

## STATE OF MINNESOTA

## SEVENTY-FIFTH SESSION—1988

## SIXTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 29, 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 Pastor Rick Storm, Spring Lake Park Baptist Church, Spring Lake Park, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Gutknecht; Nelson, D., and Ozment were excused.

Solberg was excused until 2:30 p.m. Clark and McKasy were excused until 2:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding

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

#### REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 718, 1761, 1817, 1858, 2020, 1805, 1940, 1979, 1790, 1851, 1749 and 1704 and S. F. Nos. 1575 and 1184 have been placed in the members' files.

#### REPORTS OF STANDING COMMITTEES

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 10, A bill for an act relating to crimes; providing for life imprisonment without parole for persons convicted of premeditated murder in the first degree; eliminating juvenile court jurisdiction over minors 14 years old and older accused of murder or manslaughter; expanding the crime of murder in the second degree to cover the unintentional killing of certain young children; increasing penalties and imposing mandatory minimum sentences for certain homicides and other crimes; clarifying the elements of manslaughter in the first degree; prohibiting waiver of certain mandatory minimum sentencing provisions; amending Minnesota Statutes 1986, sections 244.05, subdivision 4; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3; and by adding a subdivision; 609.19; 609.195; 609.20; 609.221; 609.223; 609.224; 609.255, subdivision 3; 609.342, subdivision 2; 609.343, subdivision 2; 609.344, subdivision 2; 609.345, subdivision 2; and 609.377; and repealing Minnesota Statutes 1986, section 609.11, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 244.05, subdivision 4, is amended to read:

Subd. 4. [MINIMUM IMPRISONMENT, LIFE SENTENCE.] An inmate serving a mandatory life sentence shall not be given supervised release under this section without having served a minimum term of imprisonment of 17 20 years.

Sec. 2. Minnesota Statutes 1987 Supplement, section 609.20, is amended to read:

609.20 [MANSLAUGHTER IN THE FIRST DEGREE.]

Whoever does any of the following is guilty of manslaughter in the first degree and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000, or both:

(1) intentionally causes the death of another person in the heat of passion provoked by such words or acts of another as would provoke a person of ordinary self-control under like circumstances, provided that the crying of an infant or child under the age of 12 years does not constitute such words or acts;

(2) causes the death of another in committing or attempting to commit a misdemeanor or gross misdemeanor offense with such force and violence that death of or great bodily harm to any person was reasonably foreseeable, and murder in the first or second degree was not committed thereby;

(3) intentionally causes the death of another person because the actor is coerced by threats made by someone other than the actor's coconspirator and which cause the actor reasonably to believe that the act performed by the actor is the only means of preventing imminent death to the actor or another; or

(4) proximately causes the death of another, without intent to cause death by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance classified in schedule III, IV, or V.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective August 1, 1988, and apply to crimes committed on or after that date.

Delete the title and insert:

"A bill for an act relating to crimes; raising the minimum term of imprisonment from 17 to 20 years for persons convicted of first degree murder; clarifying that the crying of a child does not constitute provocation under first degree manslaughter; amending Minnesota Statutes 1986, section 244.05, subdivision 4; and Minnesota Statutes 1987 Supplement, section 609.20."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 518, A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; proposing coding for new law as Minnesota Statutes, chapter 468.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986; section 3.981, subdivision 2, is amended to read:

Subd. 2. [COSTS MANDATED BY THE STATE.] (a) "Costs mandated by the state" means increased costs that a local agency or a school district political subdivision is required to incur as a result of:

(a) (1) a law enacted after June 30, 1985, which mandates a new program or an increased level of service of an existing program;

(b) (2) an executive order issued after June 30, 1985, which mandates a new program;

(c) (3) an executive order issued after June 30, 1985, which implements or interprets a state statute and, by this implementation or interpretation, increases program levels above the levels required before July 1, 1985;

(d) (4) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which implements or interprets a federal statute or regulation and, by this implementation or interpretation, increases program or service levels above the levels required by this federal statute or regulation;

(e) (5) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which implements or interprets a statute or amendment adopted or enacted pursuant to the approval of a statewide ballot measure by the voters and, by this implementation or interpretation, increases program or service levels above the levels required by the ballot measure;

(f) (6) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which removes an option previously available to local agencies political subdivisions and thus increases program or service levels or prohibits a specific activity and so forces local agencies political subdivisions to use a more costly alternative to provide a mandated program or service;

(g) (7) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which requires that an existing program or service be provided in a shorter time period and thus increases the cost of the program or service;

(h) (8) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which adds new requirements to an existing optional program or service and thus increases the cost of the program or service as the ~~local agencies~~ political subdivisions have no reasonable alternatives other than to continue the optional program;

(i) (9) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which creates new revenue losses stemming from new property or sales and use tax exemptions;

(j) (10) a statute enacted after June 30, 1985, or executive order issued after June 30, 1985, which requires costs previously incurred at local option that have subsequently been mandated by the state; ~~or~~

(k) (11) a statute enacted or an executive order issued after March 26, 1986 which requires payment of a new fee or increases the amount of an existing fee; or

(12) when state statutory or executive actions are intended to achieve compliance with federal statutes or regulations or court orders, state mandates shall be determined as follows:

(i) if the federal statute or regulation or court order is discretionary, the state statutory or executive action is a state mandate;

(ii) if the state statutory or executive action exceeds what is required by the federal statute or regulation or court order, only the provisions of the state action which exceed the federal requirements are a state mandate; and

(iii) if the state statutory or executive action does not exceed what is required by the federal statute or regulation or court order, the state action is not a state mandate.

(b) Costs mandated by the state include the costs of:

(1) a rule issued after December 31, 1988, which mandates a new responsibility; and

(2) a rule issued after December 31, 1988, which implements or interprets a state statute enacted after December 31, 1986, and by doing so increases program levels above the levels required before January 1, 1988.

Sec. 2. Minnesota Statutes 1986, section 3.981, is amended by adding a subdivision to read:

Subd. 4a. [MANDATE.] A "mandate" is a requirement imposed upon a political subdivision by the legislature, a state agency, or judicial authority which, if not complied with, results in (a) civil liability, (b) criminal penalty, or (c) administrative sanctions such as reduction or loss of funding.

Sec. 3. Minnesota Statutes 1986, section 3.981, is amended by adding a subdivision to read:

Subd. 5a. [POLITICAL SUBDIVISION.] A "political subdivision" is a county, city, town, school district, or other taxing district or municipal corporation.

Sec. 4. Minnesota Statutes 1986, section 3.981, subdivision 8, is amended to read:

Subd. 8. [SAVINGS.] "Savings" includes budget reductions and the freeing of staff or resources to be reassigned to a local agency's or school district's political subdivision's other areas of concern.

Sec. 5. Minnesota Statutes 1986, section 3.982, is amended to read:

### 3.982 [FISCAL NOTES FOR STATE-MANDATED ACTIONS.]

Subdivision 1. [DIVISION OF STATE AND LOCAL MANDATES.] When the state proposes to mandate that a local agency or school district political subdivision take an action, and when reasonable compliance with that action would force the local agency or school district political subdivision to incur costs mandated by the state, a fiscal note shall be prepared as provided in section 3.98, subdivision 2 and shall be made available to the public upon request. If the action is among the exceptions listed in section 3.983, a fiscal note need not be prepared.

When a bill proposing a mandate is introduced and referred to a standing committee, the chair of the standing committee to which the bill is referred shall request the appropriate state agency or department to prepare a fiscal note before the bill is heard in the committee. Before a proposed mandate is issued in an executive order, the governor or appropriate agency head assigned by the governor shall prepare the fiscal note and make it available to the public.

A division of state and local mandates in the office of state auditor is created. The division shall make a reasonable determination in a timely manner of the estimated and actual financial effects on each

political subdivision of each program mandated by the legislature and each rule proposed by an administrative agency. The division may require the commissioner of the appropriate administrative agency of the state to supply in a timely manner any information determined by the division to be necessary to determine local financial effects. The commissioner shall convey the requested information to the division with a signed statement to the effect that the information is accurate and complete to the best of the commissioner's ability.

The division when requested shall update its determination of financial effects based on either actual cost figures or improved estimates or both.

Subd. 2. [MANDATE EXPLANATIONS.] Any bill introduced in the legislature after December 31, 1988, which seeks to impose program or financial mandates on political subdivisions must include an attachment that gives appropriate responses to the following guidelines. It must state and list:

(1) the policy goals which are sought to be attained, the performance standards that are to be imposed, and an explanation why the goals and standards will best be served by the requiring compliance on the part of political subdivisions;

(2) performance standards which will allow political subdivisions flexibility and innovation of method in achieving these goals;

(3) the reasons for each prescribed standard and the process by which each standard shall govern inputs such as staffing and other administrative aspects of the program;

(4) the sources of additional revenue, in addition to existing funding for similar programs, that are directly linked to imposition of the mandates that will provide adequate and stable funding for their requirements;

(5) what input has been obtained to ensure that the implementing agencies have the capacity to carry out the delegated responsibilities; and

(6) the reasons why less intrusive measures such as financial incentives or voluntary compliance would not yield the equity, efficiency, or desired level of statewide uniformity in the proposed program.

Subd. 3. [LOCAL INVOLVEMENT; LAWS.] Any bill introduced in the legislature after December 31, 1988, which seeks to impose a program or financial mandate on political subdivisions must include as an attachment a description of the efforts put forth, if any, to

involve political subdivisions in the creation or development of the proposed mandate.

Subd. 4. [NO MANDATE RESTRICTION.] Except as specifically provided by this act, nothing in this act shall be construed to restrict or eliminate the authority of the state to create or impose programs by legislative mandate upon political subdivisions.

Sec. 6. Minnesota Statutes 1986, section 3.983, subdivision 3, is amended to read:

Subd. 3. [MISCELLANEOUS EXCEPTIONS.] A fiscal note or an attachment as provided in section 3.982, subdivision 2, need not be prepared for the cost of a mandated action if the law containing the mandate:

- (a) accommodates a specific local request;
- (b) results in no new local government duties;
- (c) leads to revenue losses from exemptions to taxes other than sales, use, or property taxes;
- (d) provides only clarifying or conforming, nonsubstantive changes on local government;
- (e) imposes additional net local costs which are minor (less than \$200 for any single local government if the mandate does not apply statewide or less than one-tenth of a mill times the entire value of taxable property in the state if the mandate is statewide) and do not cause a financial burden on local government;
- (f) is a legislative mandate or executive order enacted before July 1, 1985, or a rule initially implementing legislation enacted before July 1, 1985;
- (g) implements something other than a state statute or executive order, such as a federal, court, or voter-approved mandate;
- (h) appears in rules that are permissive or discretionary in nature;
- (i) defines a new crime or redefines an existing crime or infraction;
- (j) provides, or falls within the purview of existing, revenue sources or other financing mechanisms; or
- ~~(k)~~ (i) results in savings that equal or exceed costs;
- (j) requires the holding of elections;



- (k) insures due process and equal protection;
- (l) provides for the notification and conduct of public meetings;
- (m) establishes the procedures for administrative and judicial review of actions taken by political subdivisions;
- (n) protects the public from malfeasance, misfeasance, or nonfeasance by officials of political subdivisions;
- (o) relates directly to financial administration, including the levy, assessment, and collection of taxes;
- (p) relates directly to the preparation and submission of financial audits necessary to the administration of state laws; or
- (q) requires uniform standards to apply to public and private institutions without differentiation.

Sec. 7. [3.984] [REIMBURSEMENT TO LOCAL POLITICAL SUBDIVISIONS FOR COSTS OF STATE MANDATES.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, class A and class B state mandates have the meaning given them.

(a) "Class A state mandates" are those laws under which the state mandates to political subdivisions, their participation, the organizational structure of the program, and the procedural regulations under which the law must be administered.

(b) "Class B state mandates" are those mandates that allow the political subdivisions to opt for administration of a law with program elements mandated beforehand and with an assured revenue level from the state of 90 percent of full program and administrative costs.

Subd. 2. [REPORT.] The division of state and local mandates shall submit to the department of finance by September 1, 1990, and by September 1 of each year thereafter, a report by political subdivisions of the costs of class A state mandates established after December 31, 1988.

The department of finance shall annually include the statewide total of the statement of costs of class A mandates as a notation in the state budget for the next fiscal year.

Subd. 3. [CERTAIN POLITICAL SUBDIVISIONS; REPORT.] The political subdivisions that have opted to administer class B state mandates shall report to the division of state and local mandates on or before September 1, 1990, and on or before September 1 of each

year thereafter, regarding the fact that revenue for a class B state mandate has fallen below 85 percent of the total cost of the program and that the political subdivision intends to cease administration of the program.

The division shall forward a copy of the report to the department of finance and the respective chairs of the senate finance committee and the house appropriations committee for inclusion of the shortfall as a line item appropriation in the state budget for the next fiscal year.

The political subdivision may exercise its option to cease administration only if the legislature has failed to include the shortfall as an appropriation in the state budget for the next fiscal year.

Subd. 4. [EXEMPTIONS.] Statutes and executive orders enumerated in Minnesota Statutes, section 3.983, are exempted from this section.

Sec. 8. Minnesota Statutes 1986, section 14.11, subdivision 1, is amended to read:

Subdivision 1. [FISCAL NOTE ON RULE IN NOTICE.] If the adoption of a rule by an agency will require the expenditure of public money by local public bodies, the appropriate notice of the agency's intent to adopt a rule shall be accompanied by a written statement giving the agency's reasonable estimate of the total cost to all local public bodies in the state to implement the rule for the two years immediately following adoption of the rule if the estimated total cost exceeds \$100,000 in either of the two years after December 31, 1988, must be accompanied by a written report of the division of state and local mandates. The report must state the division's opinion of the total cost to local public bodies to implement the rule for the two years immediately following adoption of the rule. The report must also contain the opinion of the division as to the consistency of the proposed rule with the original legislative intent. The division shall have 60 days from the date of the agency's request to issue the report. For purposes of this subdivision, local public bodies shall mean officers and governing bodies of the political subdivisions of the state and other officers and bodies of less than statewide jurisdiction which have the authority to levy taxes.

Sec. 9. [14.401] [PERIODIC REVIEW OF ADMINISTRATIVE RULES.]

The division of state and local mandates shall review every five years the rules adopted after December 31, 1988, that have significant financial impact upon political subdivisions. For purposes of this section, "significant financial impact" means requiring local political subdivisions to expand existing services, employ additional personnel, or increase local expenditures. The division shall deter-

mine the costs and benefits of each rule and submit a report to the commission with its opinion, if any, for the continuation, modification, or elimination of each rule.

Sec. 10. [REPEALER.]

Minnesota Statutes 1986, section 3.981, subdivisions 4, 5, and 9, are repealed.

Delete the title and insert:

"A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; amending Minnesota Statutes 1986, sections 3.981, subdivisions 2, 8, and by adding subdivisions; 3.982; 3.983, subdivision 3; 14.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3 and 14; repealing Minnesota Statutes 1986, section 3.981, subdivisions 4, 5, and 9."

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 577, A bill for an act relating to children; requiring that a notice be placed on a child's birth record when parental rights to the child are terminated; permitting the juvenile court to transfer legal custody of a dependent or neglected child to a relative or foster parent under certain circumstances; providing a procedure for the adoption of a child by a foster parent at the same time that parental rights to the child are voluntarily terminated; requiring custody investigations in family court when a person other than a parent seeks custody of the child; amending Minnesota Statutes 1986, sections 144.219; 259.22, subdivision 2; 259.40, subdivisions 1 and 4; 260.191, subdivisions 1 and 2; 260.241, by adding a subdivision; and 518.167, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144 and 260.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 257.071, subdivision 3, is amended to read:

Subd. 3. [REVIEW OF VOLUNTARY PLACEMENTS.] Subject to the provisions of subdivision 4, if the child has been placed in a

residential facility pursuant to a voluntary release by the parent or parents, and is not returned home within 18 12 months after initial placement in the residential facility, the social service agency responsible for the placement shall:

(a) Return the child to the home of the parent or parents; or

(b) File an appropriate petition pursuant to section 260.131, subdivision 1, or 260.231, and if the petition is dismissed, petition the court within two years, pursuant to section 260.131, subdivision 1a, to determine if the placement is in the best interests of the child.

Sec. 2. Minnesota Statutes 1986, section 260.011, subdivision 2, is amended to read:

Subd. 2. (a) The purpose of the laws relating to juvenile courts is to secure for each child alleged or adjudicated neglected or dependent and under the jurisdiction of the court, the care and guidance, preferably in the child's own home, as will serve the spiritual, emotional, mental, and physical welfare of the child and the best interests of the state; to provide judicial procedures which protect the welfare of the child; to preserve and strengthen the child's family ties whenever possible, removing the child from the custody of parents only when the child's welfare or safety cannot be adequately safeguarded without removal; and, when removal from the child's own family is necessary, to secure for the child custody, care and discipline as nearly as possible equivalent to that which should have been given by the parents.

(b) The purpose of the laws relating to termination of parental rights is to ensure that:

(1) reasonable efforts have been made by the social service agency to reunite the child with the child's parents in a placement that is safe and permanent; and

(2) if such a placement is not reasonably foreseeable, to secure for the child a safe and permanent placement, preferably with adoptive parents.

The paramount consideration in all proceedings for the termination of parental rights shall be the best interests of the child.

(c) The purpose of the laws relating to children alleged or adjudicated to be delinquent is to promote the public safety and reduce juvenile delinquency by maintaining the integrity of the substantive law prohibiting certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just; that recognize the unique

characteristics and needs of children, and that give children access to opportunities for personal and social growth.

(d) The laws relating to juvenile courts shall be liberally construed to carry out these purposes.

Sec. 3. Minnesota Statutes 1986, section 260.012, is amended to read:

260.012 [DUTY TO ENSURE FAMILY REUNIFICATION OF JUVENILE COURT.]

At all stages of juvenile court proceedings, if a child is under the court's dependency or neglect jurisdiction, it shall be the duty of the court to ensure that reasonable efforts by the social service agency are made to reunite the child with the child's family at the earliest possible time, consistent with the best interests of the child. If a child is under the court's delinquency jurisdiction, it shall be the duty of the court to ensure that all reasonable efforts are made to reunite a the child with the child's family at the earliest possible time, consistent with the best interests of the child and the safety of the child and the public.

Sec. 4. Minnesota Statutes 1986, section 260.015, subdivision 10, is amended to read:

Subd. 10. "Neglected child" means a child:

- (a) who is abandoned by a parent, guardian, or other custodian; or
- (b) who is without proper parental care because of the faults or habits of a parent, guardian, or other custodian; or
- (c) who is without necessary subsistence, education or other care necessary for physical or mental health or morals because the parent, guardian or other custodian neglects or refuses to provide it; or
- (d) who is without the special care made necessary by a physical or mental condition because the parent, guardian, or other custodian neglects or refuses to provide it; or
- (e) who is medically neglected, which includes, but is not limited to, the withholding of medically indicated treatment from a disabled infant with a life-threatening condition. The term "withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by providing treatment including appropriate nutrition, hydration, and medication which, in the treating physician's or physicians' reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all

conditions, except that the term does not include the failure to provide treatment other than appropriate nutrition, hydration, or medication to an infant when, in the treating physician's or physicians' reasonable medical judgment:

- (1) the infant is chronically and irreversibly comatose;
- (2) the provision of the treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the survival of the infant; or
- (3) the provision of the treatment would be virtually futile in terms of the survival of the infant and the treatment itself under the circumstances would be inhumane; or
- (f) whose occupation, behavior, condition, environment or associations are such as to be injurious or dangerous to the child or others; or
- (g) who is living in a facility for foster care which is not licensed as required by law, unless the child is living in the facility under court order; or
- (h) whose parent, guardian, or custodian has made arrangements for the child's placement in a manner detrimental to the welfare of the child or in violation of law; or
- (i) who comes within the provisions of subdivision 5, but whose conduct results in whole or in part from parental neglect; or
- (j) who is a victim of domestic child abuse as defined in section 260.015, subdivision 24.

