy-down program provide a financial statement suitable for determining debt-to-asset ratios and net worth for the farming operation. A financial statement determined by the participating lender to be suitable is deemed to be suitable, reasonable, and accurate without further audit or substantiation.

Subd. 5. [MAXIMUM INTEREST RATE.] To qualify for interest rate buy-down payments, a participating lender shall offer to make a farm operating loan to an eligible borrower at a rate of interest equivalent to that offered to other farmers having similar security and financial status, but the interest rate may not exceed the current commissioner's interest index. The commissioner may use appropriate means to verify that the operating loan interest rate available to an eligible borrower is substantially the same as that available to other borrowers.

Sec. 4. [STATE CONTRIBUTION TO INTEREST RATE BUY-DOWN.]

To be eligible for state interest rate buy-down payments under sections 1 to 6, a participating lender must submit to the commissioner a properly completed application form for each eligible farm operating loan.

The commissioner shall pay to a participating lender for the first \$60,000 of an approved farm operating loan made to an eligible borrower an amount equal to an annual rate of four percent interest on the loan, less any reduction in interest rate provided by the participating lender pursuant to section 5.

Sec. 5. [LENDER CONTRIBUTION TO INTEREST BUY-DOWN.]

(a) If the lender's lender agricultural loan index is at or above the commissioner's interest index, the lender must provide a reduction in interest rate for the first \$60,000 of an approved farm operating loan made to an eligible borrower an amount equal to an annual rate of two percent interest on the loan.

(b) For each 0.1 percent that the lender's lender agricultural loan

index falls below the commissioner's interest index, the lender's obligation to provide a reduction in interest rate as provided in clause (a) is reduced by 0.100 percent.

Sec. 6. [RESPONSIBILITIES OF THE COMMISSIONER.]

Subdivision 1. [ADOPTION OF PROGRAM GUIDELINES.] Within 30 days after the effective date of sections 1 to 6, the commissioner shall adopt and make available to the public guidelines for the farm operating loan interest buy-down program. Adoption of the program guidelines is not subject to Minnesota Statutes, chapter 14.

Subd. 2. [PREPARATION AND DISTRIBUTION OF LENDER PARTICIPATION FORMS.] The commissioner shall prepare and distribute forms and instructions for the farm operating loan interest buy-down program to all lenders in the state. The forms must be designed to gather from the participating lender and the farmer information in sufficient detail for the commissioner to determine significant characteristics of the participants and their farming operations.

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

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

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

Subd. 5. [BUY-DOWN PAYMENTS TO PARTICIPATING LENDERS.] The commissioner shall pay one-half of the expected interest rate buy-down amount when requested by the participating lender, but not more than 60 days after the application was approved by the commissioner, and the balance within 30 days after request for final payment has been received. All interest buy-down payments under

sections 1 to 6 must be made by joint payee checks in the name of the participating lender and the eligible borrower.

Subd. 6. [REVIEW OF FARMER ELIGIBILITY.] The commissioner shall, not later than March 1, 1989, complete a review of a statistically significant random sample of participants in the interest rate buy-down program for 1988. The purpose of the review is to determine the extent to which eligibility criteria have been adhered to by lenders and farmers. The commissioner must report a summary of the findings to the chair of the house agriculture committee and the chair of the senate agriculture committee.

Sec. 7. [APPROPRIATION.]

Subdivision 1. [APPROPRIATION.] \$7,000,000 is appropriated from the unencumbered balance of the appropriation for the 1986 and 1987 interest buy-down program for program year 1988 to the commissioner of commerce for the interest rate buy-down program, of which \$160,000 is for administration of the program in sections 1 to 6. Any unencumbered balance remaining in a fiscal year must not be canceled and remains available to pay amounts due under approved applications received during the rest of that calendar year.

Subd. 2. [PRIORITIES; LIMITATION.] Applications take priority in the order they were received by the commissioner. The commissioner shall not approve an application under sections 1 to 6 once the appropriation for that program has been committed.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, after "establishing" insert "eligibility criteria and"

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

The report was adopted.

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

H. F. No. 1766, A bill for an act relating to local government; making explicit the power of towns to take certain action at a special meeting; amending Minnesota Statutes 1986, section 477A.018, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 12, before "vote" insert "the affirmative" and after "vote" insert "of the electors"

Page 1, line 12, strike "its" and insert "the" and after "annual" insert "town meeting"

Page 1, line 12, after "or" insert "at"

Page 1, line 13, after "special" insert "town"

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

The report was adopted.

Skoglund from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1790, A bill for an act relating to commerce; safe deposit companies; providing for performance of will searches upon safe deposit box renter's death; amending Minnesota Statutes 1986, section 55.10, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, after "individual" insert "believes"

Page 1, line 16, delete "believes" and delete "or burial"

Page 1, line 17, delete "documents"

Page 1, line 18, after "(2)" insert "the individual"

Page 2, line 4, delete "subdivision" and insert "section"

Page 2, line 6, delete "a copy of"

Page 2, line 7, delete "furnished by that person"

Page 2, delete line 13

Page 2, line 15, delete "(7)" and insert "(6)"

Page 2, after line 17, insert:

“(d) For purposes of this section, the term “will” includes a will or a codicil.”

Page 2, line 18, delete “(d)” and insert “(e)”

Page 2, line 19, delete “or codicil”

Page 2, line 23, delete “or codicil”

Page 2, line 24, delete “The safe deposit company may”

Page 2, delete line 25

Page 2, line 26, delete “person.”

Page 2, line 28, delete “(e)” and insert “(f)”

Page 2, line 30, after “subdivision” insert “and when acting in reliance upon an affidavit, it is discharged as if it dealt with the personal representative of the lessee. If the safe deposit company is not satisfied that the requirements of this subdivision have been met, it may decline to open the box”

Page 2, line 30, delete “The safe deposit company’s determination of”

Page 2, delete lines 31, 32, and 33

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1806, A bill for an act relating to state agencies; amending and repealing various statutes administered by the state board of investments; amending Minnesota Statutes 1986, sections 11A.17, subdivisions 1, 4, 9, 11, and 14; 11A.19, subdivision 4; and 352D.04, subdivision 1; Minnesota Statutes 1987 Supplement, sections 11A.24, subdivisions 4 and 6; 136.81, subdivision 3; and 353D.05, subdivision 2; repealing Minnesota Statutes 1986, section 11A.17, subdivisions 12 and 13.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1826, A bill for an act relating to transportation; authorizing issuance of bonds to establish a fund for loans to purchase highway rights-of-way outside the metropolitan area; providing for acquisition and relocation assistance in cases of hardship to owners of homestead property located in a proposed state highway right-of-way; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 161.

Reported the same back with the following amendments:

Page 5, line 2, before "section" insert "this" and delete "2"

Page 5, line 3, delete everything after "On"

Page 5, line 4, delete "thereafter" and insert "taking title to lands acquired under this section"

Page 5, line 6, delete "unencumbered balances" and insert "money"

Page 5, line 8, delete everything after the period and insert "The amount of money transferred must equal the loan amount made available to acquire the lands under this section."

Page 5, delete lines 9 to 12

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1836, A bill for an act relating to crimes; providing for proof of prior convictions at sentencing hearings and in certain criminal prosecutions; amending Minnesota Statutes 1986, section 244.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 1, line 16, after "by" insert "competent and reliable evidence, including"

Page 1, line 24, after "by" insert "competent and reliable evidence, including"

Page 1, line 25, after the period insert "This section does not apply when the defendant challenges the validity of the prior conviction on the basis that the defendant's constitutional rights were violated during the prior proceedings."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1841, A bill for an act relating to game and fish; imposing a fee for issuance of game and fish stamps; clarifying when a trout and salmon stamp is required and responsibility for road-kill deer; amending Minnesota Statutes 1986, section 97C.305; Minnesota Statutes 1987 Supplement, sections 97A.475, subdivisions 6 and 7; 97A.485, subdivision 6; and 97A.502; repealing Minnesota Statutes 1987 Supplement, section 97A.451, subdivision 1.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1846, A bill for an act relating to environment; authorizing inspection of certain records kept by waste facilities; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [115A.882] [INSPECTION OF RECORDS.]