Sec. 5. Minnesota Statutes 1986, section 260.155, subdivision 4a, is amended to read:

Subd. 4a. [EXAMINATION OF CHILD.] In any dependency, neglect, or neglected and in foster care, or termination of parental rights proceeding the court may, on its own motion or the motion of any party, take the testimony of a child witness informally when it is in the child's best interests to do so. Informal procedures that may be used by the court include taking the testimony of a child witness outside the courtroom. The court may also require counsel for any party to the proceeding to submit questions to the court before the child's testimony is taken, and to submit additional questions to the court for the witness after questioning has been completed. The court may excuse the presence of the child's parent, guardian, or custodian from the room where the child is questioned in accordance with subdivision 5.

Sec. 6. Minnesota Statutes 1986, section 260.155, subdivision 7, is amended to read:

Subd. 7. [FACTORS IN DETERMINING NEGLIGENCE.] In determining whether a child is neglected and in foster care, the court shall consider, among other factors, the following:

- (1) The length of time the child has been in foster care;
- (2) The effort the parent has made to adjust circumstances, conduct, or condition to make it in the child's best interest to be returned to the parent's home in the foreseeable future, including the use of rehabilitative services offered to the parent;
- (3) Whether the parent has visited the child within the ~~nine~~ three months preceding the filing of the petition, unless it was physically or financially impossible for the parent to visit or not in the best interests of the child to be visited by the parent. The court may consider evidence of incidental visitations, communications, or contributions by the parent;
- (4) The maintenance of regular contact or communication with the agency or person temporarily responsible for the child;
- (5) The appropriateness and adequacy of services provided or offered to the parent to facilitate a reunion;
- (6) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time; and
- (7) The nature of the effort made by the responsible social service agency to rehabilitate and reunite the family.

Sec. 7. Minnesota Statutes 1987 Supplement, section 260.221, is amended to read:

260.221 [GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.]

Subdivision 1. [VOLUNTARY AND INVOLUNTARY.] The juvenile court may, upon petition, terminate all rights of a parent to a child in the following cases:

- (a) With the written consent of a parent who for good cause desires to terminate parental rights; or
- (b) If it finds that one or more of the following conditions exist:

(1) That the parent has abandoned the child. Abandonment is presumed when:

(i) the parent has had no contact or merely incidental contact with the child for six months in the case of a child under six years of age, or for 12 months in the case of a child ages six to eleven; and

(ii) the social service agency has made reasonable efforts to facilitate contact, unless the parent establishes that an extreme financial or physical hardship, treatment for mental disability, incarceration or other good cause prevented the parent from making contact with the child. This presumption shall not apply to children whose custody has been determined pursuant to chapter 257 or 518. The court is not prohibited from finding abandonment in the absence of this presumption; or

(2) That the parent has substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed upon that parent by the parent and child relationship, including but not limited to providing the child with necessary food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development, if the parent is physically and financially able; or

(3) That a parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has continuously failed to do so without good cause. This clause shall not be construed to state a grounds for termination of parental rights of a noncustodial parent if that parent has not been ordered to or cannot financially contribute to the support of the child or aid in the child's birth; or

(4) That a parent is palpably unfit to be a party to the parent and child relationship because of a consistent pattern of specific conduct before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be permanently detrimental to the physical or mental health of the child of such duration or nature as to render the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental, or emotional needs of the child; or

(5) That following upon a determination of neglect or dependency, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination. It shall be presumed that reasonable efforts under clause (5) have failed upon a showing that:

(i) a child under the age of 12 has resided out of the parental home under court order for more than one year following an adjudication of dependency, neglect or neglected and in foster care;



(ii) conditions leading to the determination will not be corrected within the reasonably foreseeable future; and

(iii) reasonable efforts have been made by the social service agency to rehabilitate the parent and reunite the family. Nothing in clause (5) prohibits the termination of parental rights prior to one year after a child has been placed out of the home; or

(6) That in the case of a child born to a mother who was not married to the child's father when the child was conceived nor when the child was born the person is not entitled to notice of an adoption hearing under section 259.26 and either the person has not filed a notice of intent to retain parental rights under section 259.261 or that the notice has been successfully challenged; or

(7) That the child is neglected and in foster care.

Subd. 2. [ADOPTIVE PARENT.] For purposes of subdivision 1, clause (a), an adoptive parent may not terminate parental rights to an adopted child for a reason that would not apply to a birth parent seeking termination of parental rights to a child under subdivision 1, clause (a).

Subd. 3. [WHEN PRIOR FINDING REQUIRED.] For purposes of subdivision 1, clause (b), no prior judicial finding of dependency, neglect, or neglected and in foster care is required, except as provided in subdivision 1, clause (b)(5).

Subd. 4. [BEST INTERESTS OF CHILD PARAMOUNT.] In any proceeding pursuant to this section, the best interests of the child shall be the paramount consideration, provided that the conditions in subdivision 1, clause (a) or at least one condition in subdivision 1, clause (b) are found by the court. Where the interests of parent and child conflict, the interests of the child are paramount.

Sec. 8. [EFFECTIVE DATE; APPLICATION.]

Sections 1 to 7 are effective August 1, 1988 and apply to petitions for termination of parental rights filed and placements begun on and after that date."

Delete the title and insert:

"A bill for an act relating to termination of parental rights; clarifying the purposes of the laws on termination of parental rights; altering certain grounds and procedures for termination of parental rights; amending Minnesota Statutes 1986, sections 257.071, subdivision 3; 260.011, subdivision 2; 260.012; 260.015, subdivision 10; and 260.155, subdivisions 4a and 7; and Minnesota Statutes 1987 Supplement, section 260.221."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 812, A bill for an act relating to occupations and professions; amending the laws regulating the practice of pharmacy; providing definitions; providing for registration of pharmacies, drug manufacturers, and others; providing for licensing of pharmacists; providing remedies for violations; amending Minnesota Statutes 1986, sections 151.01; 151.04; 151.06, subdivision 1; 151.101; 151.15; 151.19; 151.211; 151.212, subdivision 1, and by adding a subdivision; 151.25; 151.26, subdivision 1; 151.32; 151.34; and 151.37; proposing coding for new law in Minnesota Statutes, chapter 151; repealing Minnesota Statutes 1986, sections 151.06, subdivision 2a; 151.11; 151.28; and 151.31.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 151.01, subdivision 2, is amended to read:

Subd. 2. [PHARMACY.] The term "pharmacy" means a drug store or other established place regularly registered by the state board of pharmacy, in which prescriptions, drugs, medicines, chemicals, and poisons are compounded, dispensed, vended, or sold at retail. "Pharmacy" means an established place of business in which prescriptions, drugs, medicines, chemicals, and poisons are prepared, compounded, dispensed, vended, or sold to or for the use of patients and from which related clinical pharmacy services are delivered.

Sec. 2. Minnesota Statutes 1986, section 151.01, is amended by adding a subdivision to read:

Subd. 27. [PRACTICE OF PHARMACY.] "Practice of pharmacy" means (1) the interpretation and evaluation of prescriptions or drug orders; (2) the compounding, dispensing, or labeling of drugs and devices, except labeling by a manufacturer or packager of nonprescription drugs or commercially packaged legend drugs and devices; (3) the participation in clinical interpretations of drug therapy for assurance of safe and effective use of drugs; (4) participation in drug selection and drug utilization reviews; (5) participation in the storage of drugs and the maintenance of records therefore; (6) the responsibility for advising on therapeutic values, content, hazards and uses of drugs and devices; and (7) the offering or performing of

those acts, services, operations, or transactions necessary in the conduct, operation, management, and control of a pharmacy.

Sec. 3. Minnesota Statutes 1986, section 151.01, is amended by adding a subdivision to read:

Subd. 28. [DEVICE.] "Device" means an instrument, apparatus, implement, machine, contrivance, implant, in-vitro reagent, or other similar or related article including a component, part, or accessory, that is:

(1) recognized in the official National Formulary or the U.S.P. or any supplement to them;

(2) intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease in man or other animals;

(3) intended to affect the structure or function of the body of man or other animals, and that does not achieve any of its principal intended purposes through chemical action within or on the body of man or other animals and is not dependent upon being metabolized for the achievement of any of its principal intended purposes; or

(4) restricted under federal law to sale by or on the order of a licensed practitioner.

Sec. 4. Minnesota Statutes 1986, section 151.01, is amended by adding a subdivision to read:

Subd. 29. [VETERINARY LEGEND DRUG.] "Veterinary legend drug" means a drug that is required by federal law to bear the following statement, "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian."

Sec. 5. Minnesota Statutes 1986, section 151.01, is amended by adding a subdivision to read:

Subd. 30. [LEGEND MEDICAL GAS.] "Legend medical gas" means a liquid or gaseous substance used for medical purposes and required by federal law to bear the following statement: "Caution: Federal law prohibits dispensing without a prescription."

Sec. 6. Minnesota Statutes 1986, section 151.01, is amended by adding a subdivision to read:

Subd. 31. [DISPENSE OR DISPENSING.] "Dispense" or "dispensing" means the preparation or delivery of a drug pursuant to a lawful order of a practitioner in a suitable container appropriately

labeled for subsequent administration to or use by a patient or other individual entitled to receive the drug.

Sec. 7. Minnesota Statutes 1986, section 151.04, is amended to read:

151.04 [RECOMMENDED NAMES.]

The Minnesota state pharmaceutical association and the Minnesota society of hospital pharmacists may jointly recommend five names for each pharmacist to be appointed.

Sec. 8. Minnesota Statutes 1986, section 151.06, subdivision 1, is amended to read:

Subdivision 1. (a) [POWERS AND DUTIES OF THE BOARD.] The board of pharmacy shall have the power and it shall be its duty:

- (1) to regulate the practice of pharmacy;
- (2) to regulate the manufacture, wholesale, and retail sale of drugs or medicines and medical devices within this state;
- (3) to regulate the identity, labeling, purity, and quality of all drugs and medicines dispensed in this state, using the United States pharmacopoeia and the national formulary, or any revisions thereof, or standards adopted under the federal act as the standard;
- (4) It may, by its duly authorized representative, to enter and inspect by its authorized representative any and all places where drugs or medicines, medical devices, medical gases, or veterinary drugs or devices are sold, vended, given away, compounded, dispensed, manufactured, wholesaled or held; it may secure samples or specimens of any drug or medicine drugs, medicines, medical devices, medical gases, or veterinary drugs or devices after paying or offering to pay for such sample; it shall be entitled to inspect and make copies of any and all records of shipment, purchase, manufacture, quality control, and sale of drugs or medicines these items provided, however, that such inspection shall not extend to financial data, sales data, or pricing data;
- (5) to examine and license as pharmacists all applicants whom it shall deem qualified to be such;
- (6) to deny, suspend, revoke, or refuse to renew any registration or license required under this chapter, to any applicant or registrant or licensee upon any of the following grounds:
  - (a) (i) fraud or deception in connection with the securing of such license or registration;

(b) (ii) in the case of a pharmacist, conviction in any court of a felony;

(c) (iii) in the case of a pharmacist, conviction in any court of an offense involving moral turpitude;

(d) (iv) habitual indulgence in the use of narcotics, stimulants, or depressant drugs; or habitual indulgence in intoxicating liquors in a manner which could cause conduct endangering public health;

(e) (v) unprofessional conduct or conduct endangering public health;

(f) (vi) gross immorality;

(g) (vii) employing, assisting, or enabling in any manner an unlicensed person to practice pharmacy;

(h) (viii) conviction of theft of drugs, or the unauthorized use, possession, or sale thereof;

(i) (ix) violation of any of the provisions of this chapter or any of the rules of the state board of pharmacy;

(j) (x) in the case of a pharmacy license, operation of such pharmacy without a pharmacist present and on duty;

(k) (xi) in the case of a pharmacist, physical or mental disability which could cause incompetency in the practice of pharmacy; or

(xii) in the case of a pharmacist, the suspension or revocation of a license to practice pharmacy in another state;

(7) to employ necessary assistants and make rules for the conduct of its business; and

(8) to perform such other duties and exercise such other powers as the provisions of the act may require;

(b) [TEMPORARY SUSPENSION.] In addition to any other remedy provided by law, the board may, without a hearing, temporarily suspend a license for not more than 60 days if the board finds that a pharmacist has violated a statute or rule that the board is empowered to enforce and continued practice by the pharmacist would create an imminent risk of harm to others. The suspension shall take effect upon written notice to the pharmacist, specifying the statute or rule violated. At the time it issues the suspension notice, the board shall schedule a disciplinary hearing to be held under the administrative procedure act. The pharmacist shall be

provided with at least 20 days' notice of any hearing held under this subdivision.

(9) (c) [RULES.] For the purposes aforesaid it shall be the duty of the board to make and publish uniform rules not inconsistent herewith for carrying out and enforcing the provisions of this chapter.

Sec. 9. [151.09] [INACTIVE STATUS LICENSE.]

The board may, by rule, establish standards for an inactive status of licensure for previously licensed pharmacists who have retired from active practice, have left the state, or have otherwise ceased to be actively engaged in the practice of pharmacy in this state.

Sec. 10. Minnesota Statutes 1986, section 151.101, is amended to read:

151.101 [INTERNSHIP.]

The board may license as an intern any natural persons who have satisfied the board that they are of good moral character, not physically or mentally unfit, and who have successfully completed the educational requirements for intern licensure prescribed by the board. The board shall prescribe standards and requirements for interns, pharmacist-preceptors, and internship training but may not require more than one year of such training.

The board in its discretion may accept internship experience obtained in another state provided the internship requirements in such other state are in the opinion of the board equivalent to those herein provided.

Sec. 11. Minnesota Statutes 1986, section 151.15, is amended to read:

151.15 [COMPOUNDING DRUGS UNLAWFUL UNDER CERTAIN CONDITIONS.]

Subdivision 1. [LOCATION.] It shall be unlawful for any person to compound, dispense, vend, or sell ~~at retail~~, drugs, medicines, chemicals, or poisons in any place other than a pharmacy, except as provided in this chapter.

Subd. 2. [PROPRIETORS OF PHARMACIES.] No proprietor of a pharmacy shall permit the compounding or dispensing of prescriptions except by a pharmacist, ~~or by an assistant pharmacist~~, or by a pharmacist intern under the personal supervision of a pharmacist; or the vending or selling ~~at retail~~ of drugs, medicines, chemicals, or poisons in the proprietor's pharmacy except under the personal

supervision of a pharmacist ~~or of an assistant pharmacist~~ in the temporary absence of the pharmacist.

Subd. 3. [UNLICENSED PERSONS; VETERINARY LEGEND DRUGS.] It shall be unlawful for any person other than a licensed veterinarian or pharmacist to compound or dispense veterinary legend drugs except as provided in this chapter.

Subd. 4. [UNLICENSED PERSONS; LEGEND DRUGS.] It shall be unlawful for any person other than a licensed practitioner or pharmacist to compound or dispense legend drugs except as provided in this chapter.

Sec. 12. Minnesota Statutes 1986, section 151.19, is amended to read:

151.19 [REGISTRATION OF PHARMACIES; LICENSE, FEE; FEES.]

Subdivision 1. [PHARMACY REGISTRATION.] The board shall require and provide for the annual registration of every pharmacy now or hereafter doing business within this state. Upon the payment of a fee to be set by the board, the board shall issue a license registration certificate in such form as it may prescribe to such persons as may be qualified by law to conduct a pharmacy. Such license certificate shall be ~~exposed~~ displayed in a conspicuous place in the pharmacy for which it is issued and expire on the thirtieth day of June following the date of issue. It shall be unlawful for any person to conduct a pharmacy unless such license certificate has been issued to the person by the board.

Subd. 2. [NONRESIDENT PHARMACIES.] The board shall require and provide for an annual nonresident special pharmacy registration for all pharmacies located outside of this state that regularly dispense medications for Minnesota residents and mail, ship, or deliver prescription medications into this state. Nonresident special pharmacy registration shall be granted by the board upon the disclosure and certification by a pharmacy:

(1) that it is licensed in the state in which the dispensing facility is located and from which the drugs are dispensed;

(2) of the location, names, and titles of all principal corporate officers and all pharmacists who are dispensing drugs to residents of this state;

(3) that it complies with all lawful directions and requests for information from the board of pharmacy of all states in which it is licensed or registered, except that it shall respond directly to all communications from the board concerning emergency circum-

stances arising from the dispensing of drugs to residents of this state;

(4) that it maintains its records of drugs dispensed to residents of this state so that the records are readily retrievable from the records of other drugs dispensed;

(5) that it cooperates with the board in providing information to the board of pharmacy of the state in which it is licensed concerning matters related to the dispensing of drugs to residents of this state; and

(6) that during its regular hours of operation, but not less than six days per week, for a minimum of 40 hours per week, a toll free telephone service is provided to facilitate communication between patients in this state and a pharmacist at the pharmacy who has access to the patients' records. The toll free number must be disclosed on the label affixed to each container of drugs dispensed to residents of this state.

Subd. 3. [SALE OF OTHER DRUGS AND DEVICES.] The board shall require and provide for the annual registration of every person or establishment not licensed as a pharmacy or a practitioner engaged in the retail sale or distribution of federally restricted medical devices or medical gases, or of veterinary drugs or devices. Upon the person's payment of a fee to be set by the board, the board shall issue a registration certificate in such form as it may prescribe to those persons or places that may be qualified to sell or distribute these items. The certificate shall be displayed in a conspicuous place in the business for which it is issued and expire on the date set by the board. It is unlawful for a person to sell or distribute these items unless a certificate has been issued to the person by the board.

Sec. 13. Minnesota Statutes 1986, section 151.211, is amended to read:

#### 151.211 [RECORDS OF PRESCRIPTIONS.]

All prescriptions dispensed shall be kept on file ~~in~~ at the ~~phar-~~ phar- ~~ma-~~ ma- ~~cy~~ cy location in which such dispensing occurred for a period of at least two years. No prescription shall be refilled except with the written or verbal consent of the prescriber; ~~provided that~~. The date of such refill must be recorded and initialed upon the original prescription or within the electronically maintained record of the original prescription by the pharmacist, ~~assistant pharmacist or pharmacist intern, or practitioner~~ who refills the prescription.

Sec. 14. Minnesota Statutes 1986, section 151.212, subdivision 1, is amended to read:



Subdivision 1. [PRESCRIPTION DRUGS.] Drugs dispensed pursuant to a prescription shall bear a label permanently affixed to the immediate container in which the drug is dispensed and which is received by the purchaser. The label shall bear the name of the manufacturer or distributor of the finished dosage form of the drug and all other information required by law and by rules of the board.