A person authorized by a county in which a designation is effective may, upon presentation of identification and without a search warrant, inspect or copy records of an owner or operator of any waste facility in the state that contain information regarding the volume, type, origin, weight, and date and time of weighing. A person who fails to open the records referred to in this section for inspection and copying is guilty of a misdemeanor."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1853, A bill for an act relating to health; clarifying an existing statute that requires insurance plans to cover the services provided by a registered nurse engaged in advanced nursing practice to the same extent that the services would be covered if provided by a physician; including nurse practitioners and clinical specialists in psychiatric or mental health nursing among the roles specifically listed as examples of advanced nursing practice; amending Minnesota Statutes 1986, section 62A.15, subdivision 3a.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1886, A bill for an act relating to crime; increasing penalties for selling or renting devices designed to make an unauthorized connection to a cable communications system; amending Minnesota Statutes 1986, section 609.80.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 609.80, is amended to read:

609.80 [INTERFERING WITH CABLE COMMUNICATIONS SYSTEMS.]

Subdivision 1. [MISDEMEANOR.] Whoever does any of the following is guilty of a misdemeanor:

(1) without receiving or seeking to receive money or any other thing of value in exchange, intentionally and with the purpose of making or aiding in an unauthorized connection as defined in prohibited by section 609.52, subdivision 2, clause (12) to a licensed cable communications system as defined in chapter 238 sells, rents, lends, offers, or advertises for sale, rental or use, gives to another any instrument, apparatus, equipment, or device designed to make such an unauthorized connection, or any plan, specification, or instruction for making such an unauthorized connection; or

(2) intentionally tampers with, removes or injures any cable, wire, or other component of a licensed cable communications system as defined in chapter 238; or

(3) intentionally and without claim of right interrupts a service of a licensed cable communications system as defined in chapter 238.

Subd. 2. [COMMERCIAL ACTIVITY; FELONY.] Whoever sells or rents, or offers or advertises for sale or rental any instrument, apparatus, equipment, or device designed to make an unauthorized connection as prohibited by section 609.52, subdivision 2, clause (12), to a licensed cable communications system as defined in chapter 238, or any plan, specification, or instruction for making such an unauthorized connection, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$5,000, or both.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1988, and applies to crimes committed on or after that date.

Delete the title and insert:

“A bill for an act relating to crime; increasing penalties for advertising, selling, and renting devices designed to make an unauthorized connection to a cable communications system; amending Minnesota Statutes 1986, section 609.80.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

S. F. No. 537, A bill for an act relating to public safety; imposing mandatory minimum penalties on habitual DWI offenders; amending Minnesota Statutes 1986, section 169.121, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 169.121, is amended by adding a subdivision to read:

Subd. 3a. [HABITUAL OFFENDER PENALTIES.] If a person has been convicted under this section, section 169.129, an ordinance in

conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of violating this section or an ordinance in conformity with it (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment or to eight hours of community work service for each day less than 30 days that the person is ordered to serve in jail.

Notwithstanding section 609.135, the above sentence must be executed, unless prior to sentencing the prosecutor files a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons. When presented with the motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision. When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record.

Sec. 2. [STUDY OF MANDATORY MINIMUM SENTENCING PROVISION.]

The state planning agency shall monitor the implementation and use of the mandatory minimum sentencing provisions contained in section 169.121, subdivision 3a, and shall report to the legislature by January 1, 1990, with its findings and recommendations, if any.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1988, and applies to crimes committed on or after that date. Section 2 is effective August 1, 1988."

Delete the title and insert:

"A bill for an act relating to public safety; imposing mandatory minimum penalties on habitual DWI offenders; requiring a report; amending Minnesota Statutes 1986, section 169.121, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 453, 1705, 1740, 1766, 1790, 1806, 1836, 1841, 1846, 1853 and 1886 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. No. 537 was read for the second time.

**INTRODUCTION AND FIRST READING  
OF HOUSE BILLS**

The following House Files were introduced:

Munger, Jaros, Ogren, Boo and Murphy introduced:

H. F. No. 1949, A bill for an act relating to appropriations; appropriating money to the commissioner of finance for loan to the western Lake Superior sanitary district.

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

Price and Solberg introduced:

H. F. No. 1950, A bill for an act relating to watershed districts; setting the limit on certain borrowing authority; amending Minnesota Statutes 1987 Supplement, section 112.43, subdivision 1.

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

Johnson, A.; Lasley and Bennett introduced:

H. F. No. 1951, A bill for an act relating to motor vehicles; providing for registration of motor vehicles by long-term lessees; imposing a fee; amending Minnesota Statutes 1986, sections 168.011, by adding a subdivision; 168.013, subdivision 7; 168.041, subdivision 7; 168.10, subdivision 1; 168.11, subdivision 1; 168.13; 168.33, subdivision 3; and 168A.10, by adding a subdivision; repealing Minnesota Statutes 1986, section 168.30.

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

Johnson, A.; Jefferson; Kalis and Haukoos introduced:

H. F. No. 1952, A bill for an act relating to transportation; authorizing vending machines in certain highway rest areas, weigh stations, and tourist information centers; amending Minnesota Statutes 1986, section 160.28, subdivision 2.

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

Bennett introduced:

H. F. No. 1953, A bill for an act relating to the metropolitan area; authorizing coordinated erosion and sediment control programs by water management organizations and the Association of Metropolitan Soil and Water Conservation Districts.

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

Lieder; Kalis; Carlson, D.; Johnson, A., and Seaberg introduced:

H. F. No. 1954, A bill for an act relating to transportation; providing that uniform relocation assistance standards comply with recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel; repealing conflicting provision related to charges for users of air transportation services provided by the commissioner of transportation; amending Minnesota Statutes 1986, section 161.20, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 117.52, subdivision 1; 272.01, subdivision 3; and 272.121; repealing Minnesota Statutes 1986, section 360.015, subdivision 20.

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

Bauerly; McEachern; Johnson, A., and Krueger introduced:

H. F. No. 1955, A bill for an act relating to education; reinstating a capital expenditure levy for leasing buildings; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision.

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

Blatz, Kelly, Vellenga, Wagenius and Bishop introduced:

H. F. No. 1956, A bill for an act relating to family law; prohibiting certain false allegations of child abuse; regulating child custody hearings; providing a penalty; amending Minnesota Statutes 1986, section 518.17, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Wagenius, Seaberg, Vellenga, Dawkins and Swenson introduced:

H. F. No. 1957, A bill for an act relating to marriage dissolution; providing for parties to a dissolution to disclose assets and liabilities; requiring the supreme court to prepare forms for disclosure; providing sanctions for misrepresentations or omissions or failure to file any disclosure; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Redalen, Hugoson, Omann, Swenson and DeRaad introduced:

H. F. No. 1958, A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

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

DeBlicke, Cooper, Steensma and Dauner introduced:

H. F. No. 1959, A bill for an act relating to education; restoring to school districts the authority to decide when to start the school year; repealing Minnesota Statutes 1986, section 126.12, subdivision 1.

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

Vellenga and McKasy introduced:

H. F. No. 1960, A bill for an act relating to libraries; dedicating the Warren E. Burger Library chamber to the citizens of Minnesota; appropriating money.

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

Blatz and Quinn introduced:

H. F. No. 1961, A bill for an act relating to property interests; setting the effective date of the uniform statutory rule against perpetuities; amending Minnesota Statutes 1987 Supplement, section 501A.05; and Laws 1987, chapter 60, section 10.

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

Wagenius, Sarna, Blatz, Scheid and Osthoff introduced:

H. F. No. 1962, A bill for an act relating to commerce; prohibiting exclusion or modification of implied warranties of fitness and merchantability by sellers and installers of home heating systems; prohibiting limitation of damages or remedies for breach of an implied warranty in a contract for sale or installation of a home heating system; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Valento, Pauly, Clausnitzer, Himle and Jennings introduced:

H. F. No. 1963, A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

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

Valento, Pauly, Clausnitzer, Himle and Jennings introduced:

H. F. No. 1964, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to article VIII; providing for the recall of elected officials.

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

Valento, Himle, Pauly, Dempsey and Redalen introduced:

H. F. No. 1965, A bill for an act relating to taxation; repealing contingent income and franchise tax increase provision; repealing Laws 1987, chapter 268, article 18, section 5.

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

Blatz introduced:

H. F. No. 1966, A bill for an act relating to zoning; providing for filing requirements of variances to real property; amending Minnesota Statutes 1986, section 462.36, subdivision 1.

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

Johnson, V.; Poppenhagen and Haukoos introduced:

H. F. No. 1967, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to article VIII; providing for the recall of elected officials.

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

Dempsey, Sviggum, Schafer, Hugoson and Bennett introduced:

H. F. No. 1968, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to article VIII; providing for the recall of elected officials.

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

Gruenes introduced:

H. F. No. 1969, A bill for an act relating to traffic regulations; defining "urban district" to provide for speed limits in cities; amending Minnesota Statutes 1986, section 169.01, subdivision 59.

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

Gruenes, Onnen, Boo, Tjornhom and Omann introduced:

H. F. No. 1970, A bill for an act relating to taxation; income; providing a credit for long-term care policy premiums; appropriating money; amending Minnesota Statutes 1986, section 290.06, by adding a subdivision.

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

Gruenes, Vellenga, Carruthers and Dempsey introduced:

H. F. No. 1971, A bill for an act relating to guardianship; permitting appointment of any number of guardians; permitting the appointment of guardians who reside outside the state; amending Minnesota Statutes 1986, section 525.54, by adding a subdivision.

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

Gruenes introduced:

H. F. No. 1972, A bill for an act relating to taxation; property; allowing transfers of land to cities without payment of tax on the entire parcel; amending Minnesota Statutes 1987 Supplement, section 272.121.

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

Kinkel; Solberg; Carlson, D.; Begich and Johnson, R., introduced:

H. F. No. 1973, A bill for an act relating to natural resources; regulating fish spearing on lakes within Indian reservations; amending Minnesota Statutes 1986, section 97C.371, by adding a subdivision.

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

Poppenhagen; DeRaad; Olsen, S., and Waltman introduced:

H. F. No. 1974, A bill for an act relating to taxation; income; restoring the pension exclusion and removing age limits; repealing the credit for elderly and disabled persons; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290; repealing

Minnesota Statutes 1987 Supplement, section 290.06, subdivision 20.

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

Poppenhagen, Frederick, DeRaad and Waltman introduced:

H. F. No. 1975, A bill for an act relating to taxation; income; excluding certain compensation for military services; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

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

Bishop, Frerichs, Kalis, Brown and Lieder introduced:

H. F. No. 1976, A bill for an act relating to transportation; discontinuing and removing legislative route from trunk highway system.

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

Blatz, Riveness and Himle introduced:

H. F. No. 1977, A bill for an act relating to education; allowing transportation of walking pupils in certain circumstances; amending Minnesota Statutes 1986, section 123.39, by adding a subdivision.

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

Marsh, Kalis, Rose, Jennings and Johnson, R., introduced:

H. F. No. 1978, A bill for an act relating to game and fish; removing crows from the unprotected list; authorizing a season on crow and raven; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; and 97B.711, by adding a subdivision.

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

Solberg; Sparby; Milbert; Anderson, R., and Bennett introduced:

H. F. No. 1979, A bill for an act relating to commerce; motor fuel franchises; regulating certain building alterations; providing remedies; amending Minnesota Statutes 1986, section 80C.146, subdivisions 2 and 3; repealing Laws 1984, chapter 444, section 4, as amended by Laws 1986, chapter 343, section 1.

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

Kalis; Pelowski; Olson, K., and Steensma introduced:

H. F. No. 1980, A bill for an act relating to highways; designating I-90 as AMVETS memorial highway; amending Minnesota Statutes 1986, section 161.14, by adding a subdivision.

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

Kalis, Seaberg and Rodosovich introduced:

H. F. No. 1981, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Shaver and Heap introduced:

H. F. No. 1982, A bill for an act relating to workers' compensation; providing for the calculation of compensation for volunteer firefighters; amending Minnesota Statutes 1986, section 176.011, subdivision 3.

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

Kelly, Pappas and Seaberg introduced:

H. F. No. 1983, A bill for an act relating to sentencing; directing the sentencing guidelines commission to study certain sentencing issues; requiring the commission to report back to the legislature with proposed changes to respond to these issues; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Welle; Nelson, D.; Cooper and Wenzel introduced:

H. F. No. 1984, A bill for an act relating to agriculture; regulating bottled water and water vending machines; proposing coding for new law in Minnesota Statutes, chapter 31.

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

Ogren and Carlson, D., introduced:

H. F. No. 1985, A bill for an act relating to natural resources; specifying the procedure to be used by the state for acquiring land by gift; amending Minnesota Statutes 1986, section 97A.145, subdivision 2.

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

Ogren and Carlson, D., introduced:

H. F. No. 1986, A bill for an act relating to Aitkin county; permitting the county to regulate certain public land interests by ordinance.

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

Forsythe and Pauly introduced:

H. F. No. 1987, A bill for an act relating to retirement; authorizing a certain teacher to purchase credit for certain prior service.

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

Welle; Kelly; Krueger; Nelson, C., and Osthoff introduced:

H. F. No. 1988, A bill for an act relating to taxation; exempting railroad retirement benefits from taxation; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

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

Trimble, Dorn, Boo, Jaros and Long introduced:

H. F. No. 1989, A bill for an act relating to education; creating a task force on child care in higher education.

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

Kalis and Hartle introduced:

H. F. No. 1990, A bill for an act relating to transportation; adding new route to trunk highway system in substitution of existing route, subject to turnback agreement; directing revisor of statutes to make route substitution.

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

Sparby, Redalen and Wenzel introduced:

H. F. No. 1991, A bill for an act relating to agriculture; clarifying a time-price offer; allowing a preceding former owner to convey the right to receive an offer to buy or lease previously owned agricultural land; restricting the sale or inducement of a sale of agricultural land by a preceding former owner accepting an offer for one year; providing penalties and liability for damages; restricting the period for a debtor to receive a copy of a forbearance policy; amending Minnesota Statutes 1987 Supplement, sections 500.24, subdivisions 6 and 7; and 583.24, subdivision 4.

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

Rukavina; Johnson, R., and Dauner introduced:

H. F. No. 1992, A bill for an act relating to environment; authorizing the pollution control agency to train certain persons involved with sewage treatment systems and to charge a training fee; appropriating money; amending Minnesota Statutes 1986, section 115.03, subdivision 1.

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

Johnson, A.; Kelso; Nelson, C.; McEachern and Rest introduced:

H. F. No. 1993, A bill for an act relating to education; requiring a state board of education rule on elementary school preparation time.

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

Forsythe, Gruenes, Segal and Greenfield introduced:

H. F. No. 1994, A bill for an act relating to health care; establishing an advisory council on bio-ethics; setting its membership; assigning its duties; authorizing support staff; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Skoglund, Kelly, Bishop, Greenfield and Carruthers introduced:

H. F. No. 1995, A bill for an act relating to state building code; allowing use of double cylinder deadbolt locks in certain instances; amending Minnesota Statutes 1987 Supplement, section 16B.61, subdivision 3.

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

Reding and Jensen introduced:

H. F. No. 1996, A bill for an act relating to consumer protection; regulating cemeteries, mausoleums, and prearranged funeral services; requiring the establishment of a construction fund account; requiring a permanent care account for any mausoleum; providing reporting requirements; broadening the powers of the county auditors and state auditor; amending Minnesota Statutes 1986, sections 149.11; 149.13; 306.03; 306.04; 306.37; 306.761; 306.77; and 306.773, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 306.

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

Uphus; Waltman; Olson, K.; Schafer and Sparby introduced:

H. F. No. 1997, A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance

companies; amending Minnesota Statutes 1987 Supplement, section 60A.15, subdivision 1.

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

Johnson, V.; Solberg and Pelowski introduced:

H. F. No. 1998, A bill for an act relating to human services; retaining community work experience program; amending Minnesota Statutes 1987 Supplement, section 256.737, subdivision 1.

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

Murphy, Heap, O'Connor, Dauner and Begich introduced:

H. F. No. 1999, A bill for an act relating to public safety; regulating boiler operation; amending Minnesota Statutes 1986, sections 183.411, subdivisions 1, 3, and by adding a subdivision; 183.466; 183.51, subdivisions 4, 7, and 10.

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

Shaver introduced:

H. F. No. 2000, A bill for an act relating to civil actions; requiring the judgment creditor to file satisfaction of judgment documents; amending Minnesota Statutes 1986, section 548.15.

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

McEachern and Bauerly introduced:

H. F. No. 2001, A bill for an act relating to education; removing permission to comply with state board curriculum rules by offering summer electives; repealing Minnesota Statutes 1987 Supplement, section 121.11, subdivision 16.

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

Quist, Hugoson, Onnen, Gutknecht and Thiede introduced:

H. F. No. 2002, A bill for an act relating to health; prohibiting the promotion of certain sexual activity; requiring AIDS testing for marriage license applications; prohibiting an environment that promotes sodomy; providing penalties; amending Minnesota Statutes 1986, sections 144.065; 517.08, subdivision 1a; and 609.293, subdivision 1, and by adding a subdivision.