Sec. 15. Minnesota Statutes 1986, section 151.212, is amended by adding a subdivision to read:

Subd. 3. [VETERINARY DRUGS.] Drugs dispensed, sold, or distributed in any manner pursuant to the order of a licensed veterinarian shall bear a label permanently affixed to the container in which the drug is dispensed and which is received by the purchaser. The label shall bear the name of the manufacturer or distributor of the finished dosage form of the drug and all other information required by law and the rules of the board.

Sec. 16. Minnesota Statutes 1986, section 151.25, is amended to read:

**151.25 [LICENSURE REGISTRATION OF MANUFACTURERS OR WHOLESALERS; FEE; PROHIBITIONS.]**

The board shall require and provide for the annual licensure registration of every person engaged in manufacturing or selling at wholesale drugs, medicines, chemicals or poisons for medicinal purposes, now or hereafter doing business ~~within~~ with accounts in this state. Upon a payment of a fee as set by the board, the board shall issue a license registration certificate in such form as it may prescribe to such manufacturer or wholesaler. Such license registration certificate shall be ~~exposed~~ displayed in a conspicuous place in such manufacturer's or wholesaler's place of business for which it is issued and expire on the ~~13th day of June following the date of issue~~ date set by the board. It shall be unlawful for any person to manufacture or sell at wholesale drugs, medicines, chemicals or poisons for medicinal purposes unless such a license certificate has been issued to the person by the board. It shall be unlawful for any person engaged in the manufacture or selling at wholesale, or the person's agent, to sell legend drugs to other than a pharmacy, except as provided in this chapter.

Sec. 17. Minnesota Statutes 1986, section 151.26, subdivision 1, is amended to read:

Subdivision 1. Nothing in this chapter shall subject a person duly licensed in this state to practice medicine, dentistry, or veterinary medicine, who is not engaged in the dispensing, sale, or distribution of drugs, to inspection by the state board of pharmacy, nor prevent such a the person from compounding or using administering drugs, medicines, chemicals, or poisons in the person's practice, nor prevent

~~one a duly licensed to practice medicine practitioner~~ from furnishing to a patient such properly packaged and labeled drugs, medicines, chemicals, or poisons the licensed person deems proper as may be considered appropriate in the treatment of such patient.

Nothing in this chapter shall prevent the sale of drugs, medicines, chemicals, or poisons at wholesale to licensed physicians, dentists and veterinarians for use in their practice, nor to hospitals for use therein.

Nothing in this chapter shall prevent the sale of drugs, chemicals, or poisons either at wholesale or retail for use for commercial purposes, or in the arts, nor interfere with the sale of insecticides, as defined in Minnesota Statutes 1974, section 24.069, and nothing in this chapter shall prevent the sale of common household preparations and other drugs, chemicals, and poisons sold exclusively for use for nonmedicinal purposes.

Nothing in this chapter shall apply to or interfere with the vending or retailing of any nonprescription medicine or drug not otherwise prohibited by statute which is prepackaged, fully prepared by the manufacturer or producer for use by the consumer, and labeled in accordance with the requirements of the state or federal food and drug act; nor to the manufacture, wholesaling, vending, or retailing of flavoring extracts, toilet articles, cosmetics, perfumes, spices, and other commonly used household articles of a chemical nature, for use for nonmedicinal purposes. Nothing in this chapter shall prevent the sale of drugs or medicines by licensed pharmacists at a discount to persons over 65 years of age.

Sec. 18. Minnesota Statutes 1986, section 151.32, is amended to read:

151.32 [CITATION.]

The title of sections 151.01 to ~~151.32~~ 151.40 shall be the pharmacy law of 1937 practice act of 1988.

Sec. 19. Minnesota Statutes 1986, section 151.34, is amended to read:

151.34 [PROHIBITED ACTS.]

It shall be unlawful to:

(1) manufacture, sell or deliver, hold or offer for sale any drug that is adulterated or misbranded;

(2) adulterate or misbrand any drug;

(3) receive in commerce any drug that is adulterated or misbranded, and to deliver or proffer delivery thereof for pay or otherwise;

(4) refuse to permit entry or inspection, or to permit the taking of a sample, or to permit access to or copying of any record as authorized by this chapter;

(5) remove or dispose of a detained or embargoed article in violation of this chapter;

(6) alter, mutilate, destroy, obliterate, or remove the whole or any part of the labeling of, or to do any other act with respect to a drug, if such act is done while such drug is held for sale and results in such drug being adulterated or misbranded;

(7) use for a person's own advantage or to reveal other than to the board or its authorized representative or to the courts when required in any judicial proceeding under this chapter any information acquired under authority of this chapter concerning any method or process which is a trade secret and entitled to protection;

(8) use on the labeling of any drug any representation or suggestion that an application with respect to such drug is effective under the federal act or that such drug complies with such provisions;

(9) in the case of a manufacturer, packer, or distributor offering legend drugs for sale within this state, fail to maintain for transmittal or to transmit, to any practitioner licensed by applicable law to administer such drug who makes written request for information as to such drug, true and correct copies of all printed matter which is required to be included in any package in which that drug is distributed or sold, or such other printed matter as is approved under the federal act. Nothing in this paragraph shall be construed to exempt any person from any labeling requirement imposed by or under provisions of this chapter; or

(10) conduct a pharmacy without a pharmacist in charge;

(11) dispense a legend drug without first obtaining a valid prescription for that drug;

(12) conduct a pharmacy without proper registration with the board; or

(13) sell at retail federally restricted medical devices, medical gases, or veterinary drugs or devices without proper registration with the board except as provided in this chapter.

Sec. 20. Minnesota Statutes 1986, section 151.37, is amended to read:

151.37 [LEGEND DRUGS, WHO MAY PRESCRIBE, POSSESS.]

Subdivision 1. Except as otherwise provided in this chapter, it shall be unlawful for any person to have in possession, or to sell, give away, barter, exchange, or distribute a legend drug.

Subd. 2. A licensed practitioner in the course of professional practice only, may prescribe, administer, and dispense a legend drug, ~~or and~~ may cause the same to be administered by a nurse or intern under the practitioner's direction and supervision.

Subd. 3. A licensed doctor of veterinary medicine, in the course of professional practice only and not for use by a human being, may personally prescribe, administer, and dispense a legend drug, and may cause the same to be administered or dispensed by an assistant under the doctor's direction and supervision.

Subd. 4. Any qualified person may use legend drugs in the course of a bona fide research project, but cannot administer or dispense such drugs to human beings unless such drugs are prescribed, dispensed, and administered by a person lawfully authorized to do so.

Subd. 5. Nothing in this chapter shall prohibit the sale to, or the possession of, a legend drug by licensed drug wholesalers, licensed manufacturers, registered pharmacies, local detoxification centers, licensed hospitals, bona fide hospitals wherein animals are treated, or licensed pharmacists and licensed practitioners while acting within the course of their practice only.

Subd. 6. Nothing in this chapter shall prohibit the possession of a legend drug by an employee, agent, or sales representative of a registered drug manufacturer, or an employee or agent of a licensed manufacturer, licensed registered drug wholesaler, or registered pharmacy, while acting in the course of employment.

Subd. 7. Nothing in this chapter shall prohibit the possession of a legend drug by a person for that person's use when it has been dispensed to the person pursuant to in accordance with a written or oral prescription by a practitioner.

Subd. 8. It shall be is unlawful for ~~any~~ a person to procure, attempt to procure, possess, or control a legend drug by any of the following means:

- (a) (1) deceit, misrepresentation, or subterfuge;

(b) (2) using a false name; or

(c) (3) falsely assuming the title of, or falsely representing any a person to be a manufacturer, wholesaler, pharmacist, practitioner, or other authorized person for the purpose of obtaining a legend drug.

Subd. 9. Nothing in this chapter shall prohibit the possession of a legend drug by an employee or agent of a registered analytical laboratory while acting in the course of laboratory employment.

Sec. 21. [REPEALER.]

Minnesota Statutes 1986, sections 151.01, subdivision 4; 151.06, subdivision 2a; 151.11; 151.28; and 151.31, are repealed."

Delete the title and insert:

"A bill for an act relating to occupations and professions; amending the laws regulating the practice of pharmacy; providing definitions; providing for registration of pharmacies, drug manufacturers, and others; providing for licensing of pharmacists; providing remedies for violations; amending Minnesota Statutes 1986, sections 151.01, subdivision 2, and by adding subdivisions; 151.04; 151.06, subdivision 1; 151.101; 151.15; 151.19; 151.211; 151.212, subdivision 1, and by adding a subdivision; 151.25; 151.26, subdivision 1; 151.32; 151.34; and 151.37; proposing coding for new law in Minnesota Statutes, chapter 151; repealing Minnesota Statutes 1986, sections 151.01, subdivision 4; 151.06, subdivision 2a; 151.11; 151.28; and 151.31."

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

The report was adopted.

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

H. F. No. 1596, A bill for an act relating to veterans; requiring the commissioner of veterans affairs to establish a veterans outreach center; authorizing the commissioner to establish a veterans home; providing for the operation of the center and home; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 196 and 198.

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

The report was adopted.

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

H. F. No. 1602, A bill for an act relating to Morrison county; authorizing the board of county commissioners to levy a tax for the building fund.

Reported the same back with the following amendments:

Page 1, line 14, delete "1987" and insert "1988" and delete "1988" and insert "1989"

Page 1, line 15, delete "1996" and insert "1997" and delete "1997" and insert "1998"

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

The report was adopted.

Kelly from the Committee on Judiciary 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; 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.

Reported the same back with the following amendments:

Page 1, line 22, delete "August 1," and insert "the effective date of sections 1 to 8"

Page 1, line 23, delete "1988"

Page 2, line 16, delete "August 1, 1988" and insert "the effective date of sections 1 to 8"

Page 2, line 24, delete "August 1, 1988" and insert "the effective date of sections 1 to 8"

Page 2, line 28, delete "on August 15, 1988" and insert "30 days after the effective date of sections 1 to 8"

Page 3, lines 29 and 30, delete "on August 15, 1988" and insert "30 days after the effective date of sections 1 to 8"

Page 3, line 34, delete "August 1, 1988" and insert "the effective date of sections 1 to 8"

Page 4, after line 4, insert:

"Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment."

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. 1710, A bill for an act relating to crime; prohibiting the display of sexually explicit material deemed harmful to minors in places of public accommodation open to minors; providing a penalty; amending Minnesota Statutes 1986, sections 617.293; and 617.296, subdivision 1, and by adding a subdivision.

Reported the same back with the following amendments:

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

"Subd. 2. [DISPLAY.] (a) It is unlawful for any person commercially and knowingly to exhibit or display any material which is harmful to minors in its content in any place of public accommodation where minors are or may be present and where minors are able to view the material unless each item is kept in a sealed wrapper at all times.

(b) It is unlawful for any person commercially and knowingly to exhibit or display any material the cover or packaging of which, standing alone, is harmful to minors in any place of public accommodation where minors are or may be present or allowed to be present and where minors are able to view the material unless each item is blocked from view by an opaque cover. The opaque cover requirement is satisfied if those portions of the cover or packaging containing the material harmful to minors are blocked from view by an opaque cover.

(c) The provisions of this subdivision do not apply to the exhibition or display of materials harmful to minors under circumstances where minors are not present or are not able to view the material or the material's cover or packaging. A person may comply with the requirements of this paragraph by (1) physically segregating the material in a manner that physically prohibits access to and view of the material by minors, (2) prominently posting at the entrance to the restricted area: "Adults only—you must be 18 to enter," and (3) enforcing the restriction."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1748, A bill for an act relating to the handicapped; permitting equal access to public accommodations for persons using a service dog; amending Minnesota Statutes 1986, section 256C.025, subdivision 4.

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

The report was adopted.

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

H. F. No. 1772, A bill for an act relating to human services; allowing continued hospitalization for a person on a ventilator who has been hospitalized for 30 years; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [256B.31] [CONTINUED HOSPITAL CARE FOR LONG-TERM POLIO PATIENT.]

Notwithstanding any law to the contrary, a medical assistance recipient who has been a polio patient in an acute care hospital for a period of not less than 25 consecutive years is eligible to continue receiving hospital care, whether or not the care is medically necessary for purposes of federal reimbursement.



The cost of continued hospital care not reimbursable by the federal government shall be paid with state funds allocated for the medical assistance program. The rate paid to the hospital shall be the rate per day established using Medicare principles for the hospital's fiscal year ending December 31, 1981, adjusted each year by the annual hospital cost index established under section 256.969, subdivision 1, or by other limits in effect at the time of the adjustment. This section does not prohibit a voluntary move to another living arrangement by a recipient whose care is reimbursed under this section.

Delete the title and insert:

"A bill for an act relating to human services; allowing continued hospital care for long-term polio patients; providing for payment from state funds; proposing coding for new law in Minnesota Statutes, chapter 256B."

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

The report was adopted.

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

H. F. No. 1784, A bill for an act relating to health; allowing certified nurse-midwives to prescribe and administer certain drugs; amending Minnesota Statutes 1986, sections 148.171; and 151.01, subdivision 23.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 148.171, is amended to read:

148.171 [DEFINITIONS.]

As used in sections 148.171 to 148.285:

(1) The term "Board" shall mean Minnesota board of nursing.

(2) The term "Registered Nurse" abbreviated R.N., shall mean a natural person licensed by the Minnesota board of nursing to practice professional nursing.

(3) The practice of professional nursing means the performance for compensation or personal profit of the professional interpersonal service of: (a) providing a nursing assessment of the actual or potential health needs of individuals, families, or communities; (b) providing nursing care supportive to or restorative of life by functions such as skilled ministrations of nursing care, supervising and teaching nursing personnel, health teaching and counseling, case finding and referral to other health resources; and (c) evaluating these actions.

The practice of professional nursing includes both independent nursing functions and delegated medical functions which may be performed in collaboration with other health team members, or may be delegated by the professional nurse to other nursing personnel. Independent nursing function may also be performed autonomously. The practice of professional nursing requires that level of special education, knowledge, and skill ordinarily expected of an individual who has completed an approved professional nursing education program as described in section 148.211, subdivision 1. A registered nurse who has graduated from a program of study designed to prepare registered nurses for advanced practice as nurse-midwives and who is certified through the national professional nursing organization for nurse-midwives may prescribe and administer drugs and therapeutic devices within practice as a nurse-midwife.

Sec. 2. Minnesota Statutes 1986, section 151.37, subdivision 2, is amended to read:

Subd. 2. A licensed practitioner in the course of professional practice only, may prescribe, administer, and dispense a legend drug, ~~or~~ may cause the same to be administered by a nurse or intern under the practitioner's direction and supervision, and may cause a person who is an appropriately certified and licensed health care professional to prescribe and administer the same within the expressed legal scope of the person's practice as defined in Minnesota Statutes.

Sec. 3. Minnesota Statutes 1986, section 152.12, subdivision 1, is amended to read:

Subdivision 1. A licensed doctor of medicine, a doctor of osteopathy, duly licensed to practice medicine, a doctor of dental surgery, or a doctor of dental medicine, or a licensed doctor of podiatry, and in the course of professional practice only, may prescribe, administer, and dispense a controlled substance included in Schedules II through V of section 152.02, ~~or~~ may cause the same to be administered by a nurse, an intern or an assistant under the direction and supervision of the doctor, and may cause a person who is an appropriately certified and licensed health care professional to prescribe and administer the same within the expressed legal scope of the person's practice as defined in Minnesota Statutes.

## Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment.

Delete the title and insert:

“A bill for an act relating to nurse-midwives; allowing a certified nurse-midwife to prescribe and administer drugs and therapeutic devices; allowing an appropriately certified and licensed health care professional to prescribe legend drugs and controlled substances; amending Minnesota Statutes 1986, sections 148.171; 151.37, subdivision 2; and 152.12, subdivision 1.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1795, A bill for an act relating to human services; creating a task force to study building code standards for family and group family day care homes; changing building code requirements concerning certain child care facilities; amending Minnesota Statutes 1987 Supplement, section 16B.61, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 15, after the comma insert “rural and urban fire code inspectors,”

Page 2, line 25, delete “E, Division 3” and insert “R”

Page 2, line 26, delete “does not apply” and insert “applies”

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

The report was adopted.

Voss from the Committee on Taxes to which was referred:

H. F. No. 1796, A bill for an act relating to counties; exempting the issuance of certain county bonds from the election requirement; authorizing county building fund levies; amending Minnesota Statutes 1986, sections 373.25, subdivision 1; 475.52, subdivision 3; and 475.58, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 373.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 373.25, subdivision 1, is amended to read:

Subdivision 1. The county board of any county ~~except Hennepin and St. Louis counties~~ may provide a county building fund. In addition to all other kinds and amounts of taxes permitted by law to be levied for county purposes, the county board may include in its annual tax levy an amount for the county building fund. Its proceeds shall be credited to the county building fund. A county building fund established pursuant to this section to which a tax is credited may be used by the county solely to acquire, construct, reconstruct, maintain and repair buildings used in the administration of county affairs and to acquire lands necessary for those purposes.

Sec. 2. [373.40] [CAPITAL IMPROVEMENT BONDS.]

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

(a) "Bonds" means an obligation as defined under section 475.51.

(b) "Capital improvement" means acquisition or betterment of public lands, buildings, or other improvements within the county for the purpose of a county courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, and roads and bridges. An improvement must have an expected useful life of three years or more to qualify.

(c) "Commissioner" means the commissioner of trade and economic development.

(d) "County" excludes any county exercising home rule charter powers under a special or general law.

(e) "Metropolitan county" means a county located in the seven-county metropolitan area as defined in section 473.121 or a county with a population of 90,000 or more.

(f) "Population" means the population established by the most recent of the following (determined as of the date the resolution authorizing the bonds was adopted):

(1) the federal decennial census;

(2) a special census conducted under contract by the United States Bureau of the Census; or

(3) a population estimate made either by the metropolitan council or by the state demographer under section 116K.04, subdivision 4, clause (10).

(g) "Taxable assessed value" means total taxable assessed value but does not include captured assessed value.

Subd. 2. [APPLICATION OF ELECTION REQUIREMENT.] (a) Bonds issued by a county to finance capital improvements under an approved capital improvement plan are not subject to the election requirements of section 375.18 or 475.58. The bonds must be approved by vote of at least three-fifths of the members of the county board. In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.

(b) Before each issuance of bonds qualifying under this section, the county must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the county or in a newspaper of general circulation in the county. The notice must be published at least 14, but not more than 28, days before the date of the hearing.

(c) A county may issue the bonds only upon obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the county in the last general election and is filed with the county auditor within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election. The provisions of this paragraph do not apply to metropolitan counties.

Subd. 3. [CAPITAL IMPROVEMENT PLAN.] (a) A county may adopt a capital improvement plan. The plan must cover at least the five-year period beginning with the date of its adoption. The plan must set forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenues to pay for the improvement. In preparing the capital improvement plan, the county board must consider for each project and for the overall plan:

(1) the condition of the county's existing infrastructure, including the projected need for repair or replacement;

(2) the likely demand for the improvement;

- (3) the estimated cost of the improvement;
- (4) the available public resources;
- (5) the level of overlapping debt in the county;
- (6) the relative benefits and costs of alternative uses of the funds;
- (7) operating costs of the proposed improvements; and
- (8) alternatives for providing services more efficiently through shared facilities with other counties or local government units.