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

Thiede, by request, introduced:

H. F. No. 2003, A bill for an act relating to drivers' licenses; requiring habitual violators of traffic regulations to be reexamined for a driver's license; amending Minnesota Statutes 1986, sections 171.13, by adding a subdivision; 171.29, subdivision 1; and 171.30, subdivision 3; Minnesota Statutes 1987 Supplement, sections 171.17; and 171.30, subdivision 1.

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

Richter introduced:

H. F. No. 2004, A bill for an act relating to human services; creating an exception to the moratorium on certification of new medical assistance nursing home beds.

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

Richter introduced:

H. F. No. 2005, A bill for an act relating to local government; providing for detachment of cities and towns from hospital districts; amending Minnesota Statutes 1987 Supplement, section 447.38, subdivision 2.

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

Vellenga, Kelly and Wagenius introduced:

H. F. No. 2006, A bill for an act relating to crimes; providing for the admissibility of certain evidence in domestic violence cases;

requiring prosecutors to notify domestic violence victims of a decision to decline prosecution or to dismiss criminal charges; requiring peace officers to inform domestic violence victims of the prosecutor's notification duty; amending Minnesota Statutes 1986, section 629.341, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 609 and 611A.

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

Bauerly, McEachern and Peterson introduced:

H. F. No. 2007, A bill for an act relating to traffic regulations; providing for safety of school safety patrol members; amending Minnesota Statutes 1986, section 169.21, subdivision 2.

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

Johnson, A.; Osthoff and Scheid introduced:

H. F. No. 2008, A bill for an act relating to elections; clarifying certain public campaign financing limits; amending Minnesota Statutes 1986, section 10A.25, subdivision 10; Minnesota Statutes 1987 Supplement, sections 10A.255, subdivision 1; 10A.32, subdivision 3; repealing Minnesota Statutes 1986, section 10A.32, subdivision 3b.

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

McDonald introduced:

H. F. No. 2009, A bill for an act relating to taxation; income; restoring the pension exclusion and repealing the credit for elderly and disabled persons; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; repealing Minnesota Statutes 1987 Supplement, section 290.06, subdivision 20.

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

Scheid, McKasy, Osthoff and Vellenga introduced:

H. F. No. 2010, A bill for an act relating to credit unions; permitting managers to be directors; providing conditions for the

expulsion of members; amending Minnesota Statutes 1986, sections 52.08; and 52.19.

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

Clark introduced:

H. F. No. 2011, A bill for an act relating to government data practices; defining employment and training data as private data on individuals; defining employment and training service providers; defining employment and training services; providing for the dissemination of employment and training data; amending Minnesota Statutes 1987 Supplement, section 13.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Nelson, C.; Anderson, R.; Bertram; Bauerly and Cooper introduced:

H. F. No. 2012, A bill for an act relating to health maintenance organizations; insurance; requiring replacement coverage in the event an HMO cancels coverage; increasing state comprehensive health plan liabilities in the event a member terminates coverage; increasing health maintenance organization notice requirements and annual reporting requirements; amending Minnesota Statutes 1986, sections 62D.07; 62D.08, subdivision 5; 62D.09; 62D.101; 62D.11; 62D.12, subdivision 2, and by adding a subdivision; 62D.17, subdivision 1; 62E.11, by adding subdivisions; 62E.14, subdivisions 1, 3, and by adding a subdivision; 62E.16; Minnesota Statutes 1987 Supplement, sections 62A.17, subdivision 6; and 62D.08, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Laws 1984, chapter 464, sections 29 and 40.

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

Kelso; Minne; Nelson, C.; Knuth and Kostohryz introduced:

H. F. No. 2013, A bill for an act relating to taxation; income; allowing a subtraction for distributions of previously taxable retirement contributions; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

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

Bauerly; Nelson, K.; McEachern; Kelso and Price introduced:

H. F. No. 2014, A bill for an act relating to school districts; creating a debt service anticipation levy; amending Minnesota Statutes 1986, sections 121.15, subdivision 3; 275.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Tunheim introduced:

H. F. No. 2015, A bill for an act relating to education; increasing the general education formula allowance; providing for general education levies; amending Minnesota Statutes 1987 Supplement, sections 124A.22, subdivision 2; and 124A.23, subdivisions 2, 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Rukavina and Munger introduced:

H. F. No. 2016, A bill for an act relating to drivers' licenses; allowing stepparent married to custodial parent of minor to approve minor's driver's license application; amending Minnesota Statutes 1986, section 171.04.

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

Riveness; Rest; Johnson, R.; Minne and McLaughlin introduced:

H. F. No. 2017, A bill for an act relating to taxation; income; allowing a credit for elderly and disabled taxpayers; repealing the piggy-back federal elderly and disabled credit; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1987 Supplement, section 290.06, subdivision 20.

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

Dille, Krueger and Wenzel introduced:

H. F. No. 2018, A bill for an act relating to agriculture; clarifying

and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; authorizing inspection upon notice; authorizing enforcement of violations; authorizing civil judicial enforcement actions; authorizing administrative remedies for violations; imposing civil and criminal penalties; amending Minnesota Statutes 1986, sections 35.15, subdivision 2; 35.245, subdivision 5; 35.80; 35.82, subdivision 2; and 35.830; Minnesota Statutes 1987 Supplement, section 35.68; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1986, sections 35.069; 35.70; 35.71, subdivision 8; and 35.72, subdivision 6.

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

Clark, Jefferson and McLaughlin introduced:

H. F. No. 2019, A bill for an act relating to housing; enabling counties and cities to establish low income housing trust funds; assessing a mortgage registry tax to finance the low income housing trust fund, and providing for the uses of the funds; amending Minnesota Statutes 1986, sections 287.05, by adding a subdivision; and 287.12; proposing coding for new law in Minnesota Statutes, chapters 373 and 462.

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

Jacobs, Minne, Quinn, Redalen and Osthoff introduced:

H. F. No. 2020, A bill for an act relating to utilities; encouraging settlements prior to contested case hearings; authorizing the public utilities commission to extend suspended rates during multiple general rate filings; providing for imposition of interim rates when commission extends suspended rates; amending Minnesota Statutes 1986, sections 216B.16, subdivisions 1a, 2, and 3; and 237.075, subdivisions 2 and 3.

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

Blatz, Kelly, DeRaad and Rest introduced:

H. F. No. 2021, A bill for an act relating to child abuse reporting; clarifying the assessment duties of the local welfare agency; providing for the retention of records in certain circumstances; amending Minnesota Statutes 1986, section 626.556, subdivision 5, and by

adding subdivisions; and Minnesota Statutes 1987 Supplement, section 626.556, subdivision 11.

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

Lasley introduced:

H. F. No. 2022, A bill for an act relating to agriculture; adding members to the state agricultural society; amending Minnesota Statutes 1986, section 37.03, subdivision 1.

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

Johnson, A.; Simoneau; Knuth and Rose introduced:

H. F. No. 2023, A bill for an act relating to education; appropriating money for a grant to independent school district Nos. 13, 14, 16, and 282.

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

Jaros, Munger, Boo, Price and Marsh introduced:

H. F. No. 2024, A bill for an act relating to transportation; excluding certain publically owned transit buses from certain definitions of school bus; amending Minnesota Statutes 1986, sections 169.01, subdivision 6; and 171.01, subdivision 21.

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

Begich introduced:

H. F. No. 2025, A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

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

McDonald and Munger introduced:

H. F. No. 2026, A bill for an act relating to the environment; prohibiting the sale of certain plastic containers; providing penal-

ties; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Omann, Tompkins, Frederick, Swenson and Stanius introduced:

H. F. No. 2027, A bill for an act relating to state agencies; returning the control of the Minnesota veterans home to the department of veterans affairs.

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

Olsen, S.; McPherson; Tjornhom; Richter and Uphus introduced:

H. F. No. 2028, A bill for an act relating to state agencies; returning the control of the Minnesota veterans home to the department of veterans affairs.