(b) The capital improvement plan and annual amendments to it must be approved by the county board after public hearing. The capital improvement plan and any amendments to the plan are not effective until they have been reviewed and approved by the commissioner. The commissioner shall approve the plan, if the commissioner determines that (1) the improvements can be financed within the limits specified in subdivision 4, and (2) that the improvements are compatible with the projected public service needs of the area and the capital facilities and improvement plans of surrounding and overlapping jurisdictions. If the commissioner has not disapproved the plan within 90 days after its submission, the plan is deemed approved.

Subd. 4. [LIMITATIONS ON AMOUNT.] A county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed one mill multiplied by the taxable assessed value of property in the county. Calculation of the limit must be made using the taxable assessed value for the taxes payable year in which the obligations are issued and sold. This section does not limit the authority to issue bonds under any other special or general law.

Subd. 5. [APPLICATION OF BOND CODE.] Bonds to finance capital improvements qualifying under this section must be issued under the issuance authority in chapter 475 and the provisions of chapter 475 apply, except as otherwise specifically provided in this section.

Subd. 6. [BUILDING FUND LEVY.] (a) If the county has an approved capital improvement plan, the county board may annually levy an amount equal to one mill, less the amount levied to pay principal and interest on bonds issued under this section. The proceeds of this levy must be deposited in the county building fund under section 373.25 and may only be expended for capital improvements as provided in the approved capital improvement plan.

(b) The maximum amount of the levy, when added to the unexpended balance in the building fund, must not exceed the projected cost of the remaining improvements in the capital improvement plan. A levy made under this section is not subject to any other levy limitation, nor may the levy be included in the computation of any other levy limitation.

(c) This subdivision and the exercise of levy authority under it does not supersede or preempt the authority to levy under section 373.25 or any other law.

Subd. 7. [ADVISORY COMMITTEE.] The commissioner shall appoint an advisory committee of at least five members. The advisory committee shall advise the commissioner in developing standards for reviewing capital improvement plans. The commissioner may request the advisory committee to assist in evaluating individual capital improvement plans submitted by counties.

The committee's membership must include two representatives who are either county officials or employees, two experts in public capital budgeting and infrastructure planning, and one expert in municipal finance.

Members of the advisory committee receive no compensation but payment of their expenses must be made as provided in section 15.059, subdivision 6.

Subd. 8. [REPEALER.] This section is repealed effective for bonds issued after July 1, 1993, but continues to apply to bonds issued before that date.

Sec. 3. Minnesota Statutes 1986, section 475.52, subdivision 3, is amended to read:

Subd. 3. [COUNTIES.] Any county may issue bonds for the acquisition or betterment of courthouses, county administrative buildings, health or social service facilities, correctional facilities, law enforcement centers, jails, morgues, libraries, parks, and hospitals, for roads and bridges within the county or bordering thereon and for road equipment and machinery and for ambulances and related equipment, and capital equipment for the administration and conduct of elections providing the equipment is uniform county-wide except that the power of counties to issue bonds in connection with a library shall not exist in Hennepin county.

Sec. 4. Minnesota Statutes 1986, section 475.58, subdivision 1, is amended to read:

Subdivision 1. [APPROVAL BY MAJORITY OF ELECTORS; EXCEPTIONS.] Obligations authorized by law or charter may be

issued by any municipality upon obtaining the approval of a majority of the electors voting on the question of issuing the obligations, but an election shall not be required to authorize obligations issued:

- (1) to pay any unpaid judgment against the municipality;
- (2) for refunding obligations;
- (3) for an improvement, which obligation is payable wholly or partly from the proceeds of special assessments levied upon property specially benefited by the improvement, or of taxes levied upon the increased value of property within a district for the development of which the improvement is undertaken, including obligations which are the general obligations of the municipality, if the municipality is entitled to reimbursement in whole or in part from the proceeds of such special assessments or taxes and not less than 20 percent of the cost of the improvement is to be assessed against benefited property or is estimated to be received from such taxes within the district;
- (4) payable wholly from the income of revenue producing conveniences;
- (5) under the provisions of a home rule charter which permits the issuance of obligations of the municipality without election;
- (6) under the provisions of a law which permits the issuance of obligations of a municipality without an election; and
- (7) to fund pension or retirement fund liabilities pursuant to section 475.52, subdivision 6; and
- (8) under a capital improvement plan under section 2.

Sec. 5. [BONDING AUTHORITY; HENNEPIN COUNTY MEDICAL BUILDING.]

Hennepin county may issue and sell not more than \$16,000,000 of general obligation bonds to finance or refinance the construction and purchase of the Hennepin county health services building. Issuance of the obligations is not subject to the election requirements of Minnesota Statutes, section 475.58. The obligations issued under this section and the property taxes levied to pay the obligations must be included in calculation of Hennepin county's bond and building fund levy limitations under section 2.

Sec. 6. [EFFECTIVE DATE.]

Section 5 is effective upon compliance by the Hennepin county board with Minnesota Statutes, section 645.021.



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

The report was adopted.

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

H. F. No. 1812, A bill for an act relating to communication-impaired persons; requiring the commissioner of human services to provide assistance in implementing the program that provides telephones to communication-impaired persons; making other technical changes in the program; amending Minnesota Statutes 1987 Supplement, sections 237.50, subdivision 4; 237.51, subdivision 5; 237.52, subdivision 5, and by adding a subdivision; and 237.53, subdivisions 3, 4, 6, and 7; repealing Minnesota Statutes 1987 Supplement, section 237.53, subdivision 8.

Reported the same back with the following amendments:

Page 2, line 17, strike the second "and" and insert "Notwithstanding any provision of chapter 16B, the board shall"

Page 2, line 26, delete "reasonable"

Page 2, lines 28 and 29, delete the new language and reinstate the stricken language

Page 3, delete lines 7 to 16

Page 3, line 28, strike everything after "by"

Page 3, strike lines 29 and 30, and insert "the board under section 237.51, subdivision 5."

Page 3, line 35, after "devices" insert "until the warranty period expires,"

Page 4, line 26, delete "9" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete ", and by adding a subdivision"

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

The report was adopted.

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

H. F. No. 1815, A bill for an act relating to economic development; providing methods to remove hazardous substances to facilitate economic development; authorizing loans; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 469.174, subdivision 7, and by adding a subdivision; 469.175, by adding a subdivision; and 469.176, subdivisions 1 and 5; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [116J.990] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this subdivision apply to sections 1 to 4. The definitions in section 115B.02 that are not defined in this subdivision apply to sections 1 to 4.

Subd. 2. [COMMISSIONER.] “Commissioner” means the commissioner of trade and economic development.

Subd. 3. [DEVELOPMENT RESPONSE ACTION PLAN.] “Development response action plan” means a plan of removal actions or remedial actions developed in accordance with section 4.

Subd. 4. [HAZARDOUS SUBSTANCE LOAN OR LOAN.] “Hazardous substance loan” or “loan” means a loan to a municipality to be used by the municipality for the purposes in section 3, subdivision 3, paragraph (b), clause (2).

Subd. 5. [HAZARDOUS SUBSTANCE LOAN FUND OR FUND.] “Hazardous substance loan fund” or “fund” means the fund created by section 2 and the accounts in the fund, established to finance hazardous substance loans.

Subd. 6. [MUNICIPALITY.] “Municipality” means a home rule charter or statutory city, town, county, school district, special taxing district, housing and redevelopment authority authorized to exercise powers under sections 469.001 to 469.047, port authority authorized to exercise powers under sections 469.048 to 469.089, economic development authority authorized to exercise powers under sections 469.090 to 469.108, or a municipal power agency governed by chapter 453.

## Sec. 2. [116J.991] [HAZARDOUS SUBSTANCE LOAN FUND.]

A hazardous substance loan fund is created to be administered by the commissioner. Money in the hazardous substance loan fund shall be used to make or purchase hazardous substance loans and pay the costs incurred making or purchasing hazardous substance loans as provided in section 3.

## Sec. 3. [116J.992] [HAZARDOUS SUBSTANCE LOANS.]

Subdivision 1. [AUTHORIZATION.] The commissioner shall make or purchase hazardous substance loans with money in the hazardous substance loan fund.

Subd. 2. [LOAN REPAYMENT OBLIGATION.] A municipality's obligation to repay a hazardous substance loan shall be evidenced by a loan agreement. Loan repayment obligations shall be payable solely from amounts pledged to the purpose pursuant to the loan agreement. Payments to be made by the municipality pursuant to the loan agreement may be less than, equal to, or in excess of the principal amount of the loan. The loan may be interest free or may bear interest as the commissioner shall determine based on the available sources of payment as specified in this section.

Subd. 3. [LOAN APPLICATION.] (a) To obtain a hazardous substance loan, a municipality shall submit an application to the commissioner on a form provided for that purpose. The application shall identify the municipality and the proposed uses of the proceeds of the hazardous substance loan and any interest to be earned on it, the proposed sources, amounts, and schedule of repayment of the loan, the property proposed to be benefited by the loan, and the proposed development or redevelopment activities to be undertaken on the property subsequent to the removal actions and remedial actions.

(b) The municipality shall certify on the application that:

(1) the municipality has a development response action plan with respect to the subject property;

(2) the proceeds of the hazardous substance loan will be used to pay or reimburse the costs of removal actions or remedial actions with respect to hazardous substances or pollutants or contaminants affecting or which may affect land owned or to be purchased by the municipality, and for pollution testing, demolition, soil compaction correction, and related administrative and legal costs;

(3) the removal or remedial actions specified in the development response action plan have been approved by the commissioner of the

pollution control agency as reasonable and necessary to protect the public health, welfare, and environment;

(4) after completion of the removal actions or remedial actions specified in the development response action plan, the land will be, or is expected to be, developed or redeveloped by a nongovernmental person or persons;

(5) the cost of the remedial or removal actions required by the development response action plan is so high as to render development or redevelopment of the parcel not feasible in the opinion of the municipality without a hazardous substance loan;

(6) the municipality shall certify if the municipality has entered into a binding agreement with a nongovernmental person or persons to develop or redevelop the land proposed to be benefited by the hazardous substance loan;

(7) the municipality shall certify if it has previously received a hazardous substance loan for the property and in the course of carrying out the development response action plan has determined that removal or remedial actions are required to be taken in addition to those specified in the development response action plan; and

(8) the municipality must show that the commissioner of the pollution control agency has reviewed and approved the development response action plan as modified by the additional removal or remedial actions taken under clause (7).

Subd. 4. [LOAN PRIORITY AND RESTRICTIONS.] (a) Loans may not be made for more than \$5,000,000 for one site.

(b) Hazardous substance loans shall be made to applicants monthly in chronological order of application. If the commissioner determines that there are insufficient amounts in the hazardous substance loan fund to make all hazardous substance loans applied for, preference shall be given first to applicants that have made the certification described in subdivision 3, paragraph (b), clauses (7) and (8), second to applicants that have made the certification described in subdivision 3, paragraph (b), clause (6), and in chronological order among applicants of a given priority.

(c) Hazardous substance loans may not be made for a site for which removal actions or remedial actions are scheduled by the pollution control agency to be initially funded during the current or next succeeding fiscal year pursuant to the Environmental Response, Compensation and Liability Act of 1988, United States Code, title 42, section 9601 et seq., or the environmental response, compensation and compliance fund under section 115B.20, or other

state funding source without the consent of the pollution control agency.

Subd. 5. [LOAN APPROVAL.] (a) Upon approval of a loan, the commissioner shall notify the municipality that the loan will be made and set aside the amount approved in a special account. The notice shall state the principal amount of the loan and that the loan will be made when all the terms for making and repaying the loan have been agreed upon by the agency and the municipality.

(b) The municipality may borrow from the fund under the same terms that it may issue bonds or other obligations pursuant to any law applicable to the municipality that is consistent with this section.

(c) The loan shall be evidenced by instruments prepared in accordance with this section and the law under which the municipality proposes to issue its obligation.

(d) The loan shall be repaid solely from the sources specifically pledged to repay the municipality's obligation and which are permitted to be pledged to repay the obligation under the law that the obligation is issued.

(e) Notwithstanding the law that the obligation of the municipality is issued, the obligation may:

(1) be issued in one or more series;

(2) have a maturity date or dates;

(3) bear no interest or bear interest at a rate or rates;

(4) be in the form;

(5) be subject to terms of redemption and prepayment;

(6) be secured in the manner;

(7) provide for recourse and remedies against the municipality;  
and

(8) be subject to other terms and conditions as are agreed to by the agency and the municipality.

(f) Amounts to be pledged may include only tax increment and land sale proceeds from the site with respect to which the loan is being made. Amounts shall not be required to be pledged from those sources if, to the extent stated in the application, they are pledged or required to be pledged to retire other obligations described in the

application and incurred or to be incurred to finance a portion of costs of the type eligible for financing under this section or for acquisition of real property and existing improvement, relocation assistance, and expenditures related to the site.

Subd. 6. [RECAPTURE OF COSTS.] A municipality that has received a loan under this section shall use reasonable and practicable measures to recapture the reasonable and necessary costs of remedial action from responsible parties unless recovery is deemed by the municipality to be unlikely due to inability to locate responsible persons, the high cost of pursuing remedies in relation to any likely recovery or the financial capacity of responsible persons. After provision for costs of collection, the municipality shall apply all amounts recaptured from responsible parties to repay the obligations owed under the loan agreement. The municipality may elect not to pursue a responsible party if the municipality assigns the claim to the commissioner.

Subd. 7. [ACCOUNTING OF COSTS.] Upon completion of the development response action plan, the municipality shall submit an accounting of costs incurred to the commissioner, together with any unexpended loan proceeds, including any unexpended investment earnings on proceeds, which shall be applied to the payment of the obligations under the loan agreement.

Subd. 8. [RULES.] The commissioner may adopt permanent rules to implement this section.

Sec. 4. [116J.993] [DEVELOPMENT RESPONSE ACTION PLAN.]

(a) For purposes of section 3, removal actions or remedial actions constitute a development response action plan if the actions are:

(1) requested by the commissioner of the pollution control agency pursuant to section 115B.17 or 115C.03;

(2) contained in a plan to render care, assistance, or advice to the commissioner of the pollution control agency or the pollution control agency pursuant to section 115B.17 with respect to a release or threatened release of a hazardous substance; or

(3) specified in a request by the municipality for the assistance of the pollution control agency through the environmental response and liability act under sections 115B.01 to 115B.24 or the underground storage tank program under chapter 115C.

(b) The actions specified in the development response action plan are deemed authorized as provided in section 115B.17, subdivision 12.

Sec. 5. Minnesota Statutes 1987 Supplement, section 469.174, subdivision 7, is amended to read:

Subd. 7. [ORIGINAL ASSESSED VALUE.] (a) "Original assessed value" means the assessed value of all taxable real property within a tax increment financing district as most recently certified by the commissioner of revenue as of the date of the request by an authority for certification by the county auditor, together with subsequent adjustments as set forth in section 469.177, subdivisions 1 and 4. In determining the original assessed value the assessed value of real property exempt from taxation at the time of the request shall be zero, except for real property which is tax exempt by reason of public ownership by the requesting authority and which has been publicly owned for less than one year prior to the date of the request for certification, in which event the assessed value of the property shall be the assessed value as most recently determined by the commissioner of revenue.

(b) The original assessed value of any designated hazardous substance site or hazardous substance subdistrict on January 2 following the date the agency or municipality certifies to the county auditor that:

(1) a loan has been made to the municipality or the agency pursuant to section 3; or

(2) the agency or municipality has entered a redevelopment or other agreement for the removal or remedial actions specified in a development response action plan, or otherwise provided funds to finance the development response action plan; shall be equal to the assessed value of the parcel, as most recently determined by the commissioner of revenue, less the reasonable and necessary costs of the removal actions and remedial actions to be undertaken with respect to the parcel as certified to the county auditor by the municipality or agency but not less than zero.

(c) The original assessed value shall be increased by the amount by which it was reduced pursuant to paragraph (b), clause (1), upon repayment in full of the hazardous substance loan made pursuant to section 3, if any, or paragraph (b), clause (2), if the loan has not been made, upon certification by the municipality that the costs of the removal actions and remedial actions have been paid or reimbursed.

(d) For purposes of this subdivision, "real property" shall include any property normally taxable as personal property by reason of its location on or over publicly-owned property.

(e) The terms "removal," "remedial," "action," "hazardous substance," and "pollutant or contaminant" have the meanings assigned by section 115B.02. The term "development response action plan" has the meaning given by section 1.

Sec. 6. Minnesota Statutes 1987 Supplement, section 469.174, is amended by adding a subdivision to read:

Subd. 16. [DESIGNATED HAZARDOUS SUBSTANCE SITE.] "Designated hazardous substance site" means: (1) any parcel or parcels benefitted by a loan made to the municipality or the authority pursuant to section 3, or (2) any parcel or parcels with respect to which the authority or municipality has certified to the county auditor that the authority or municipality has entered into a redevelopment or other agreement providing for, or otherwise has available to it, funds including, without limitation, tax increment which would be made available pursuant to section 469.175, subdivision 1, to finance the removal or remedial actions specified in a development response action plan.

Sec. 7. Minnesota Statutes 1987 Supplement, section 469.175, is amended by adding a subdivision to read:

Subd. 7. [CREATION OF HAZARDOUS SUBSTANCE SUBDISTRICT.] (a) A municipality or authority which is creating or has created a tax increment financing district may establish within the district a hazardous substance subdistrict upon the notice and after the discussion, public hearing, and findings required for approval of the original plan. The geographic area of the subdistrict shall be made up of any parcels in the district designated for inclusion by the municipality or authority that are designated hazardous substance sites, and any additional parcels in the district designated for inclusion that are contiguous except for the interposition of a right-of-way. Before or at the time of approval of the tax increment financing plan, the municipality shall make the findings under paragraphs (b) to (d), and shall set forth in writing the reasons and supporting facts for each.

(b) The proposed development or redevelopment, in the opinion of the municipality, would not reasonably be expected to occur solely through private investment and tax increment otherwise available, and therefore the hazardous substance district is deemed necessary.

(c) Other parcels that are not designated hazardous substance sites are expected to be developed together with a designated hazardous substance site.

(d) The subdistrict is not larger than, and the period of time during which increments are elected to be received is not longer than, that which is necessary in the opinion of the municipality to provide for the additional costs due to the designated hazardous substance site.

Sec. 8. Minnesota Statutes 1987 Supplement, section 469.176, subdivision 1, is amended to read:



Subdivision 1. [DURATION OF TAX INCREMENT FINANCING DISTRICTS.] (a) Subject to the limitations contained in paragraphs (b) to (f), any tax increment financing district as to which bonds are outstanding, payment for which the tax increment and other revenues have been pledged, shall remain in existence at least as long as the bonds continue to be outstanding.

(b) The tax increment pledged to the payment of the bonds and interest thereon may be discharged and the tax increment financing district may be terminated if sufficient funds have been irrevocably deposited in the debt service fund or other escrow account held in trust for all outstanding bonds to provide for the payment of the bonds at maturity or date of redemption and interest thereon to the maturity or redemption date.

(c) For bonds issued pursuant to section 469.178, subdivisions 2 and 3, the full faith and credit and any taxing powers of the municipality or authority shall continue to be pledged to the payment of the bonds until the principal of and interest on the bonds has been paid in full.

(d) No tax increment shall be paid to an authority for a tax increment financing district after three years from the date of certification of the original assessed value of the taxable real property in the district by the county auditor or after August 1, 1982, for tax increment financing districts authorized prior to August 1, 1979, unless within the three-year period (1) bonds have been issued pursuant to section 469.178, or in aid of a project pursuant to any other law, except revenue bonds issued pursuant to sections 469.152 to 469.165, prior to August 1, 1979, or (2) the authority has acquired property within the district, or (3) the authority has constructed or caused to be constructed public improvements within the district.

(e) No tax increment shall in any event be paid to the authority from a redevelopment district after 25 years from date of receipt by the authority of the first tax increment, after 25 years from the date of the receipt for a housing district, after 25 years from the date of the receipt for a mined underground space development district, and after eight years from the date of the receipt, or ten years from approval of the tax increment financing plan, whichever is less, for an economic development district.

For tax increment financing districts created prior to August 1, 1979, no tax increment shall be paid to the authority after 30 years from August 1, 1979.

(f) Modification of a tax increment financing plan pursuant to section 469.175, subdivision 4, shall not extend the durational limitations of this subdivision.

If a parcel of a district is part of a designated hazardous substance site or a hazardous substance subdistrict, tax increment may be paid to the authority from the parcel for longer than the period otherwise provided by this subdivision. The extended period for collection of tax increment shall begin on the date of receipt of the first tax increment from the parcel that is more than any tax increment received from the parcel before the date of the loan or certification and received after the earlier of: (i) the date of a loan made to the municipality or authority pursuant to section 3; or (ii) the date of certification to the county auditor described in section 469.174, subdivision 16, clause (b). The extended period for collection of tax increment shall be the lesser of: (i) 25 years from the date of commencement of the extended period; or (ii) the period necessary to recover the costs of removal or remedial actions specified in a development response action plan.

Sec. 9. Minnesota Statutes 1987 Supplement, section 469.176, subdivision 5, is amended to read:

Subd. 5. [REQUIREMENT FOR AGREEMENTS.] No more than 25 percent, by acreage, of the property to be acquired within a project which contains a redevelopment district, or ten percent, by acreage, of the property to be acquired within a project which contains a housing or economic development district, as set forth in the tax increment financing plan, shall at any time be owned by an authority as a result of acquisition with the proceeds of bonds issued pursuant to section 469.178 unless prior to acquisition in excess of the percentages, the authority has concluded an agreement for the development or redevelopment of the property acquired and which provides recourse for the authority should the development or redevelopment not be completed. This subdivision does not apply to a parcel of a district that is a designated hazardous substance site or part of a hazardous substance subdistrict.

Sec. 10. [APPROPRIATION.]

\$ . . . . . is appropriated from the state building fund to the commissioner of trade and economic development for the purpose of making or purchasing hazardous substance loans, as defined in section 3. Funds deposited in the hazardous substance loan fund from loan repayments provided in section 3 are appropriated to the commissioner of trade and economic development for the purpose of making or purchasing hazardous substance loans. This appropriation is available until expended.

\$ . . . . . is appropriated from the general fund to the commissioner of the pollution control agency for the purposes specified in section 3.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final enactment."

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

The report was adopted.

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

H. F. No. 1847, A bill for an act relating to health; establishing a program to test infants for hemoglobinopathy; appropriating money; amending Minnesota Statutes 1986, section 144.125.

Reported the same back with the following amendments:

Page 2, line 9, after "1989" insert "and the complement of the department of health is increased by 1½ positions"

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. 1864, A bill for an act relating to the city of Jordan; enabling the city to issue tax anticipation certificates.

Reported the same back with the following amendments:

Page 2, line 11, before the period insert "and applies to certificates of indebtedness issued in anticipation of taxes for the 1988 and 1989 tax levy only, for taxes payable in 1989 and 1990 only"

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

The report was adopted.

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

H. F. No. 1865, A bill for an act relating to the town of White Bear; authorizing the town of White Bear to establish an economic

development authority; giving the town of White Bear the powers of a city with respect to the authority.

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

The report was adopted.

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

H. F. No. 1876, A bill for an act relating to state services for the blind and visually handicapped; clarifying the relationship between federal and state laws regarding supervision of vending stands; clarifying utilization of receipts in the revolving fund; providing that certain department of jobs and training data be classified as public data; regulating the disposition of certain reimbursements received by the commissioner of jobs and training; amending Minnesota Statutes 1986, sections 13.791, subdivision 1; and 248.07, subdivisions 7 and 12; Minnesota Statutes 1987 Supplement, section 248.07, subdivision 8; repealing Minnesota Statutes 1986, section 136.26.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 4, line 24, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete everything after the semicolon

Page 1, delete line 7

Page 1, line 8, delete "data;"

Page 1, line 11, delete "sections 13.791, subdivision 1; and" and insert "section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1887, A bill for an act relating to hospitals; requiring prompt payment; establishing rates for small hospitals; requiring interim payments to hospitals; amending Minnesota Statutes 1986, sections 16A.124, subdivision 4, and by adding a subdivision; and 256.969, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 256.969, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 256.969, subdivision 3, is amended to read:

Subd. 3. [SPECIAL CONSIDERATIONS.] (a) In determining the rate the commissioner of human services will take into consideration whether the following circumstances exist:

(1) minimal medical assistance and general assistance medical care utilization;

(2) unusual length of stay experience; and

(3) disproportionate numbers of low-income patients served.

(b) To the extent of available appropriations, the commissioner shall provide supplemental grants directly to a hospital described in section 256B.031, subdivision 10, paragraph (a), that receives medical assistance payments through a county-managed health plan that serves only residents of the county. The payments must be designed to compensate for actuarially demonstrated higher health care costs within the county, for the population served by the plan, that are not reflected in the plan's rates under section 256B.031, subdivision 4.

(c) The commissioner shall establish procedures to analyze and correct problems associated with hospital inpatient and outpatient claims preparation and processing. At a minimum, the commissioner shall:

(1) designate a full-time equivalent position as a liaison between the department of human services and hospitals;

(2) analyze impediments to timely processing of claims, provide information and consultation to hospitals and develop methods to resolve or reduce problems;

(3) provide to each hospital a quarterly listing of claims received, and the dates they were received, and identify those claims that have been rejected, suspended, or are otherwise pending and the reason that the claims were rejected or suspended;

(4) provide education and information on reasons for rejection and suspension of claims and identify methods that would avoid multiple submissions of claims; and

(5) identify and prioritize claims that are in jeopardy of exceeding time factors which eliminate payment.

(d) For inpatient hospital services provided from July 1, 1988, to June 30, 1989, hospitals with fewer than 100 medical assistance discharges during the most recent hospital fiscal year for which figures are available, excluding Medicare cross-overs, that were paid for services provided during the period January 1, 1987, to June 30, 1987, shall have medical assistance inpatient payments increased .. percent. Hospitals with more than 100 but fewer than 250 medical assistance discharges during the most recent hospital fiscal year for which figures are available, excluding Medicare cross-overs, that were paid for services provided during the period January 1, 1987, to June 30, 1987, shall have medical assistance inpatient payments increased .. percent for inpatient hospital services provided from July 1, 1988 to June 30, 1989. This provision applies only to hospitals which have 100 or fewer licensed beds.

(e) Hospitals with fewer than 250 medical assistance discharges during the most recent hospital fiscal year for which figures are available shall be reimbursed for day outliers at one standard deviation and at an 80 percent payment difference. The categorical rate per admission and the relative value of diagnostic categories will not be recalculated to accomplish this payment adjustment. This provision applies only to hospitals which have 100 or fewer licensed beds.

Sec. 2. [APPROPRIATION.]

\$ . . . . . is appropriated to the commissioner of human services to implement the provisions of section 1."

Delete the title and insert:

"A bill for an act relating to hospitals; requiring commissioner to analyze claims; increasing payment rates for small hospitals; amending Minnesota Statutes 1987 Supplement, section 256.969, subdivision 3."

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

The report was adopted.

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

H. F. No. 1889, A bill for an act relating to human services; providing for the eligibility for and calculation of general assistance and AFCD grants; amending Minnesota Statutes 1986, sections 256.73, subdivisions 2 and 6; 256.76, subdivision 1; 256D.02, subdivision 7, and by adding a subdivision; 256D.06, by adding a subdivision; and 256D.07; Minnesota Statutes 1987 Supplement, sections 256D.01, subdivision 1a; and 256D.06, subdivision 1.

Reported the same back with the following amendments:

Page 4, after line 4, insert:

"Sec. 3. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 4, line 5, delete "7" and insert "8"

Page 4, line 14, delete everything after the period

Page 4, delete lines 15 and 16

Page 4, line 17, delete "is less." and insert "For any month in which an overpayment must be recovered, recoupment may be made by reducing the grant but only if the reduced assistance payment, together with the assistance unit's total income after deducting work expenses as allowed under section 256.74, subdivision 1, clauses (3) and (4), equals at least 95 percent of the standard of need for the assistance unit, except that if the overpayment is due solely to agency error, this total after deducting allowable work expenses must equal at least 99 percent of the standard of need. Notwithstanding the preceding sentence, beginning on the date on which the commissioner implements a computerized client eligibility and information system in one or more counties, all local agencies in the state shall reduce the assistance payment by three percent of the assistance unit's standard of need or the amount of the monthly payment, whichever is less, for all overpayments whether or not the overpayment is due solely to agency error."

Page 4, after line 30, insert:

"Sec. 4. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 4, line 31, delete "8" and insert "9"

Page 4, after line 33, insert:

“Sec. 5. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:”

Page 4, line 34, delete “9” and insert “10”

Page 5, after line 2, insert:

“Sec. 6. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:”

Page 5, line 3, delete “10” and insert “11”

Page 5, line 12, after the period insert “A decision on an application for assistance shall be made as promptly as possible and no more than 30 days after the date of application.”

Page 11, line 4, reinstate everything after the stricken “and”

Page 11, lines 5 and 6, reinstate the stricken language and insert a period

Renumber the remaining sections

Amend the title as follows:

Page 1, line 4, delete “AFCD” and insert “AFDC”

Page 1, line 5, after “6” insert “, and by adding subdivisions”

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

The report was adopted.

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

H. F. No. 1891, A bill for an act relating to human services; providing for the duration of work incentive subsidized housing emergency rules; requiring mandatory school attendance for certain AFDC recipients who are minors; providing for implementation of the food stamp employment and training program; appropriating money; amending Minnesota Statutes 1986, sections 245.771, by adding a subdivision; 256.736, by adding subdivisions; Minnesota Statutes 1987 Supplement, section 256.736, subdivisions 1b and 4.



Reported the same back with the following amendments:

Page 3, line 28, after "attending" insert "or not enrolling in"

Page 4, after line 12, insert:

"(7) Good cause exists when the minor parent or the minor parent's child has a medical appointment, an appointment with the local welfare agency, or is required to appear in court during the minor parent's normal school hours, or any other obligation consistent with the case management contract."

Page 8, after line 12, insert:

"Sec. 6. Minnesota Statutes 1987 Supplement; section 256.736, subdivision 11, is amended to read:

Subd. 11. [CASE MANAGEMENT SERVICES.] (a) For clients described in subdivision 2a, the case manager shall:

(1) Assess the education, skills, and ability of the caretaker to secure and retain a job which, when added to child support, will support the caretaker's family. The case manager must work with the caretaker in completing this task;

(2) Set goals and develop a timetable for completing education and employment goals. The case manager must work with the caretaker in completing this task. For caretakers who are not literate or who have not completed high school, the first goal for the caretaker must be to complete literacy training or a general education diploma. Caretakers who are literate and have completed high school shall be counseled to set realistic attainable goals, taking into account the long-term needs of both the caretaker and the caretaker's family;

(3) Coordinate services such as child care, transportation, and education assistance necessary to enable the caretaker to work toward the goals developed in clause (2). When a client needs child care services in order to attend a Minnesota public or nonprofit college, university or technical institute, the case manager shall contact the appropriate agency to reserve child care funds for the client. A caretaker who needs child care services in order to complete high school or a general education diploma is eligible for child care under section 268.91;

(4) Develop, execute, and monitor a contract between the local agency and the caretaker. The contract must include: (a) specific goals of the caretaker including stated measurements of progress toward each goal; (b) specific services provided by the county agency; and (c) conditions under which the county will withdraw the services provided;

The contract may include other terms as desired or needed by either party. In all cases, however, the case manager must ensure that the caretaker has set forth in the contract realistic goals consistent with the ultimate goal of self-sufficiency for the caretaker's family; and

(5) Develop and refer caretakers to counseling or peer group networks for emotional support while participating in work, education, or training.

(b) In addition to the duties in paragraph (a), for minor parents, and pregnant minors the case manager shall:

(1) Ensure that the contract developed under paragraph (a)(4) considers all factors set forth in section 257.33, subdivision 2; ~~and~~

(2) Assess the housing and support systems needed by the caretaker in order to provide the dependent children with adequate parenting. The case manager shall encourage minor parents who are not living with friends or relatives to live in a group home or foster care setting. If minor parents are unwilling to live in a group home or foster care setting or if no group home or foster care setting is available, the case manager shall assess the minor parent's need for training in parenting and independent living skills and shall refer appropriate minor parents to available counseling programs designed to teach needed skills; and

(3) Inform the minor parent and his or her parent and assist the minor parent in evaluating the appropriateness of the high school graduation incentives program under section 126.22, including post-secondary enrollment options, and the employment related and community based instruction programs.

(c) A caretaker may request a conciliation conference to attempt to resolve disputes regarding the contents of a contract developed under this section or a housing and support systems assessment conducted under this section. The caretaker may request a hearing pursuant to section 256.045 to dispute the contents of a contract or assessment developed under this section. The caretaker need not request a conciliation conference in order to request a hearing pursuant to section 256.045.

Sec. 7. [256.925] [VOTER REGISTRATION FOR PUBLIC ASSISTANCE APPLICANTS AND RECIPIENTS.]

A county agency shall provide voter registration cards to every individual who applies for a public assistance program at the time application is made. The agency shall also make voter registration cards available to a public assistance recipient upon the recipient's request or at the time of the recipient's eligibility redetermination.

The county agency shall assist applicants and recipients in completing the voter registration cards, as needed. Completed forms shall be collected by agency employees and submitted to proper election officials.

Sec. 8. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 1, is amended to read:

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

(a) "Child care services" means child care provided in family day care homes, group day care homes, nursery schools, day nurseries, child day care centers, play groups, head start, and parent cooperatives, or in the child's home.

(b) "Child" means a person 12 years old or younger, or a person age 13 or 14 who is handicapped, as defined in section 120.03.

(c) "Commissioner" means the commissioner of human services.

(d) "Child care" means the care of a child by someone other than a parent or legal guardian in or outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

(e) "County board" means the board of county commissioners in each county.

(f) "Education program" means remedial or basic education or English as a second language instruction, high school education, a program leading to a general equivalency diploma, and post-secondary education excluding post-baccalaureate programs.

(g) "Employment program" means employment of recipients financially eligible for the child care sliding fee program, vocational assessment, and job readiness and job search activities.

(h) "Family" means parents, stepparents, guardians, or other caretaker relatives, and their blood related dependent children and adoptive siblings under the age of 18 years living in the same home including children temporarily absent from the household in settings such as schools, foster care, and residential treatment facilities. When a minor parent or parents and his, her, or their children are living with other relatives, and the minor parent or parents apply for a child care subsidy, "family" means only the minor parent or parents and the child. An adult may be considered a dependent member of the family unit if 50 percent of the adult's support is being provided by the parents, stepparents, guardians, or other caregiver relatives residing in the same household.

(i) "Human services board" means a board established under section 402.02, Laws 1974, chapter 293, or Laws 1976, chapter 340.

(j) "Income" means earned or unearned income received by all family members 16 years or older, including public assistance benefits, unless specifically excluded. The following are excluded from income: scholarships and grants that cover costs for tuition, fees, books, and educational supplies; student loans for tuition fees, books, supplies, and living expenses; in-kind income such as food stamps, energy assistance, medical assistance, and housing subsidies; income from summer or part-time employment of 16, 17, and 18 year old full-time secondary school students; and nonrecurring lump sum income only to the extent that it is earmarked and used for the purpose for which it is paid.

(k) "Provider" means the child care license holder or the legal nonlicensed caregiver who operates a family day care home, a group family day care home, a day care center, a nursery school, or a day nursery, or who functions in the child's home.

(l) "Post-secondary educational systems" means the University of Minnesota board of regents, the state university board, the state board for community colleges, and the state board of vocational technical education.

(m) "AFDC priority groups" means the recipients defined in section 256.736, subdivision 2a.

(n) "AFDC" means aid to families with dependent children.

Sec. 9. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3b, is amended to read:

Subd. 3b. [SET-ASIDE MONEY FOR AFDC PRIORITY GROUPS.] (a) Set-aside money for AFDC priority groups must be allocated among the counties based on the average monthly number of caretakers receiving AFDC under the age of 21 and the average monthly number of AFDC cases open 24 or more consecutive months. For each fiscal year the average monthly caseload shall be based on the 12-month period ending March 31 of the previous fiscal year. The commissioner may reallocate quarterly unexpended or unencumbered set-aside money to counties that expend their full allocation. The county shall use the set-aside money for AFDC priority groups and for former AFDC recipients who (1) have had their child care subsidized under the set-aside for AFDC priority groups; (2) continue to require a child care subsidy in order to remain employed; and (3) are on a waiting list for the basic sliding fee program.

(b) The county shall develop cooperative agreements with the

employment and training service provider for coordination of child care funding with employment, training, and education programs for aid to families with dependent children priority groups. The cooperative agreement shall specify that individuals receiving employment, training, and education services under an employability plan from the employment and training service provider shall, as resources permit, be guaranteed set-aside money for child care assistance from the county of their residence.

(c) Counties may contract for administration of the program or may arrange for or contract for child care funds to be used by other appropriate programs, in accordance with this section and as permitted by federal law and regulations.

(d) If the commissioner finds, on or after January 1 of a fiscal year, that set-aside money for AFDC priority groups is not being fully utilized, the commissioner may permit counties to use set-aside money for other eligible applicants, as long as priority for use of the money will continue to be given to the AFDC priority groups.

(e) A county may claim federal reimbursement under the AFDC special needs program for money spent for persons listed in subdivision 3a, clause (1). The commissioner shall allocate any federal earnings to the county. The county shall use the money to expand services to AFDC recipients under the child care sliding fee program.

Sec. 10. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3c, is amended to read:

Subd. 3c. [SET-ASIDE MONEY FOR AFDC POST-SECONDARY STUDENTS.] (a) For the fiscal year ending June 30, 1988, set-aside money for persons listed in subdivision 3a, clause (2), shall be allocated to the counties based on caseloads of aid to families with dependent children for the preceding fiscal year, as determined by the commissioner. For succeeding fiscal years, the commissioner shall, in cooperation with the director of the higher education coordinating board, develop a formula for allocation of the funds to counties based on the number of AFDC caretakers in each county who are enrolled at post-secondary institutions.

(b) Money allocated in paragraph (a) must be used for child care expenses of AFDC recipients attending post-secondary educational programs, excluding post-baccalaureate programs, and making satisfactory progress towards completion of the program.

(c) Once each quarter the commissioner shall review the use of child care fund allocations under this subdivision by county. The commissioner may reallocate unexpended or unencumbered money among those counties that have expended their full portion for the purposes of this subdivision.

(d) A county may claim federal reimbursement under the AFDC special needs program for money spent for persons listed in subdivision 3a, clause (2). The commissioner shall allocate any federal earnings to the county. The county shall use the money to expand services to AFDC recipients under the child care sliding fee program.