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

Nelson, K.; Bauerly; Olsen, S.; McEachern and Ozment introduced:

H. F. No. 2029, A bill for an act relating to education; modifying provisions related to general education revenue and foundation revenue; correcting erroneous and obsolete references and text; providing instructions to the revisor; making miscellaneous corrections to statutes and other laws; amending Minnesota Statutes 1986, sections 3.866; 120.17, subdivisions 6 and 7; 120.181; 120.80, subdivision 1; 121.151; 121.904, subdivision 5; 121.931, subdivision 5; 122.45, subdivision 3a; 122.531, subdivisions 1 and 6; 123.32, subdivision 29; 123.3514, subdivision 6; 123.933, subdivision 3; 124.15, subdivisions 5 and 6; 124.18, subdivision 2; 124.19, subdivisions 1, 3, and 6; 124.214, subdivision 2; 124.274, subdivision 1; 124.32, subdivisions 4 and 6; 124A.02, subdivision 21; 124A.03, subdivision 2; 124A.034, subdivisions 1 and 1b; 124A.035, subdivisions 2 and 4; 124A.036, subdivisions 1 and 2; 126.70, subdivision 2; 129B.40, subdivision 1; 273.138, subdivision 6; 275.125, subdivision 1; 275.128; 298.39; and 475.61, subdivision 4; Minnesota Statutes 1987 Supplement, sections 120.17, subdivisions 5a and 7a; 121.912, subdivision 1; 123.3515, subdivision 9; 124.01, subdivision 1; 124.14, subdivision 7; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.195, subdivisions 8 and 9; 124.214, subdivision 3; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 4b; 124.245,

subdivision 3b; 124.271, subdivision 7; 124.2711, subdivision 1; 124.32, subdivisions 1c, 1d, and 5; 124A.02, subdivisions 8 and 16; 124A.032; 124A.035, subdivision 5; 124A.22, subdivision 1, and by adding subdivisions; 124A.23, subdivisions 2, 3, 4, and by adding a subdivision; 124A.24; 124A.26, subdivision 2; 124A.27, subdivisions 7 and 10; 124A.30; 126.23; 126.661, subdivision 1; 126.666, subdivision 1; 126.70, subdivision 2a; 129B.39; 129B.55, subdivision 2; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5e, 6e, 8c, 9, 9b, and 15; and 298.28, subdivision 4; Laws 1987, chapter 398, article 1, section 25, subdivision 3; article 1, section 26, subdivision 2; article 7, section 40, subdivision 4; article 8, section 39, subdivision 2; and article 8, section 44, subdivision 5; repealing Minnesota Statutes 1986, sections 121.904, subdivision 7; 122.531, subdivision 8; 124.245, subdivision 4; and 124A.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 121.904, subdivision 11b; 124A.02, subdivision 5a; 124A.03, subdivision 3a; and 124A.25.

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

Steensma, Rice, Murphy, McPherson and Pelowski introduced:

H. F. No. 2030, A bill for an act relating to transportation; removing restrictions on the funding of tourist information centers; repealing Minnesota Statutes 1987 Supplement, section 161.52.

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

Nelson, D.; Long; Ozment; Larsen and Anderson, R., introduced:

H. F. No. 2031, A bill for an act relating to waste management; requiring certain buildings to provide space for recycling; changing the definition of recyclable materials; specifying the responsibilities of the legislative commission on waste management; adding containment of hazardous waste as an item for which the waste management board may make grants; making industrial waste facilities eligible for processing facility loans; creating additional loan and grant programs for waste tire management; banning used oil from placement on the land; removing the county fee cap for waste disposal in the metropolitan area; adding the chair of the waste management board to the environmental quality board; repealing the expiration date of the legislative commission on waste management; appropriating money; amending Minnesota Statutes 1986, sections 16B.61, subdivision 5; 115A.03, subdivision 25a; 115A.14, subdivision 4; 115A.156, subdivision 3; 115A.165; 115A.912; 115A.919; 115B.17, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 16B.61, subdivision 3; 115A.156, subdivisions 1 and 2; 115A.162; 115A.48; 115A.916;

115A.95; and 116C.03, subdivision 2; Laws 1980, chapter 564, article XII, section 1, subdivision 3, as amended; Laws 1987, chapters 348, section 51, subdivision 1; and 404, section 24, subdivisions 4 and 6; proposing coding for new law in Minnesota Statutes, chapters 115A and 325E; repealing Minnesota Statutes 1986, sections 115A.14, subdivision 6; and 115A.90, subdivision 4; Minnesota Statutes 1987 Supplement, sections 115A.14, subdivision 5; 116.55; and 116M.07, subdivision 14.

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

Otis; Vellenga; Clark; Johnson, R., and Carlson, D., introduced:

H. F. No. 2032, A bill for an act relating to education; establishing an Indian school council to establish opportunities for Indian control of Indian education through optional means; requiring the council to make certain recommendations; appropriating money.

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

Welle; Nelson, K.; Kelly and Neuenschwander introduced:

H. F. No. 2033, A bill for an act relating to taxation; changing property tax classifications; establishing equalization aids for municipalities and counties; modifying school aids and levies; providing state payment of income maintenance programs; changing property tax refund schedules; abolishing certain aids and credits; appropriating money; amending Minnesota Statutes 1986, sections 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256B.041, subdivision 5; 256D.03, subdivision 6; 256D.36, subdivision 1; 273.13, by adding subdivisions; 273.40; 279.01, as amended; 290A.03, by adding subdivisions; 290A.23; 477A.011, subdivisions 11, 13, and by adding subdivisions; and 477A.012, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 124.155, subdivision 2; 124.2131, subdivision 1; 256B.091, subdivision 8; 256B.19, subdivision 1; 256D.03, subdivision 2; 256D.37, subdivision 1; 256G.01, subdivision 3; 256G.02, subdivision 4; 256G.07, subdivisions 1 and 2; 256G.10; 256G.11; 272.02, subdivisions 1 and 1a; 272.115, subdivision 4; 273.1102, subdivision 2; 273.1104, subdivision 1; 273.123, subdivisions 1, 4, and 5; 273.124, subdivisions 8, 11, and 13; 273.1392; 273.1393; 273.165, subdivision 2; 275.50, subdivisions 2 and 5; 275.51, subdivision 3h; 276.04; 279.06; 281.17; 290A.03, subdivisions 13 and 14; 290A.04, subdivision 2; 473.446, subdivision 1; 473F.02, subdivision 4; 475.61, subdivision 3; 477A.011, subdivision 7; 477A.012, subdivision 1; and 477A.013; proposing coding for new law in Minnesota Statutes, chapters 124; 273; and 477A; repealing Minnesota Statutes 1986,

sections 256.965; 273.13, subdivision 30; 477A.011, subdivisions 4, 5, 6, 7a, 10, 12, and 14; and 477A.03, subdivision 1; Minnesota Statutes 1987 Supplement, sections 124.2131, subdivision 2; 245.775; 256D.22; 256G.05, subdivision 1; 256G.07, subdivision 4; 273.13, subdivisions 22, 23, 24, 25, and 31; 273.1394; 273.1395; 273.1396; 273.1397; 275.081; 275.125, subdivision 22; 290A.04, subdivisions 2a and 2b; and 477A.013, subdivision 2; Laws 1987, chapters 268, article 5, section 4; and 291, section 208.

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

Milbert and Ogren introduced:

H. F. No. 2034, A bill for an act relating to health; establishing summer temperature and humidity requirements for nursing homes; creating a review process for nursing home air conditioning and ventilation projects; requiring a report; appropriating money; amending Minnesota Statutes 1986, sections 144A.08, by adding a subdivision; and 256B.431, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

Simoneau introduced:

H. F. No. 2035, A bill for an act relating to credit unions; creating a credit union supervisory board to supervise and regulate credit unions; authorizing the appointment of a commissioner of credit unions; transferring the supervision of credit unions from the commissioner of commerce to the commissioner of credit unions; prescribing the commissioner's powers and duties; amending Minnesota Statutes 1986, sections 46.01, subdivision 1; 46.04, subdivision 1; 46.05; 46.07, subdivision 2; 46.09, subdivisions 1 and 2; 46.131, subdivisions 2 and 8; 46.23, subdivision 4; 52.01; 52.02, subdivision 3; 52.03, subdivision 3; 52.04, subdivision 1; 52.06, subdivisions 1 and 2; 52.061; 52.062, subdivisions 1, 2, and 3; 52.063; 52.064, subdivisions 1 and 2; 52.08; 52.09, subdivision 2; 52.141; 52.15, subdivision 2; 52.165, subdivision 2; 52.17, subdivisions 1 and 2; 52.20, subdivisions 1, 2, 4, 5, and 6; 52.201; 52.203; 52.21; 52.24, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 52.