(e) Recipients of AFDC who have completed their post-secondary education and had received child care funds during that education shall be assured, to the extent of available resources allocations, of sliding fee money for employment programs after graduation if they meet sliding fee program eligibility standards.

Sec. 11. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3e, is amended to read:

Subd. 3e. [USE OF MONEY.] Money for persons listed in subdivision 3a, clauses (2) and (3), shall be used to reduce the costs of child care for students, including the costs of child care for students while employed if enrolled in an eligible education program at the same time and making satisfactory progress towards completion of the program. The county may plan for and provided child care assistance to persons listed in subdivision 3a, clauses (2) and (3), from the regular sliding fee fund to supplement the set-aside funds. Financially eligible students provided who have received child care assistance for one academic year shall be provided child care assistance in the following academic year, providing they remain financially eligible if funds allocated under subdivision 3c or 3d are available.

Sec. 12. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 4, is amended to read:

Subd. 4. [FINANCIAL ELIGIBILITY.] (a) Child care services must be available to families who need child care to find or keep employment or to obtain the training or education necessary to find employment and who:

- (1) receive aid to families with dependent children;
- (2) have household income below the eligibility levels for aid to families with dependent children; or
- (3) have household income within a range established by the commissioner.

(b) Child care services for the families receiving aid to families with dependent children must be made available as in-kind services, to cover any difference between the actual cost and the amount disregarded under the aid to families with dependent children.

program. Child care services to families whose incomes are below the threshold of eligibility for aid to families with dependent children, but that are not receiving aid to families with dependent children, must be made available without cost to the families.

(c) Child care services to families with incomes in the commissioner's established range must be made available on a sliding fee basis. The lower limit of the sliding fee range must be the eligibility limit for aid to families with dependent children. The upper limit of the range must be neither less than 70 percent nor more than 90 percent of the state median income for a family of four, adjusted for family size.

(d) If a disproportionate amount of the available money is provided to any one of the groups described in subdivision 4, paragraph (a), the county board shall document to the commissioner the reason the group received a disproportionate share. If a county projects that its child care allocation is insufficient to meet the needs of all eligible groups, it may prioritize among the groups to be served. If a county maintains a waiting list of applicants for the sliding fee program, it shall place at the top of the list former AFDC recipients who (1) have had their child care subsidized under the set-aside for AFDC priority groups; (2) continue to require a child care subsidy in order to remain employed; and (3) have been employed for 12 months and, during the 12 months, have had their child care needs paid for out of the set-aside money for AFDC priority groups. Counties shall assure that a person receiving child care assistance from the sliding fee program prior to July 1, 1987, continues to receive assistance, providing the person meets all other eligibility criteria. Set-aside money must be prioritized by the state, and counties do not have discretion over the use of this money.

(e) Annual income of the applicant family is the current monthly income of the family multiplied by 12 or the income for the 12-month period immediately preceding the date of application, whichever provides the most accurate assessment of income available to the family. Self-employment income must be calculated based on gross receipts less operating expenses. Income must be redetermined when the family's income changes, but no less often than every six months. Income must be verified with documentary evidence. If the applicant does not have sufficient evidence of income, verification must be obtained from the source of the income.

Sec. 13. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 12, is amended to read:

Subd. 12. [FAIR HEARING PROCESS.] (a) Applicants and recipients have the option to request the county to conduct a conciliation conference to attempt to resolve complaints arising from any of the following actions:

- (1) a determination of ineligibility for child care assistance;
- (2) unauthorized termination of child care assistance;
- (3) determination of the factors considered in setting the family fee; and
- (4) income redetermination resulting in change of a family fee.

(b) The county shall notify the applicant or the recipient, in writing, of any adverse action. The determination described in paragraph (a), clauses (1) and (3), must include written notice of the applicant's or recipient's right to the election described in paragraph (e), where and how to request the election, the time limit within which to make the request, and the reasons for the determination. Notice of the proposed actions described in paragraph (a), clauses (2) and (4), must be mailed to the applicant or recipient at least 15 calendar days before the effective date of the action. The notice must clearly state what action the county proposes to take, the effective date of the proposed action, the reasons for the proposed action, the necessary corrective measures, the option to request either a conciliation conference or an administrative hearing, where and how to make the request, the time limits within which a request must be made, and the consequence of the action.

(c) An applicant or recipient who receives a determination or notice of proposed action under paragraph (b) must mail or deliver either a written notice of request for a conciliation conference to the administering agency or a written notice of request for the hearing specified under paragraph (e) to the administering agency on or before the effective date of the proposed action or the date specified in the notice, or the action will be final.

(d) The county shall provide a conciliation conference within 30 days of receipt of a written request.

The county shall give the applicant or recipient ten calendar days' notice of the conference date. The applicant or recipient and the county's representative have the right to appear, to bring witnesses, and to submit documentation. The written request and the resolution, if any, of the conference shall be maintained as part of the official record. The county's representative shall issue a written resolution only if mutual agreement is reached between the county's representative and the applicant or recipient. The resolution must be signed by both parties and issued the same day as the conciliation conference is held. Participating in a conciliation conference or signing a resolution does not constitute a waiver of the right to an administrative hearing.

An applicant or recipient may, within 15 calendar days of the



conference, mail or deliver a written request to the administering agency for an administrative hearing. Unless an appeal is requested, a determination, proposed action, or resolution of a conciliation conference will be final after the 15-day period has passed.

(c) A fair hearing shall be conducted in the manner prescribed by section 268.10, subdivision 3. A right to review will be provided in accordance with section 268.10, subdivision 5. The proposed action will not take effect until the appeal is decided by the administrative hearing process.

(a) An applicant or recipient adversely affected by a county agency action may request a fair hearing in accordance with section 256.045, subdivision 3.

(b) The county agency shall offer an informal conference to applicants and recipients adversely affected by an agency action to attempt to resolve the dispute. The county agency shall advise adversely affected applicants and recipients that a request for a conference with the agency is optional and shall in no way delay or replace the right to a fair hearing.

Page 8, after line 16, insert:

“Sec. 15. [EFFECTIVE DATE.]

Sections 9 and 12 are effective July 1, 1988.”

Renumber the sections in sequence

Delete the title and insert:

“A bill for an act relating to human services; providing for the duration of work incentive subsidized housing emergency rules; requiring mandatory school attendance for certain AFDC recipients who are minors; providing for implementation of the food stamp employment and training program; providing definitions of family and income for purposes of the sliding fee program; regulating the use of and waiting list for AFDC priority group child care assistance money; appropriating money; amending Minnesota Statutes 1986, sections 245.771, by adding a subdivision; 256.736, by adding subdivisions; Minnesota Statutes 1987 Supplement, sections 256.736, subdivisions 1b, 4, and 11; 268.91, subdivisions 1, 3b, 3c, 3e, 4, and 12; proposing coding for new law in Minnesota Statutes, chapter 256.”

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

The report was adopted.

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

H. F. No. 1927, A bill for an act relating to medical assistance; establishing a case management pilot project; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256B.

Reported the same back with the following amendments:

Page 1, line 14, delete everything after the period and insert "The primary goals of the pilot project are to:

(1) assure quality of care by emphasizing improved continuity of care, illness, prevention, and maintenance of health; and

(2) reduce medical assistance expenditures by coordinating health care services to avoid duplicative or unnecessary services."

Page 1, delete lines 15 to 17

Page 2, line 9, delete "Hennepin county" and insert "a county contained in a standard metropolitan statistical area in the state"

Page 2, line 10, delete "Aitkin, Carlton, Crow Wing, and" and insert "a county or grouping of counties not contained in a standard metropolitan statistical area in the state."

Page 2, delete line 11

Page 2, line 12, after "enrollee" insert "in a pilot project county"

Page 2, line 18, after "enrollment" insert "and approve the enrollee's use of emergency room services for a situation that is not life or limb threatening"

Page 2, line 24, after "rendered" insert "and refer the enrollee to another health care provider for a second opinion at the enrollee's request"

Page 3, line 2, delete the period and insert "; and"

Page 3, line 4, delete "; and" and insert a period

Page 3, delete lines 5 to 8

Page 3, line 16, after "community" insert "health"

Page 3, line 22, after the period insert "The enrollee may choose any pharmacy that is authorized to receive medical assistance reimbursement to fill prescriptions from the enrollee's case manager."

Page 3, line 29, delete "Aitkin, Carlton, Crow Wing, and Morrison as the rural" and insert "an urban county and a rural county in which eligible individuals may be enrolled in the pilot project."

Page 3, delete lines 30 and 31

Page 3, line 33, delete "county agencies of the urban and rural pilot" and insert "commissioner who shall cooperate with county agencies of the urban and rural pilot counties to facilitate enrollment of recipients and ensure minimum levels of physician participation."

Page 3, delete lines 34 and 35

Page 4, line 23, after "assignment," insert "the methods and circumstances under which an enrollee can change case managers."

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

The report was adopted.

Jaros from the Committee on Higher Education to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [TASK FORCE ON CHILD CARE IN HIGHER EDUCATION.]

Subdivision 1. [PURPOSE AND DUTIES.] A task force is established to determine the goals of child care in higher education, to study and select strategies and mechanisms for the state to use in achieving those goals, and to make recommendations to the legislature for short-range and long-range policy development.

Subd. 2. [MEMBERSHIP.] The task force shall be composed of 21 members appointed by the governor. There must be three members including a student, a faculty member, and an administrator from

each of these post-secondary systems: the University of Minnesota, state universities, community colleges, technical institutes, private colleges, and private proprietary schools. At least three of the student members must be parents of child care age children. Either the administrator or faculty member from each system must be involved in child care issues within that system. One representative each from the department of health, department of human services, and higher education coordinating board must also be appointed. The governor shall appoint the task force chair. The student advisory council and higher education advisory council may recommend members and a chair to the governor. The task force shall consult with representatives of family home-based child care, center-based child care, and organizations representing employees of post-secondary systems.

Subd. 3. [REPORT.] The task force shall submit a report to the higher education divisions of the senate education and finance committees and the higher education committee and appropriations division of the house of representatives on its activities, findings, and recommendations by January 15, 1989. The report of the task force shall address at least the following issues:

(1) the extent to which child care needs of students and post-secondary employees are currently being met and the need for new and expanded services;

(2) the implications that lack of child care have on access to post-secondary education;

(3) the extent to which the state should support a child care program;

(4) the short-term and long-term costs and benefits associated with the recommendations of the task force, including both operating and capital costs; and

(5) the unique or local needs of particular post-secondary institutions and systems.

Subd. 4. [FUNDING.] The task force may seek funding from nonstate sources to accomplish its tasks under subdivisions 1 to 3."

Delete the title and insert:

"A bill for an act relating to education; creating a child care task force; specifying membership; requiring a report."

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. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 260.311, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT; JOINT SERVICES; STATE SERVICES.] If a county or group of counties has established a human services board pursuant to chapter 402, the juvenile district court may appoint one or more county probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the juvenile district court shall appoint one or more persons of good character to serve as county probation officers during the pleasure of the court. All other counties shall provide probation services to county district courts in one of the following ways:

(1) the court, with the approval of the county boards, may appoint one or more salaried county probation officers to serve during the pleasure of the court;

(2) two or more county courts or county court districts when two or more counties offer probation services the district court through their the county boards may appoint common salaried county probation officers to serve in the several counties;

(3) a county or county court a district court may request the commissioner of corrections to furnish probation services to its county court or county court district in accordance with the provisions of this section, and the commissioner of corrections shall furnish such services to any county or county court district that fails to provide its own probation officer by one of the two procedures listed above;

(4) if a county or county court district court providing probation services under clause (1) or (2) asks the commissioner of corrections or the legislative body for the state of Minnesota mandates the commissioner of corrections to furnish probation services to the county district court, the probation officers and other employees

displaced by the changeover may shall be given preference in employment employed by the commissioner of corrections. If When employed by the commissioner, the employment, notwithstanding the provisions of other law to the contrary, is a transfer in grade with all of the benefits enjoyed by the employee while in the service of the county which do not exceed those provided for state civil service employees; the employees shall be considered permanent employees, provided they have completed six months employment in the county probation office where they have been employed.

The employees described in this clause transfer into the state correctional system with full credit for total years of service in the county probation department without reduction in salary. A transferred employee retains seniority accrued in the employee's position within the county probation department. A transferred employee retains sick leave and vacation benefits earned and accrued while employed in the county probation office to the extent the total benefits accrued do not exceed the maximum permissible accrual for comparable state civil service employees. Years of service in the county probation department are to be given full credit for future sick leave and vacation accrual purposes.

(5) all probation officers serving the juvenile courts on July 1, 1972 shall continue to serve in the county or counties they are now serving.

Sec. 2. Minnesota Statutes 1986, section 260.311, subdivision 2, is amended to read:

Subd. 2. [SUFFICIENCY OF SERVICES.] Probation services shall be sufficient in amount to meet the needs of the county district court in each county. County probation officers serving county district courts in all counties of not more than 200,000 population shall also, pursuant to subdivision 3, provide probation and parole services to wards of the commissioner of corrections resident in their counties. To provide these probation services counties containing a city of 10,000 or more population shall, as far as practicable, have one probation officer for not more than 35,000 population; in counties that do not contain a city of such size, the commissioner of corrections shall, after consultation with the chief judge of the county district court and the county commissioners and in the light of experience, establish probation districts to be served by one officer.

All probation officers appointed for any county district court or community corrections agency shall be selected from a list of eligible candidates who have minimally qualified according to the same or equivalent examining procedures as used by the commissioner of employee relations to certify eligibles to the commissioner of corrections in appointing parole agents, and the department of employee relations shall furnish the names of such candidates on request. This

subdivision shall not apply to a political subdivision having a civil service or merit system unless the subdivision elects to be covered by this subdivision.

Sec. 3. Minnesota Statutes 1986, section 260.311, subdivision 3, is amended to read:

Subd. 3. [POWERS AND DUTIES.] All county probation officers serving county courts a district court shall act under the orders of the court in reference to any person committed to their care by the court, and in the performance of their duties shall have the general powers of a peace officer; and it shall be their duty to make such investigations with regard to any person as may be required by the court before, during, or after the trial or hearing, and to furnish to the court such information and assistance as may be required; to take charge of any person before, during or after trial or hearing when so directed by the court, and to keep such records and to make such reports to the court as the court may order.

All county probation officers serving county courts a district court shall, in addition, provide probation and parole services to wards of the commissioner of corrections resident in the counties they serve, and shall act under the orders of said commissioner of corrections in reference to any ward committed to their care by the commissioner of corrections.

All probation officers serving county courts a district court shall, under the direction of the authority having power to appoint them, initiate programs for the welfare of persons coming within the jurisdiction of the court to prevent delinquency and crime and to rehabilitate within the community persons who come within the jurisdiction of the court and are properly subject to efforts to accomplish prevention and rehabilitation. They shall, under the direction of the court, cooperate with all law enforcement agencies, schools, child welfare agencies of a public or private character, and other groups concerned with the prevention of crime and delinquency and the rehabilitation of persons convicted of crime and delinquency.

All probation officers serving county courts a district court shall make monthly and annual reports to the commissioner of corrections, on forms furnished by the commissioner, containing such information on number of cases cited to the juvenile division of district court, offenses, adjudications, dispositions, and related matters as may be required by the commissioner of corrections.

Sec. 4. Minnesota Statutes 1986, section 260.311, subdivision 5, is amended to read:

Subd. 5. [REIMBURSEMENT OF COUNTIES.] In order to reimburse the counties for the cost which they assume under this section

of providing probation and parole services to wards of the commissioner of corrections and to aid the counties in achieving the purposes of this section, the commissioner of corrections shall annually, from funds appropriated for that purpose, pay 50 percent of the costs of probation officers' salaries to all counties of not more than 200,000 population. Nothing in this section will invalidate any payments to counties made pursuant to this section before May 15, 1963. Salary costs include fringe benefits, but only to the extent that fringe benefits do not exceed those provided for state civil service employees. On or before July 1 of each even-numbered year each county or group of counties which provide their own probation services to the county district court under subdivision 1, clause (1) or (2) shall submit to the commissioner of corrections an estimate of its costs under this section. Reimbursement to those counties shall be made on the basis of the estimate or actual expenditures incurred, whichever is less. Reimbursement for those counties which obtain probation services from the commissioner of corrections pursuant to subdivision 1, clause (3), must be made on the basis of actual expenditures. Salary costs shall not be reimbursed unless county probation officers are paid salaries commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which each county probation officer is assigned shall be determined by the authority having power to appoint probation officers, and shall be based on the officer's length of service and performance. The appointing authority shall annually assign each county probation officer to a position on the salary scale commensurate with the officer's experience, tenure, and responsibilities. The judge shall file with the county auditor an order setting each county probation officer's salary. Time spent by a county probation officer as a court referee shall not qualify for reimbursement. Reimbursement shall be prorated if the appropriation is insufficient. A new position eligible for reimbursement under this section may not be added by a county without the written approval of the commissioner of corrections. When a new position is approved, the commissioner shall include the cost of the position in calculating each county's share.

Sec. 5. Minnesota Statutes 1986, section 401.01, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) For the purposes of sections 401.01 to 401.16, the following terms shall have the meanings given them:

(b) "Commissioner" means the commissioner of corrections or a designee;

(c) "Conditional release" means parole, supervised release, work release as authorized by sections 241.26 and 244.065, and includes probation;

(d) "Joint board" means the board provided in section 471.59.;



(e) "Local correctional service" means those services authorized by and employees, officers, and agents appointed under section 260.311, subdivision 1.

Sec. 6. Minnesota Statutes 1986, section 401.04, is amended to read:

**401.04 [ACQUISITION OF PROPERTY; SELECTION OF ADMINISTRATIVE STRUCTURE; EMPLOYEES.]**

Any county or group of counties electing to come within the provisions of sections 401.01 to 401.16 may (a) acquire by any lawful means, including purchase, lease or transfer of custodial control, the lands, buildings and equipment necessary and incident to the accomplishment of the purposes of sections 401.01 to 401.16, (b) determine and establish the administrative structure best suited to the efficient administration and delivery of the correctional services described in section 401.01, and (c) employ a director and other officers, employees and agents as deemed necessary to carry out the provisions of sections 401.01 to 401.16. To the extent that participating counties shall assume and take over state and local correctional services presently provided in counties, employment shall be given to those state and local officers, employees and agents thus displaced; if hired by a county, employment shall, to the extent possible and notwithstanding the provisions of any other law or ordinance to the contrary, be deemed a transfer in grade with all of the benefits enjoyed by such officer, employee or agent while in the service of the state or local correctional service.

State or local employees displaced by county participation in the subsidy program provided by this chapter are on layoff status and, if not hired by a participating county as provided herein, may exercise their rights under layoff procedures established by law or union agreement whichever is applicable.

State or local officers and employees displaced by a county's participation in the community corrections act and hired by the participating county shall retain all fringe benefits and recall from layoff benefits accrued by seniority and enjoyed by them while in the service of the state.

Sec. 7. [EFFECTIVE DATE.]

Section 1, clause (4), is effective retroactive to January 1, 1987."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

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

The report was adopted.

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

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.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 2, line 4, delete "\$50,000" and insert "\$15,000".

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

The report was adopted.

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

H. F. No. 2080, A bill for an act relating to human services; regulating payments for certain services for adults with mental retardation and related conditions; providing protection for the

mentally retarded; providing for therapeutic work activities; negotiating medical assistance utilization review appeals; regulating child support; amending Minnesota Statutes 1986, section 246.56; Minnesota Statutes 1987 Supplement, sections 252.41, subdivision 7; 252.46, subdivisions 1, 2, 3, 4, 5, and 12; 252.47; 252A.111, subdivision 6; 254B.05, subdivision 1; 254B.09, subdivision 5; 256B.04, subdivision 15; and 518.64, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 24, after "services" insert "carried out by patients or residents. To the extent that a qualified direct care employee of a regional treatment center is available, staff services required by the contract shall be provided by that direct care employee"

Page 7, line 17, delete the new language and insert "unless the commissioner determines the filming to be in the best interests of the ward. The commissioner may give written consent for filming of the ward after permitting and encouraging input by the nearest relative of the ward"

Page 7, line 18, delete the new language

Page 8, line 7, after the stricken language insert "by the commissioner or"

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

The report was adopted.

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

H. F. No. 2083, A bill for an act relating to health; making technical modifications of the immunization law; amending Minnesota Statutes 1986, section 123.70, subdivisions 1, 2, 3, 4, 5, 7, 8, and 9.

Reported the same back with the following amendments:

Page 1, line 13, delete "nor matriculate into any post-secondary" and strike "school"

Page 1, line 21, strike "German measles or"

Page 1, line 22, before the semicolon insert "and which indicates the month, day, and year of each immunization received"

Page 2, line 1, strike "German measles or"

Page 2, line 4, after "polio" insert "and which indicates the month, day, and year of each immunization received"

Page 2, line 9, after "elementary," insert "or"

Page 2, line 10, delete ", or post-secondary"

Page 2, line 15, before "schedule" insert "primary"

Page 2, line 18, after the stricken language insert "and in which the month, day, and year of each additional immunization received is included. For a child less than seven years of age, a primary schedule of immunizations shall consist of four doses of vaccine for diphtheria, tetanus, and pertussis and three doses of vaccine for poliomyelitis. For a child seven years of age or older, a primary schedule of immunizations shall consist of three doses of vaccine for diphtheria, tetanus, pertussis, and polio"

Page 2, delete lines 31 to 36

Page 3, line 1, reinstate the stricken "(c)" and delete "(e)"

Page 3, line 8, reinstate the stricken "(d)" and delete "(f)"

Page 3, line 18, reinstate the stricken "(e)" and delete "(g)"

Page 3, line 20, strike "German measles" and delete "or"

Page 3, line 25, delete "or matriculating into a post-secondary"

Page 3, line 26, strike "school"

Page 3, line 30, after "month" insert ", day,"

Page 3, line 32, after "person" insert "who is six years of age or younger," and delete "or"

Page 3, line 33, delete "secondary" and after "facility" insert a comma

Page 4, line 5, delete everything after the period

Page 4, delete lines 6 to 10

Page 4, line 11, delete the new language and insert "In order for the statement to be acceptable for a person who is seven years of age or older, enrolling in an elementary or secondary school, the

statement must indicate no less than one dose of vaccine each for measles, mumps, and rubella given separately or in combination, and no less than three doses of vaccine for poliomyelitis, diphtheria, and tetanus"

Page 5, line 14, reinstate the stricken "(c)" and delete "(e)" and reinstate the stricken "(d)" and delete "(f)"

Page 5, line 26, after "children" insert "enrolled in the facility, the number of children"

Page 5, line 28, delete "(e)" and insert "(c)" and delete "(f)" and insert "(d)"

Page 5, line 36, delete "or post-secondary school"

Page 6, line 3, after "section" insert "the following terms have the meanings given them.

(a)"

Page 6, line 6, delete everything after "schools"

Page 6, delete lines 7 to 9

Page 6, line 10, delete everything before the period

Page 6, after line 10, insert:

"(b) "Family day care" means day care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence.

(c) "Group family day care" means day care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence."

Page 6, line 12, delete everything after "effective" and insert "January 1, 1989."

Page 6, delete lines 13 and 14

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2084, A bill for an act relating to health; requiring medical screening of former Conwed Corporation employees; authorizing the commissioner of health to contract with experts; requiring a report; appropriating money.

Reported the same back with the following amendments:

Page 1, line 10, after "people" insert "and family members of people"

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

The report was adopted.

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

H. F. No. 2123, A bill for an act relating to human services; providing for definitions, exclusions, access to records, and period of receivership under the human services licensing act; liability of the state for municipal inspection functions; amending Minnesota Statutes 1986, section 466.132; and Minnesota Statutes 1987 Supplement, sections 245A.02, subdivision 13; 245A.03, subdivision 2; 245A.04, subdivisions 3 and 5; 245A.095, subdivision 1; and 245A.13, subdivision 5; repealing Minnesota Statutes 1987 Supplement, sections 256D.01, subdivision 1d; and 256D.37, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 23, strike "or mental"

Page 2, line 24, strike "retardation" and delete "and"

Page 2, line 25, before the semicolon insert ". This exclusion expires on July 1, 1989"

Page 5, after line 28, insert:

"Sec. 6. Minnesota Statutes 1987 Supplement, section 245A.11, subdivision 5, is amended to read:

Subd. 5. [OVERCONCENTRATION AND DISPERSAL.] (a) Before January 1, 1985, each county having two or more group residential programs within 1,320 feet of each other shall submit to the department of human services a plan to promote dispersal of

group residential programs. In formulating its plan, the county shall solicit the participation of affected persons, programs, municipalities having highly concentrated residential program populations, and advocacy groups. For the purposes of this subdivision, "highly concentrated" means having a population in residential programs serving seven or more persons that exceeds one-half of one percent of the population of a recognized planning district or other administrative subdivision.

(b) Within 45 days after the county submits the plan, the commissioner shall certify whether the plan fulfills the purposes and requirements of this subdivision including the following requirements:

(1) a new program serving seven or more persons must not be located in any recognized planning district or other administrative subdivision where the population in residential programs is highly concentrated;

(2) the county plan must promote dispersal of highly concentrated residential program populations;

(3) the county plan shall promote the development of residential programs in areas that are not highly concentrated;

(4) no person in a residential program shall be displaced as a result of this section until a relocation plan has been implemented that provides for an acceptable alternative placement;

(5) if the plan provides for the relocation of residential programs, the relocation must be completed by January 1, 1990. If the commissioner certifies that the plan does not do so, the commissioner shall state the reasons, and the county has 30 days to submit a plan amended to comply with the requirements of the commissioner.

(c) After July 1, 1985, the commissioner may reduce grants under section 245.73 to a county required to have an approved plan under paragraph (a) if the county does not have a plan approved by the commissioner or if the county acts in substantial disregard of its approved plan. The county board has the right to be provided with advance notice and to appeal the commissioner's decision. If the county requests a hearing within 30 days of the notification of intent to reduce grants, the commissioner shall not certify any reduction in grants until a hearing is conducted and a decision made in accordance with the contested case provisions of chapter 14."

Page 6, line 24, delete "REPEAL" and insert "REPEALER"

Renumber remaining sections in sequence

Amend the title as follows:

Page 1, line 10, after the first semicolon insert "245A.11, subdivision 5;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2132, A bill for an act relating to human services; authorizing a representative payee for general assistance to drug dependent persons; amending Minnesota Statutes 1986, section 256D.09, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, delete "designated or provided by the county"

Page 2, line 4, after the period insert "The county shall designate the representative payee after consultation with the recipient. The designation of the representative payee is subject to the administrative and judicial review provisions of section 256.045."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2180, A resolution memorializing Congress to more fairly and equitably assign reimbursement rates to rural counties under TEFRA risk contracts under Medicare.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 10, 577, 1659, 1710, 1748, 1784, 1876, 1989, 2039, 2056, 2083, 2123, 2132 and 2180 were read for the second time.



## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olsen, S., by request, introduced:

H. F. No. 2319, A bill for an act relating to negligence; granting immunity to municipalities for claims arising from nonprofit athletic associations' use of facilities and property; granting immunity to certain athletic coaches, managers, volunteers, and nonprofit athletic associations from claims of spectators; amending Minnesota Statutes 1986, section 466.03, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 604.08, subdivision 1.

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

Johnson, A.; Morrison; Schreiber; Kostohryz and Simoneau introduced:

H. F. No. 2320, A bill for an act relating to metropolitan government; regulating financing and duties of the regional transit board; amending Minnesota Statutes 1986, section 473.39, as amended; and Minnesota Statutes 1987 Supplement, section 473.446, subdivision 1; repealing Minnesota Statutes 1987 Supplement, sections 473.393 and 473.398.

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

Ogren; Carlson, D.; Battaglia; Bertram and Begich introduced:

H. F. No. 2321, A bill for an act relating to environment; exempting innocent landowners from liability; amending Minnesota Statutes 1987 Supplement, section 115C.02, subdivision 13.

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

Tjornhom, Thiede, Heap, Shaver and Schafer introduced:

H. F. No. 2322, 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.

Tompkins, Wenzel, Bennett, Lieder and Kelso introduced:

H. F. No. 2323, A bill for an act relating to taxation; sales; including bulletproof vests in the definition of exempt clothing; amending Minnesota Statutes 1986, section 297A.25, subdivision 8.

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

Tompkins, Kelso, Ogren, Lieder and Clark introduced:

H. F. No. 2324, A bill for an act relating to education; expanding opportunities for day care and home bound instruction for high school aged mothers; amending Minnesota Statutes 1987 Supplement, section 268.91, subdivision 4.

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

Tompkins, Dille, Schafer, Lieder and McDonald introduced:

H. F. No. 2325, 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.

Tompkins, Dille, Ozment, Lieder and Kelso introduced:

H. F. No. 2326, 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.

Otis, Frerichs; Bishop, Carlson, L., and Jaros introduced:

H. F. No. 2327, A bill for an act relating to higher education;

establishing the university center at Rochester; establishing its responsibilities, duties, and powers; providing for its governance; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 136E.

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

Jennings, Pelowski, Cooper, Kinkel and Johnson, R., introduced:

H. F. No. 2328, A bill for an act relating to game and fish; authorizing reimbursement for the removal of deer killed by motor vehicles; appropriating funds; amending Minnesota Statutes 1987 Supplement, section 97A.502.

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

Simoneau introduced:

H. F. No. 2329, A bill for an act relating to state government; permitting employee payroll deductions for homeowners and automobile insurance programs; amending Minnesota Statutes 1986, section 16A.133, by adding a subdivision.

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

Anderson, R.; Carlson, D.; Olsen, S.; Hugoson and Hartle introduced:

H. F. No. 2330, 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.

Jennings introduced:

H. F. No. 2331, A bill for an act relating to elections; establishing hours when polls will remain open for election to change county seat; amending Minnesota Statutes 1986, section 372.07.

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

McLaughlin, Dauner, Brown, Rukavina and Welle introduced:

H. F. No. 2332, A bill for an act relating to taxation; individual income; modifying the tax rates; amending Minnesota Statutes 1987 Supplement, section 290.06, subdivision 2c.

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

Simoneau introduced:

H. F. No. 2333, A bill for an act relating to environment; repealing the requirement for installation of aircraft noise suppression equipment at the Minneapolis-St. Paul International Airport; repealing Minnesota Statutes 1986, section 473.608, subdivision 20.

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

Simoneau introduced:

H. F. No. 2334, A bill for an act relating to courts; providing that the prosecuting political subdivision shall be responsible for the payment of witness fees in criminal and juvenile cases; amending Minnesota Statutes 1986, sections 357.24; 357.241; and 357.32.

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

Dawkins introduced:

H. F. No. 2335, A bill for an act relating to energy; providing for enforcement of energy conservation standards by municipalities through contested case proceedings; amending Minnesota Statutes 1986, section 116J.27, subdivisions 2 and 4a.

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

Otis, Greenfield, Jefferson, Sarna and Long introduced:

H. F. No. 2336, A bill for an act relating to retirement; permitting an amendment to the Minneapolis teachers retirement fund articles.

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

Cooper; Carlson, D.; Jennings; Brown and Kinkel introduced:

H. F. No. 2337, A bill for an act relating to taxation; property; classifying utility property as commercial-industrial; classifying certain personal property; amending Minnesota Statutes 1986, section 273.13, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 273.13, subdivision 24.

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

Ogren, Greenfield, Rodosovich, Segal and Onnen introduced:

H. F. No. 2338, A bill for an act relating to human services; changing certain appeal procedures; amending Minnesota Statutes 1986, section 256B.50, as amended by Laws 1987, chapter 403, article 4, section 12; and Minnesota Statutes 1987 Supplement, section 256B.47, subdivision 1.

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

Riveness, O'Connor, Sarna and Peterson introduced:

H. F. No. 2339, A bill for an act relating to consumer protection; requiring certain creditors to file credit card disclosure reports with the state treasurer; providing rulemaking authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Orenstein, Clark, Bishop, Jefferson and Kelly introduced:

H. F. No. 2340, A bill for an act relating to crime; law enforcement; requiring the reporting of crimes motivated by bias; requiring the peace officer standards and training board to mandate training for peace officers in recognizing, responding to, and reporting crimes of bias; proposing coding for new law in chapter 626.

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

Forsythe, Greenfield, Clausnitzer, Vellenga and Blatz introduced:

H. F. No. 2341, A bill for an act relating to family law; regulating

child support; 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.

Tjornhom, Boo, Morrison, Omann and Swenson introduced:

H. F. No. 2342, A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 1986, sections 2.021, and 2.031, subdivision 1; repealing Minnesota Statutes 1986, section 2.031, subdivision 2.

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

Kahn, Krueger and Greenfield introduced:

H. F. No. 2343, A bill for an act relating to information management; providing for an inventory, referral, and intake system for jobs and training and income maintenance services; appropriating money; amending Minnesota Statutes 1986, section 268.86, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 256.01, subdivision 4.

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

Kahn, Munger, Battaglia and Carlson, D., introduced:

H. F. No. 2344, A bill for an act relating to natural resources; changing certain provisions relating to fees; amending Minnesota Statutes 1987 Supplement, sections 85.055, subdivision 1; and 105.44, subdivision 10.

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

Pappas, Morrison and Welle introduced:

H. F. No. 2345, A bill for an act relating to veterans; providing for treatment of certain veterans convicted of crimes who suffer from posttraumatic stress disorder; amending Minnesota Statutes 1987 Supplement, sections 609.115, subdivision 1; and 609.135, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Cooper, Peterson, Bertram, Jensen and Carruthers introduced:

H. F. No. 2346, A bill for an act relating to education; increasing the general education formula allowance; increasing supplemental revenue; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 124A.22, subdivision 2; 124A.23, subdivisions 2, 3, and by adding subdivisions; 124A.25, subdivision 2; 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.

Bertram, Cooper and Dille introduced:

H. F. No. 2347, A bill for an act relating to environment; requiring notice of changes in solid waste facility permits to be given to local governments; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Minne, Solberg, Begich, Battaglia and Rukavina introduced:

H. F. No. 2348, A bill for an act relating to taxation; income; providing a pension exclusion; 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.

Jennings; Munger; Johnson, R., and Rose introduced:

H. F. No. 2349, A bill for an act relating to natural resources; authorizing the commissioner to sell certain surplus lands to local governments for local recreation or natural resource purposes; specifying the amount above appraised value that the commissioner may pay when acquiring land; transferring certain duties of county auditors and treasurers relating to the sale of state land to the commissioner; authorizing long-term leases of state land for certain purposes; modifying certain provisions of land exchange laws relat-

ing to appraisals and fees; amending Minnesota Statutes 1986, sections 84.027, by adding a subdivision; 92.16, subdivision 1; 92.23; 92.24; 92.26; 92.27; 92.50, subdivision 1; 94.343, subdivision 3; and 94.348; Minnesota Statutes 1987 Supplement, section 84.0272; repealing Minnesota Statutes 1986, section 92.25.

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

Jennings, Rodosovich, Stanius, Steensma and Greenfield introduced:

H. F. No. 2350, A bill for an act relating to human services; creating an advisory committee to study case mix changes and to develop a training program for providers; amending Minnesota Statutes 1986, section 256B.431, by adding a subdivision.

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

Beard, Price and Swenson introduced:

H. F. No. 2351, A bill for an act relating to environmental protection; prohibiting the location of mixed municipal solid waste disposal facilities in metropolitan regional parks; amending Minnesota Statutes 1986, section 473.803, subdivision 1a.

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

Tunheim; Nelson, C.; Dauner; Winter and Steensma introduced:

H. F. No. 2352, A bill for an act relating to education; increasing the general education formula allowance; increasing supplemental revenue; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 124A.22, subdivision 2; 124A.23, subdivisions 2, 3, and by adding subdivisions; 124A.25, subdivision 2; 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.

Rest, Milbert and Dempsey introduced:

H. F. No. 2353, A bill for an act relating to trusts; permitting the creation of custodial trusts; adopting the uniform custodial trust act; proposing coding for new law as Minnesota Statutes, chapter 529.



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

Bertram and Bauerly introduced:

H. F. No. 2354, A bill for an act relating to retirement; treating certain service credit in teachers retirement association as covered correctional service; amending Minnesota Statutes 1986, section 354.55, by adding a subdivision.

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

Clark introduced:

H. F. No. 2355, A bill for an act relating to judges; providing for the composition and operation of the board on judicial standards; amending Minnesota Statutes 1986, section 490.16, subdivisions 3, 5, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 490.15, subdivision 1.

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

Ogren introduced:

H. F. No. 2356, A bill for an act relating to appropriations; appropriating money for grants to agricultural societies and associations.

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

Heap introduced:

H. F. No. 2357, A bill for an act relating to education; requiring the formation of intermediate districts statewide; proposing coding for new law in Minnesota Statutes, chapter 136D.

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

Lieder introduced:

H. F. No. 2358, A bill for an act relating to state lands; authorizing

sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

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

Simoneau introduced:

H. F. No. 2359, A bill for an act relating to public employment; regulating hearing panels under the veterans preference act; amending Minnesota Statutes 1986, section 197.46.

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

Simoneau introduced:

H. F. No. 2360, A bill for an act relating to retirement; authorizing purchase of prior service credit in the teachers retirement association by a certain member.

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

Simoneau introduced:

H. F. No. 2361, A bill for an act relating to retirement; Minnesota state retirement system; optional annuities; average salary computation; disability benefits; survivor benefits; deferred annuity augmentation; amending Minnesota Statutes 1986, sections 353.656, subdivision 1; and 356.71, subdivision 2; Minnesota Statutes 1987 Supplement, sections 353.30, subdivision 3; 353.651, subdivision 2; 353.656, subdivision 3; and 353.657, subdivisions 2 and 3.

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

Wenzel introduced:

H. F. No. 2362, A bill for an act relating to veterans; providing for state veterans' cemeteries; requiring land donated to state for use as veterans' cemetery in Morrison county to be returned to donors if not used as veterans' cemetery; amending Minnesota Statutes 1986, section 197.235.

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

Brown and Cooper introduced:

H. F. No. 2363, A bill for an act relating to natural resources; allowing aeration of public waters without public access or public riparian landowners without a permit; requiring the aeration to be posted; amending Minnesota Statutes 1986, section 378.22, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 378.22, subdivision 2.

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

Brown, Cooper and Dauner introduced:

H. F. No. 2364, A bill for an act relating to agriculture; prescribing procedure for delivery of dry edible beans from a grain warehouse; requiring the grade of dry edible beans on warehouse receipts; prescribing a delivery charge; amending Minnesota Statutes 1986, sections 223.16, subdivision 4; 232.21, subdivision 7; and 232.23, by adding a subdivision.