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

Carruthers, Swenson, Milbert, Bertram and Kelly introduced:

H. F. No. 2036, A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

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

McLaughlin, Clark and Jefferson introduced:

H. F. No. 2037, A bill for an act relating to human services; implementing minority child heritage protection act; requiring minority councils to review placement data; requiring rule revision; planning for permanency; improving recruitment of minority adoptive and foster care families; designating recruitment specialist; requiring out-of-home placement reports; creating task force; requiring training of adoption and foster care families and workers; providing grants for support services; expanding definition of "relative" for purposes of placement priority; appropriating money; amending Minnesota Statutes 1986, sections 3.9223, subdivision 3; 3.9225, subdivision 3; 3.9226, subdivision 3; 256F.03, subdivision 8; 257.071, subdivisions 2, 3, and by adding a subdivision; 257.072; and 260.015, subdivision 13; Minnesota Statutes 1987 Supplement, section 3.922, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 257; repealing Minnesota Statutes 1986, section 257.071, subdivision 6.

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

McLaughlin, Clark and Jefferson introduced:

H. F. No. 2038, A bill for an act relating to employment; regulating youth employment programs; providing for compensation at the state or federal minimum wage; regulating employment contracts; amending Minnesota Statutes 1986, sections 268.31, 268.32, and 268.34.

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

Cooper, Lasley, Winter, Dille and Simoneau introduced:

H. F. No. 2039, A bill for an act relating to corrections; making various housekeeping and technical changes; amending Minnesota

Statutes 1986, sections 260.311, subdivisions 1, 2, 3, and 5; 401.01, subdivision 2; and 401.04.

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

Johnson, A., and Greenfield introduced:

H. F. No. 2040, A bill for an act relating to human services; authorizing grants for additional semi-independent living services; appropriating money; amending Minnesota Statutes 1986, section 252.275, by adding a subdivision.

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

Brown, Wenzel, Cooper, Steensma and Dauner introduced:

H. F. No. 2041, A bill for an act relating to agriculture; limiting ownership of agricultural land by certain corporations and limited partnerships; requiring certain reports; prescribing a civil penalty; amending Minnesota Statutes 1986, section 500.24, subdivisions 3 and 4; and Minnesota Statutes 1987 Supplement, section 500.24, subdivision 2.

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

Pappas, Swenson and DeRaad introduced:

H. F. No. 2042, A bill for an act relating to nonprofit corporations; requiring a notice of meetings or elections to inform members whether proxy voting is permitted and the manner of doing so; providing an administrative hearing for certain violations by officers or directors; giving members access to the membership list; amending Minnesota Statutes 1986, sections 317.22, subdivision 4; and 317.28; proposing coding for new law in Minnesota Statutes, chapter 317.

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

Trimble; Pelowski; Begich; Nelson, K., and Vellenga introduced:

H. F. No. 2043, A bill for an act relating to education; appropriating money to the labor studies and resource center to train teachers in labor history and in the role of labor in the economy.

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

Winter, Bauerly, Dauner, DeBlicek and Tunheim introduced:

H. F. No. 2044, A bill for an act relating to taxation; income; excluding certain volunteer firefighters lump sum distributions; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

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

Minne introduced:

H. F. No. 2045, A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

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

Hartle introduced:

H. F. No. 2046, A bill for an act relating to state lands; directing sale and conveyance of certain state-owned lands to the city of Owatonna.

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

Hartle introduced:

H. F. No. 2047, A bill for an act relating to transportation; exempting private carriers from certain hazardous materials regulations; amending Minnesota Statutes 1986, section 221.033, subdivision 2.

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

McKasy, Boo, Sviggum and Bennett introduced:

H. F. No. 2048, A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

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

Sparby, O'Connor, McKasy, Bertram and Milbert introduced:

H. F. No. 2049, A bill for an act relating to commerce; motor vehicles; regulating motor vehicle franchises; clarifying the intent of the legislature regarding cancellations, terminations, or nonrenewals; specifying unfair practices; prohibiting agreements designed to waive, nullify, or modify statutory regulation; requiring lessors to title and register vehicles; amending Minnesota Statutes 1986, sections 80E.06; 80E.07; 80E.08; 80E.09; 80E.13; and 168.27, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 80E.

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

Jennings, Redalen, Jacobs, Jensen and Rose introduced:

H. F. No. 2050, A bill for an act relating to utilities; providing procedures for changing rates for noncompetitive telephone services; requiring report to the legislature; amending Minnesota Statutes 1987 Supplement, section 237.62, subdivision 1.

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

Price and Beard introduced:

H. F. No. 2051, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; authorizing lotteries and the sale of lottery tickets under certain circumstances; providing for the expenditures of the net revenues for certain environmental purposes; proposing coding for new law in Minnesota Statutes, chapter 116D.

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

Cooper, Sviggum, Neuenschwander, Vanasek and Long introduced:

H. F. No. 2052, A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance companies; amending Minnesota Statutes 1986, section 69.031,

subdivision 3; Minnesota Statutes 1987 Supplement, sections 60A.15, subdivision 1; and 69.021, subdivision 5.

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

Solberg introduced:

H. F. No. 2053, A bill for an act relating to water; requiring certain mining company pumps to comply with applicable permit requirements.

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

Solberg, Orenstein and Bishop introduced:

H. F. No. 2054, A bill for an act relating to human rights; clarifying marital status discrimination and housing discrimination; enforcing comparable worth and affirmative action requirements; making procedural and administrative changes; amending Minnesota Statutes 1986, sections 363.01, by adding a subdivision; 363.02, subdivisions 2, 2a, and by adding a subdivision; 363.03, subdivision 2; 363.06, subdivision 3; 363.073, subdivisions 1 and 3; 363.074; 363.091; and 363.14, subdivisions 1 and 3; Minnesota Statutes 1987 Supplement, sections 363.03, subdivision 1; 363.06, subdivision 1; and 363.071, subdivision 2.

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

Otis and Nelson, K., introduced:

H. F. No. 2055, A bill for an act relating to education; making changes in the budget law relating to special school district No. 1, Minneapolis; amending Laws 1959, chapter 462, section 3, subdivision 4, as amended.

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

Long and Jefferson introduced:

H. F. No. 2056, A bill for an act relating to state lands; requiring corrective deed to be issued to Basilica of St. Mary of Minneapolis for state lands authorized to be conveyed to Basilica of St. Mary's, Inc.

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

Bertram, Redalen, Dille, Wenzel and Olson, K., introduced:

H. F. No. 2057, A bill for an act relating to agriculture; providing penalties and liability for damages for unauthorized release of domestic animals; proposing coding for new law in Minnesota Statutes, chapter 346.

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

Peterson, Welle, Price, Bauerly and Gruenes introduced:

H. F. No. 2058, A bill for an act relating to education; approving a capital loan; directing the commissioner of finance to issue bonds to make the loan to independent school district No. 912, Milaca.

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

Pappas and Vellenga introduced:

H. F. No. 2059, A bill for an act relating to crime; children; clarifying the defenses to a charge of deprivation of parental rights; requiring defendant to prove elements of defenses; amending Minnesota Statutes 1987 Supplement, section 609.26, subdivision 2.

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

DeRaad, Poppenhagen, Knickerbocker, Marsh and McKasy introduced:

H. F. No. 2060, A bill for an act relating to state agencies; returning the control of the Minnesota veterans home to the department of veterans affairs.

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

Begich, Beard, Sarna, Rice and Vanasek introduced:

H. F. No. 2061, A bill for an act relating to workers' compensation; providing a single type of benefit for permanent partial disabilities;

requiring all employers to purchase workers' compensation insurance from the state insurance fund; amending Minnesota Statutes 1986, sections 176.021, subdivision 3; 176.061, subdivision 10; 176.101, subdivisions 3e, 3f, 3i, 3j, 3l, 3r, and by adding a subdivision; 176.185, by adding a subdivision; 176.221, subdivision 6a; 176A.03, subdivision 2; Minnesota Statutes 1987 Supplement, sections 176.179; and 176A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 176A; repealing Minnesota Statutes 1986, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3g, 3m, 3o, 3p, 3q, 3s, and 3t; and 176.105.

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

Jefferson, Greenfield, Boo, Ogren and Kelso introduced:

H. F. No. 2062, A bill for an act relating to human services; establishing a demonstration project; requiring an evaluation and report; appropriating money.

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

Jefferson, Dawkins, Tjornhom, Ogren and Murphy introduced:

H. F. No. 2063, A bill for an act relating to housing; providing a definition; authorizing certain refinancing; providing for reservation of low-income housing credits; amending Minnesota Statutes 1986, sections 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.07, subdivisions 14 and 15; Minnesota Statutes 1987 Supplement, section 462A.222, subdivision 2.

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

## CONSENT CALENDAR

### POINT OF ORDER

Dempsey raised a point of order pursuant to House Rule 1.16 relating to the time limit for consideration of bills and that H. F. No. 1773 was not in order. The Speaker ruled the point of order not well taken and H. F. No. 1773 in order.

H. F. No. 1773, A bill for an act relating to the statutes; directing the revisor of statutes to assign chapter numbers to enrollments and publish bills in Laws of Minnesota in the chapter number order;

providing for showing on enrollments and publications of the time of final enactment of bills; maintaining existing law on determination of final enactment despite the change in the method of numbering chapters of enrollments and publications; amending Minnesota Statutes 1986, sections 3.19; 3C.04, subdivision 5; 3C.06, subdivision 1; and 645.01; proposing coding for new law in Minnesota Statutes, chapter 4.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Uphus was excused at 2:25 p.m.

## GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

## REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 421 and 1754 were recommended to pass.

S. F. No. 236 was recommended to pass.

H. F. No. 297 was recommended for progress.

On the motion of Wynia the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Clark moved that the name of Vellenga be added as chief author on H. F. No. 1552. The motion prevailed.

Bishop moved that the name of Vellenga be stricken as an author on H. F. No. 1647. The motion prevailed.

Price moved that the name of Bishop be added as an author on H. F. No. 1846. The motion prevailed.

Clark moved that the name of Segal be added as an author on H. F. No. 1893. The motion prevailed.

Hartle moved that the name of Frerichs be added as an author on H. F. No. 1919. The motion prevailed.

Segal moved that the name of Clark be added as an author on H. F. No. 1924. The motion prevailed.

Segal moved that the name of Clark be added as an author on H. F. No. 1937. The motion prevailed.

Otis moved that H. F. No. 1815 be recalled from the Committee on Economic Development and Housing and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Kelso moved that H. F. No. 1752 be recalled from the Committee on Metropolitan Affairs and be re-referred to the Committee on Local and Urban Affairs. The motion prevailed.

Pelowski, Rest, Burger and Trimble introduced:

House Resolution No. 47, A House resolution recognizing the Minnesota silver-haired legislature.

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

Rest; Long; Carlson, L.; Segal and Blatz introduced:

House Resolution No. 48, A House resolution declaring March 6 to 13, 1988, as Volunteers of America Week.

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

#### MOTION TO TAKE FROM THE TABLE

Vellenga moved that S. F. No. 121 be taken from the table and be placed upon its final passage. The motion prevailed.

#### MOTION FOR RECONSIDERATION

Frerichs moved that the action whereby S. F. No. 121 was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Frerichs motion and the roll was called. There were 51 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dempsey	Johnson, R.	Olson, E.	Rukavina
Anderson, R.	Dille	Johnson, V.	Olson, K.	Sarna
Begich	Frederick	Kinkel	Omann	Schafer
Bertram	Frerichs	Kostohryz	Onnen	Sparby
Brown	Gruenes	Lasley	Ozment	Sviggum
Burger	Haukoos	Marsh	Peterson	Thiede
Carlson D.	Heap	McDonald	Poppenhagen	Valento
Carlson, L.	Hugoson	McPherson	Quist	Voss
Cooper	Jennings	Miller	Redalen	Waltman
Dauner	Jensen	O'Connor	Richter	Welle
				Winter

Those who voted in the negative were:

Battaglia	Bennett	Carruthers	DeBlieck	Forsythe
Bauerly	Bishop	Clausnitzer	DeRaad	Greenfield
Beard	Boo	Dawkins	Dorn	Gutknecht

Hartle	Knuth	Nelson, C.	Quinn	Stanius
Himle	Krueger	Nelson, D.	Reding	Steensma
Jacobs	Larsen	Nelson, K.	Rest	Swenson
Jaros	Lieder	Neuenschwander	Rice	Tjornhom
Jefferson	Long	Olsen, S.	Riveness	Tompkins
Johnson, A.	McEachern	Orenstein	Rodosovich	Trimble
Kahn	McKasy	Osthoff	Scheid	Vellenga
Kalis	McLaughlin	Otis	Seaberg	Wagenius
Kelly	Milbert	Pappas	Segal	Wynia
Kelso	Morrison	Pauly	Shaver	Spk. Vanasek
Kludt	Munger	Pelowski	Simoneau	
Knickerbocker	Murphy	Price	Skoglund	

The motion did not prevail.

#### CALL OF THE HOUSE

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

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

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

#### MOTION FOR RECONSIDERATION

Vellenga moved that the action whereby S. F. No. 121 was given its third reading be now reconsidered. The motion prevailed.

Vellenga offered an amendment to S. F. No. 121, the unofficial engrossment.

Thiede requested a division of the Vellenga amendment.

The first portion of the Vellenga amendment reads as follows:

Page 1, line 27, delete "\$25" and insert "\$10"

Page 2, line 27, delete everything before "1989"

The motion prevailed and the first portion of the Vellenga amendment was adopted.

The second portion of the Vellenga amendment reads as follows:

Page 2, after line 30, insert:

"Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective May 1, 1988."

Thiede moved to amend the second portion of the Vellenga amendment to S. F. No. 121, the unofficial engrossment, as amended, as follows:

Page 1, line 7, delete "1988" and insert "1990"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 32 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	DeRaad	Marsh	Quist	Valento
Begich	Frerichs	McDonald	Redalen	Voss
Burger	Haukoos	McPherson	Richter	Waltman
Carlson, D.	Hugoson	Miller	Schafer	Wenzel
Carruthers	Jennings	Olson, E.	Sparby	
Clausnitzer	Jensen	Omamm	Thiede	
Dempsey	Johnson, V.	Poppenhagen	Tjornhom	

Those who voted in the negative were:

Battaglia	Cooper	Hartle	Kalis	Larsen
Bauerly	Dauner	Heap	Kelly	Lasley
Beard	Dawkins	Himle	Kelso	Lieder
Bennett	Dille	Jacobs	Kinkel	Long
Bertram	Dorn	Jaros	Kludt	McEachern
Boo	Forsythe	Jefferson	Knickerbocker	McLaughlin
Brown	Greenfield	Johnson, A.	Knuth	Milbert
Carlson, L.	Gruenes	Johnson, R.	Kostohryz	Morrison
Clark	Gutknecht	Kahn	Krueger	Munger

Murphy	Onnen	Price	Seaberg	Swenson
Nelson, C.	Orenstein	Quinn	Segal	Trimble
Nelson, D.	Osthoff	Reding	Shaver	Tunheim
Nelson, K.	Otis	Rest	Simoneau	Vellenga
Neuenschwander	Ozment	Rice	Skoglund	Wagenius
O'Connor	Pappas	Rodosovich	Solberg	Welle
Ogren	Pauly	Rukavina	Stanisus	Winter
Olsen, S.	Pelowski	Sarna	Steensma	Wynia
Olson, K.	Peterson	Scheid	Sviggum	Spk. Vanasek

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

The question recurred on the adoption of the second portion of the Vellenga amendment. The motion prevailed and the amendment was adopted.

Solberg moved to amend S. F. No. 121, the unofficial engrossment, as amended, as follows:

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1986, section 169.686, subdivision 2, is amended to read:

Subd. 2. [SEAT BELT EXEMPTIONS.] This section shall not apply to:

- (1) a person driving a passenger vehicle in reverse;
- (2) a person riding in a seat in which all the seating positions equipped with safety belts are occupied by other persons;
- (3) a person who is in possession of a written certificate from a licensed physician verifying that because of medical unfitness or physical disability the person is unable to wear a seat belt;
- (4) a person who is actually engaged in work that requires the person to alight from and reenter a passenger vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour;
- (5) a rural mail carrier of the United States Postal Service while in the performance of duties;
- (6) a person driving or riding in a passenger vehicle manufactured before January 1, 1965; and
- (7) a person driving or riding in a pickup truck, as defined in section 168.011, subdivision 29, while engaged in normal farming work or activity; and

(8) a person who is able to show by physical or documentary evidence that the applicable car seat is equipped with a complete passive restraint system, commonly known as an air bag, meeting the requirements of Code of Federal Regulations, title 49, section 571.208."

Renumber the remaining sections

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Solberg amendment and the roll was called.