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

Brown introduced:

H. F. No. 2365, A bill for an act relating to taxes; providing dates for reporting on the collection of delinquent manufactured homes taxes; amending Minnesota Statutes 1986, sections 277.05; and 277.06.

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

Vellenga introduced:

H. F. No. 2366, A bill for an act relating to education; authorizing additional uses for arts program appropriations; allowing appropriations to be available for the biennium; requiring a report on categorical aids funding sources; amending Minnesota Statutes 1986, section 129B.20, subdivision 1; Laws 1987, chapter 398, article 5, section 2, subdivision 12; and article 7, section 40, subdivision 4.

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

Nelson, D., introduced:

H. F. No. 2367, A bill for an act relating to environment; repealing the requirement for the metropolitan council to complete a solid waste disposal capacity estimate and repealing the procedure for selection and acquisition of metropolitan waste disposal facility sites and buffer zones; repealing Minnesota Statutes 1986, sections 473.149, subdivision 2b; and 473.833.

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

Greenfield, Clark and Kelly introduced:

H. F. No. 2368, A bill for an act relating to crimes; increasing penalties for certain crimes when committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin; amending Minnesota Statutes 1986, sections 609.223; 609.605, by adding a subdivision; 609.79, by adding a subdivision; and Minnesota Statutes 1987 Supplement, sections 609.595, subdivisions 2, 3, and by adding a subdivision; 609.746, by adding a subdivision; and 609.795.

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

Ogren and Carlson, D., introduced:

H. F. No. 2369, A bill for an act relating to wildlife; clarifying the definition of acquisition for wetlands acquisition purposes; amending Minnesota Statutes 1986, section 97A.145, subdivisions 1 and 2.

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

Vellenga introduced:

H. F. No. 2370, A bill for an act relating to human services; requiring county community social service plans to address the county's responsibility to establish a system of early intervention services for handicapped children; amending Minnesota Statutes 1987 Supplement, section 256E.09, subdivision 3.

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

Kalis; Cooper; Olson, K., and DeBlicek introduced:

H. F. No. 2371, A bill for an act relating to agriculture; requiring a study on the feasibility of using ink with a soybean oil base for state printing.

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

Rodosovich introduced:

H. F. No. 2372, A bill for an act relating to human services; setting forth goals for regional treatment centers in the continuum of mental health services; proposing coding for new law in Minnesota Statutes, chapter 245.

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

Quinn and McEachern introduced:

H. F. No. 2373, A bill for an act relating to education; regulating the state high school league; specifying certain appointments to its governing board; amending Minnesota Statutes 1986, section 129.121, subdivision 2, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 129.121, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 129.

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

Minne, Trimble, McLaughlin and Jaros introduced:

H. F. No. 2374, A bill for an act relating to energy; modifying the program that promotes investments in energy conservation; establishing an energy conservation board; appropriating money; amending Minnesota Statutes 1986, sections 116J.09; 116J.18, subdivision 1a; 216A.07, subdivision 3; 216B.03; 216B.16, subdivisions 1 and 6b; and 216B.243, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 1986, section 216B.241.

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

Knuth, Wenzel, Brown, Trimble and Tunheim introduced:

H. F. No. 2375, A bill for an act relating to food; requiring labeling of certain foods that may contain banned substances harmful to human health; making findings; prescribing country of origin labeling for fresh, processed, and prepared foods; requiring findings and rules to determine goods requiring country of origin labeling; requiring seizure of mislabeled food; establishing liability for persons injured for mislabeled food; prescribing penalties; amending Minnesota Statutes 1986, section 31.12.

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

Valento introduced:

H. F. No. 2376, A bill for an act relating to taxation; sales and use; providing for sales tax permit reinstatement in certain instances; amending Minnesota Statutes 1987 Supplement, section 297A.07.

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

McKasy, Morrison and Swenson introduced:

H. F. No. 2377, A bill for an act relating to child care; expanding eligibility for the child care sliding fee program; providing for reimbursement of child care provider accreditation fees; creating an office of child care providers assistance in the department of human services; increasing the number of certain licensing inspections; requiring a study of day care funding sources; requiring a privately operated child care in capitol complex; establishing state policy for certain inspections; exempting construction materials and equipment from sales tax; creating a tuition tax credit; creating an employer tax credit for child care operations; establishing state grants to county government; appropriating money; amending Minnesota Statutes 1986, sections 16B.04, subdivision 2; 16B.39, by adding a subdivision; 268.91, by adding a subdivision; 290.06, by adding subdivisions; and 297A.25, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 245A.04, by adding subdivisions; 256.01, subdivision 2; and 268.91, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 245 and 256.

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

Simoneau introduced:

H. F. No. 2378, A bill for an act relating to retirement; Minnesota state retirement system; authorizing the purchase of prior service credit by certain metropolitan sports facilities commission employees; repealing Minnesota Statutes 1986, section 473.565, subdivisions 3 and 4.

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

Solberg; Carlson, D.; Munger and Ogren introduced:

H. F. No. 2379, A bill for an act relating to hazardous waste; strengthening waste management board oversight of the development of hazardous waste facilities; amending Minnesota Statutes 1986, section 115A.07, by adding a subdivision.

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

Otis, Kelso, Beard, Vellenga and McPherson introduced:

H. F. No. 2380, A bill for an act relating to education; increasing the capital expenditure and general education revenue amounts; amending Minnesota Statutes 1987 Supplement, sections 124.244, subdivision 1; and 124A.22, subdivision 2.

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

Kludt introduced:

H. F. No. 2381, A bill for an act relating to marriage dissolution; providing for the valuation of pension benefits; amending Minnesota Statutes 1987 Supplement, section 518.582, subdivision 1.

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

Tompkins, Ozment, Wenzel, Schafer and McDonald introduced:

H. F. No. 2382, A bill for an act relating to veterans affairs; transferring certain functions concerning the Minnesota veterans homes from the commissioner of human services to the commissioner of veterans affairs.

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

Tompkins; Schafer; Johnson, V.; Ozment and McDonald introduced:

H. F. No. 2383, A bill for an act relating to traffic regulations; imposing \$100 fine for failure to yield to authorized emergency vehicle; amending Minnesota Statutes 1987 Supplement, section 169.20, subdivision 5.

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

Kinkel introduced:

H. F. No. 2384, A bill for an act relating to human services; regulating the calculation of property related costs for certain nursing homes for rate years beginning July 1, 1983, and after; amending Minnesota Statutes 1986, section 256B.431, by adding a subdivision.

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

Pelowski introduced:

H. F. No. 2385, A bill for an act relating to libraries; authorizing spending to contribute to acquiring and bettering public land and buildings for libraries with certain conditions; authorizing issuance of state bonds; appropriating money.

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

Quinn, Skoglund, Cooper, Dorn and Olson, K., introduced:

H. F. No. 2386, A bill for an act relating to corrections; insurance; prohibiting an insurer from excluding payments for services rendered or paid by a government or correctional facility; providing the department of corrections and county agencies subrogation rights under the terms of an inmate's insurance policy for medical services rendered to the inmate; amending Minnesota Statutes 1986, section 62A.044; proposing coding for new law in Minnesota Statutes, chapter 243.



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

Quinn, Jaros, Bennett, Solberg and Vanasek introduced:

H. F. No. 2387, A bill for an act relating to education; restricting athletic scholarship awards to United States citizens; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Rice and Simoneau introduced:

H. F. No. 2388, A bill for an act relating to public employees; providing for assignment of University of Minnesota job classifications to appropriate units; amending Minnesota Statutes 1986, sections 179A.10, subdivision 4; and 179A.11, by adding a subdivision.

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

Welle introduced:

H. F. No. 2389, A bill for an act relating to health; allowing a certified boarding care facility to upgrade to a nursing facility; expanding the scope of the interagency board study; amending Minnesota Statutes 1987 Supplement, sections 144A.071, subdivision 3; 144A.073, subdivisions 1 and 3; Laws 1987, chapter 403, article 4, section 13; repealing Minnesota Statutes 1987 Supplement, section 144A.073, subdivision 7.

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

Beard, Lasley, Quinn and Jacobs introduced:

H. F. No. 2390, A bill for an act relating to health; including dentists as persons permitted to order therapy treatment; amending Minnesota Statutes 1986, sections 148.75; and 148.76, subdivision 2.

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

Tjornhom, Vellenga, Osthoff, Blatz and Pauly introduced:

H. F. No. 2391, A bill for an act relating to metropolitan government; providing a salary for a part-time chair of the regional transit board; amending Minnesota Statutes 1987 Supplement, section 15A.081, subdivisions 1 and 7.

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

Greenfield introduced:

H. F. No. 2392, A bill for an act relating to human services; clarifying the authority of the ombudsman for mental health and mental retardation; declaring that the methods, policies, and protocol established by the ombudsman are not administrative rules; amending Minnesota Statutes 1987 Supplement, section 245.94, subdivision 1.

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

Greenfield, McLaughlin, Jefferson, Rodosovich and Forsythe introduced:

H. F. No. 2393, A bill for an act relating to human services; authorizing the use of AFDC priority group child care assistance money for priority caretakers who are former AFDC recipients but continue to require child care assistance; requiring counties to place former AFDC priority caretakers who continue to need child care assistance at the top of the waiting list for the regular sliding fee child care program; amending Minnesota Statutes 1987 Supplement, section 268.91, subdivisions 3b and 4.

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

O'Connor introduced:

H. F. No. 2394, A bill for an act relating to state government; requiring the governor to appoint charitable gambling control board members from fraternal, religious, veteran's, and other nonprofit organizations; amending Minnesota Statutes 1986, section 349.151, subdivision 2.

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

O'Connor and Osthoff introduced:

H. F. No. 2395, A bill for an act relating to Ramsey county; establishing a program setting aside a portion of services and materials for small businesses.

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

Carlson, L.; Price; Bauerly; Rose and Haukoos introduced:

H. F. No. 2396, A bill for an act relating to education; authorizing the sale of college savings bonds; providing financial incentives for students to enroll at post-secondary institutions located in this state; creating an advisory task force; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Olsen, S.; McKasy; Tompkins; Segal and Thiede introduced:

H. F. No. 2397, A bill for an act relating to education; increasing the regular special education reimbursement rate; reducing certain levy equity deductions; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 124.32, subdivision 1b; 124.574, subdivision 2b; 275.125, subdivision 8c; 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.

Greenfield, Jennings, Murphy, Rodosovich and Anderson, R., introduced:

H. F. No. 2398, A bill for an act relating to human services; eliminating certain limitations on reimbursement to providers; appropriating money; amending Minnesota Statutes 1986, section 256B.03, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 256.969, subdivision 2; and 256D.03, subdivision 4.

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

Schafer introduced:

H. F. No. 2399, A bill for an act relating to transportation;

allocating portion of positive unrestricted budgetary general fund balance to highway user tax distribution fund and transit assistance fund; repealing allocation to greater Minnesota fund; providing for allocation of motor vehicle excise tax revenues; proposing amendment to Minnesota Constitution requiring that at least one-half of motor vehicle excise tax revenues be allocated to highway user tax distribution fund and transit assistance fund; amending Minnesota Statutes 1987 Supplement, sections 16A.1541; and 297B.09.

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

Simoneau, Wynia, Dawkins, Cooper and Morrison introduced:

H. F. No. 2400, A bill for an act relating to Gillette children's hospital; authorizing the hospital board to affiliate with Minneapolis children's medical center and its parent corporation; authorizing the delegation of powers and functions to the parent corporation; amending Minnesota Statutes 1986, section 250.05, subdivisions 1, 3, 3a, 4, 5, and 6.

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

Reding introduced:

H. F. No. 2401, A bill for an act relating to police state aid; allowing counties and municipalities to use excess state aid distributions for governmental purposes; amending Minnesota Statutes 1986, section 69.031, subdivision 5.

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

O'Connor, Boo, Jacobs, Battaglia and Sarna introduced:

H. F. No. 2402, A bill for an act relating to economic development; permitting certain development authorities to hold certain licenses; amending Minnesota Statutes 1987 Supplement, section 469.155, subdivision 13.

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

Onnen introduced:

H. F. No. 2403, A bill for an act relating to environment; providing

priority for certain wastewater treatment facility projects to be funded by state grants; amending Minnesota Statutes 1987 Supplement, section 116.16, subdivision 5.

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

Dempsey introduced:

H. F. No. 2404, A bill for an act relating to trusts; providing for their creation, validity, administration, and supervision; providing for the sale of real property; relating to legal estates in real and personal property; relating to estates; amending Minnesota Statutes 1986, section 502.73; Minnesota Statutes 1987 Supplement, section 500.17, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 501B; proposing coding for new law in Minnesota Statutes, chapter 525; repealing Minnesota Statutes 1986, sections 500.13; 501.01; 501.02; 501.03; 501.04; 501.05; 501.06; 501.07; 501.08; 501.09; 501.10; 501.11; 501.115; 501.12; 501.125, subdivisions 2, 3, 4, 5, and 6; 501.13; 501.14; 501.15; 501.16; 501.17; 501.18; 501.19; 501.195; 501.20; 501.21; 501.211; 501.22; 501.23; 501.24; 501.25; 501.26; 501.27; 501.28; 501.29; 501.30; 501.31; 501.32; 501.33; 501.34; 501.351; 501.36; 501.37; 501.38; 501.39; 501.40; 501.41; 501.42; 501.43; 501.44; 501.45; 501.46; 501.461; 501.48; 501.49; 501.50; 501.51; 501.52; 501.53; 501.54; 501.55; 501.56; 501.57; 501.58; 501.59; 501.60; 501.61; 501.62; 501.63; 501.64; 501.65; 501.66, subdivisions 1 to 6, 7 to 27, and 29 to 33; 501.67; 501.71; 501.72; 501.73; 501.74; 501.75; 501.76; 501.77; 501.78; 501.79; 501.80; and 501.81; Minnesota Statutes 1987 Supplement, sections 501.125, subdivision 1; 501.155; 501.35; 501.66, subdivision 28; 501A.01; 501A.02; 501A.03; 501A.04; 501A.05; 501A.06; and 501A.07.

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

Quinn introduced:

H. F. No. 2405, A bill for an act relating to education; waiving first-year tuition for eligible post-secondary students; requiring public post-secondary governing boards to develop procedures to determine eligibility; requiring the higher education coordinating board to report; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Quinn and Ogren introduced:

H. F. No. 2406, A bill for an act relating to human services; imposing reporting obligations on state licensed residential facilities operated for profit; amending Minnesota Statutes 1986, section 245.821, by adding a subdivision.

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

Cooper, Winter, O'Connor and Milbert introduced:

H. F. No. 2407, A bill for an act relating to the state and local governments; providing immunity from civil liability for volunteers serving the state and local governments; amending Minnesota Statutes 1986, section 466.01, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 3.736, subdivision 3; and proposing coding for new law in Minnesota Statutes, chapter 466.

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

Segal introduced:

H. F. No. 2408, A bill for an act relating to economic development; changing the structure of the Minnesota job skills partnership board; repealing the sunset of the board; amending Minnesota Statutes 1987 Supplement, section 116L.03, subdivisions 1, 2, and 5; repealing Laws 1983, chapter 334, section 7, as amended.

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

Lasley, Murphy and Jefferson introduced:

H. F. No. 2409; A bill for an act relating to consumer protection; regulating lay away plans on consumer goods; 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.

Ozment, Morrison, Jensen, Seaberg and McKasy introduced:

H. F. No. 2410, A bill for an act relating to taxation; authorizing counties which levy a tax on the extraction of aggregate material to

extend the tax to clay soil; amending Minnesota Statutes 1986, section 298.75, subdivisions 1 and 2.

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

Voss introduced:

H. F. No. 2411, A bill for an act relating to tax administration; recodifying and providing for the administration of certain taxes; imposing penalties; appropriating money; amending Minnesota Statutes 1986, sections 270.06; 270.07, subdivision 1; 270.65; 270.67, subdivision 2; 270.68, subdivisions 1 and 3; 270.69, subdivisions 3 and 7; 270.70, subdivisions 1, 2, and by adding a subdivision; 270.75, as amended; 290.05, subdivision 4; 290.37, subdivision 4; 290.391; 290.92, subdivision 6a; 290A.07, subdivisions 2a and 3; 291.09, subdivision 3a; 291.11, subdivision 1; 297A.03, subdivision 2; 297A.041; 297A.211, subdivision 3; and 297A.30; Minnesota Statutes 1987 Supplement, sections 290.39, subdivision 1; 290.48, subdivision 10; 290.92, subdivisions 6 and 24; 290A.06; 290A.19; 297A.18; and 297A.275; proposing coding for new law as Minnesota Statutes, chapters 270C and 289A; repealing Minnesota Statutes 1986, sections 270.07, subdivision 5; 270.08; 290.05, subdivision 5; 290.067, subdivision 5; 290.29, subdivisions 2 and 3; 290.41, subdivision 8; 290.47; 290.48, subdivisions 3, 4, 5, 7, and 8; 290.49; 290.50, as amended; 290.52; 290.521; 290.522; 290.523; 290.53, subdivisions 3, 5, 7, 8, 9, 10, and 11; 290.56, subdivisions 1 and 5; 290.57; 290.58; 290.59; 290.65; 290.93, subdivisions 9 and 11; 290.936; 290A.11, subdivisions 1, 1a, 3, and 4; 290A.111; 290A.112; 290A.12; 290A.15; 291.09, subdivisions 4a and 6; 291.131, subdivision 3; 291.15, subdivisions 1 and 3; 291.215, subdivisions 2 and 3; 291.31, subdivisions 1 and 2; 291.32; 297A.08; 297A.121; 297A.15, subdivision 3; 297A.20; 297A.27, subdivision 3; 297A.29; 297A.31; 297A.32; 297A.33, subdivisions 1, 2, 3, 4, and 5; 297A.34, subdivisions 1, 2, 3, 4, 5, 6, and 7; 297A.35; 297A.37; 297A.39, subdivisions 3, 5, 7, and 8; 297A.41; 297A.42; and 297A.44, subdivision 2; Minnesota Statutes 1987 Supplement, sections 270.10, subdivision 4; 270.651; 270.77; 290.46; 290.53, subdivisions 1, 1a, 2, 2a, 3a, and 4; 290.56, subdivisions 2, 3, and 4; 290.92, subdivisions 11, 13, 14, and 15; 290.923, subdivision 7; 290A.11, subdivision 2; 291.131, subdivisions 1, 2, 2a, and 4; and 297A.39, subdivisions 1, 2, 2a, and 4.

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

Knuth, Bertram and Kalis introduced:

H. F. No. 2412, A bill for an act relating to agriculture; renaming the department of agriculture to the department of agriculture and

food; authorizing distinction of and expanded use of the Minnesota grown label; establishing certification of soil testing laboratories; requiring real dairy products to be offered where artificial dairy products are served; appropriating money; amending Minnesota Statutes 1986, section 17.01; Minnesota Statutes 1987 Supplement, section 17.102, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 17 and 32; repealing Minnesota Statutes 1986, section 17.013.

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

Skoglund and Greenfield introduced:

H. F. No. 2413, A bill for an act relating to health; establishing the Minnesota Institute for Addiction and Stress Research; proposing coding for new law as Minnesota Statutes, chapter 152A.

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