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

There were 63 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	DeRaad	Kalis	Onnen	Steensma
Bauerly	Dille	Kinkel	Ozment	Sviggum
Beard	Dorn	Kostohryz	Poppenhagen	Swenson
Begich	Frederick	Marsh	Quinn	Thiede
Bertram	Frerichs	McDonald	Quist	Tjornhom
Bishop	Gutknecht	McEachern	Richter	Tompkins
Brown	Haukoos	McPherson	Rose	Valento
Burger	Hugoson	Miller	Rukavina	Voss
Carlson, D.	Jacobs	Nelson, C.	Schafer	Waltman
Carruthers	Jennings	Ogren	Seaberg	Wenzel
Clausnitzer	Jensen	Olson, E.	Simoneau	Winter
Dauner	Johnson, R.	Olson, K.	Solberg	
Dempsey	Johnson, V.	Omamm	Sparby	

Those who voted in the negative were:

Battaglia	Jaros	McLaughlin	Pappas	Segal
Bennett	Jefferson	Milbert	Pauly	Shaver
Boo	Johnson, A.	Morrison	Pelowski	Skoglund
Carlson, L.	Kahn	Munger	Peterson	Stanius
Clark	Kelly	Murphy	Price	Trimble
Cooper	Kelso	Nelson, D.	Redalen	Tunheim
Dawkins	Knickerbocker	Nelson, K.	Reding	Vellenga
Forsythe	Knuth	Neuenschwander	Rest	Wagenius
Greenfield	Krueger	O'Connor	Rice	Welle
Gruenes	Larsen	Olsen, S.	Riveness	Wynia
Hartle	Lasley	Orenstein	Rodosovich	Spk. Vanasek
Heap	Lieder	Osthoff	Sarna	
Himle	Long	Otis	Scheid	

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

Frerichs moved to amend S. F. No. 121, the unofficial engrossment,

as amended, as follows:

Add a section to read:

"Sec. 3. [REPEALER.]

Minnesota Statutes 1986, section 169.685, subdivision 4, is repealed."

Renumber the remaining sections

Amend the title as follows:

Page 1, line 2, after the semicolon insert "repealing prohibition against introduction of evidence of use or non-use of seat belts or child restraint devices;"

Page 1, line 8, after "subdivision" insert "; repealing Minnesota Statutes 1986, section 169.685, subdivision 4"

A roll call was requested and properly seconded.

The question was taken on the Frerichs amendment and the roll was called.

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

There were 21 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Carlson, D.	McDonald	Quist	Seaberg	Waltman
Frerichs	McPherson	Redalen	Sparby	
Hugoson	Miller	Richter	Sviggum	
Jennings	Morrison	Rose	Thiede	
Johnson, V.	Poppenhagen	Schafer	Voss	

Those who voted in the negative were:

Anderson, G.	Clark	Hartle	Kelso	Munger
Battaglia	Clausnitzer	Haukoos	Kinkel	Murphy
Bauerly	Cooper	Heap	Knickerbocker	Nelson, C.
Beard	Dauner	Himle	Knuth	Nelson, D.
Begich	Dawkins	Jacobs	Krueger	Nelson, K.
Bennett	Dempsey	Jaros	Larsen	Neuenschwander
Bertram	DeRaad	Jefferson	Lasley	O'Connor
Bishop	Dille	Jensen	Lieder	Ogren
Boo	Dorn	Johnson, A.	Long	Olsen, S.
Brown	Forsythe	Johnson, R.	Marsh	Olson, E.
Burger	Frederick	Kahn	McEachern	Olson, K.
Carlson, L.	Greenfield	Kalis	McLaughlin	Omann
Carruthers	Gruenes	Kelly	Milbert	Onnen

Orenstein	Price	Sarna	Steensma	Wagenius
Osthoff	Quinn	Scheid	Swenson	Welle
Otis	Reding	Segal	Tjornhom	Wenzel
Ozment	Rest	Shaver	Tompkins	Winter
Pappas	Rice	Simoneau	Trimble	Wynia
Pauly	Riveness	Skoglund	Tunheim	Spk. Vanasek
Pelowski	Rodosovich	Solberg	Valento	
Peterson	Rukavina	Stanius	Vellenga	

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

Marsh offered an amendment to S. F. No. 121, the unofficial engrossment, as amended.

#### POINT OF ORDER

Rice raised a point of order pursuant to rule 3.9 that the amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Lasley moved to amend S. F. No. 121, the unofficial engrossment, as amended, as follows:

Page 1, line 15, after the semicolon insert "and"

Page 1, line 17, strike "; and" and insert a period

Page 1, lines 18 to 20, strike the old language and delete the new language

A roll call was requested and properly seconded.

The question was taken on the Lasley amendment and the roll was called.

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

There were 53 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dempsey	Johnson, R.	Miller	Poppenhagen
Anderson, R.	DeRaad	Johnson, V.	Nelson, C.	Quinn
Beard	Frerichs	Kinkel	O'Connor	Quist
Begich	Gruenes	Kostohryz	Ogren	Redalen
Bishop	Haukoos	Lasley	Olson, E.	Richter
Burger	Hugoson	Marsh	Olson, K.	Rukavina
Carlson, D.	Jacobs	McDonald	Omamm	Schafer
Carruthers	Jennings	McEachern	Onnen	Seaberg
Cooper	Jensen	McPherson	Ozment	Sparby

Sviggum	Tjornhom	Voss	Welle
Thuede	Tompkins	Waltman	Wenzel

Those who voted in the negative were:

Battaglia	Greenfield	Larsen	Pappas	Simoneau
Bauerly	Gutknecht	Lieder	Pauly	Skoglund
Bennett	Hartle	Long	Pelowski	Solberg
Bertram	Heap	McLaughlin	Peterson	Stanius
Boo	Himle	Milbert	Price	Steensma
Brown	Jaros	Morrison	Reding	Swenson
Carlson, L.	Jefferson	Munger	Rest	Trimble
Clark	Johnson, A.	Murphy	Rice	Tunheim
Clausnitzer	Kahn	Nelson, D.	Riveness	Valento
Dauner	Kalis	Nelson, K.	Rodosovich	Vellenga
Dawkins	Kelly	Neuenschwander	Rose	Wagenius
Dille	Kelso	Olsen, S.	Sarna	Winter
Dorn	Knickerbocker	Orenstein	Scheid	Wynia
Forsythe	Knuth	Osthoff	Segal	Spk. Vanasek
Frederick	Krueger	Otis	Shaver	

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

Kludt and McKasy were excused for the remainder of today's session.

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

The bill was read for the 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.

Frerichs moved that those not voting be excused from voting. The motion did not prevail.

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

There were 62 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Battaglia	Boo	DeRaad	Frederick	Jaros
Bauerly	Clark	Dille	Greenfield	Jefferson
Bennett	Cooper	Dorn	Hartle	Johnson, A.
Bishop	Dawkins	Forsythe	Himle	Kahn

Kalis	Murphy	Pappas	Schafer	Trimble
Kelly	Nelson, D.	Pauly	Scheid	Vellenga
Knickerbocker	Nelson, K.	Peterson	Seaberg	Wagenius
Knuth	Neuenschwander	Price	Segal	Welle
Larsen	Olsen, S.	Quinn	Shaver	Wynia
Long	Orenstein	Rest	Skoglund	Spk. Vanasek
McLaughlin	Osthoff	Rodosovich	Solberg	
Morrison	Otis	Rose	Stanius	
Munger	Ozment	Sarna	Swenson	

Those who voted in the negative were:

Anderson, G.	Dempsey	Kinkel	Ogren	Simoneau
Anderson, R.	Frerichs	Kostohryz	Olson, E.	Sparby
Beard	Gruenes	Krueger	Olson, K.	Steensma
Begich	Gutknecht	Lasley	Omann	Svigum
Bertram	Haukoos	Lieder	Onnen	Thiede
Brown	Heap	Marsh	Pelowski	Tjornhom
Burger	Hugoson	McDonald	Poppenhagen	Tompkins
Carlson, D.	Jacobs	McEachern	Quist	Tunheim
Carlson, L.	Jennings	McPherson	Redalen	Valento
Carruthers	Jensen	Milbert	Reding	Voss
Clausnitzer	Johnson, R.	Miller	Richter	Waltman
Dauner	Johnson, V.	Nelson, C.	Riveness	Wenzel
DeBlieck	Kelso	O'Connor	Rukavina	Winter

The bill was not passed, as amended.

Pappas moved that H. F. No. 1922 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Pappas moved that H. F. No. 2042 be recalled from the Committee on Commerce and be re-referred to the Committee on Judiciary. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following change in committee assignments:

Governmental Operations: Remove the name of Clark.

#### ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 22, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 22, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives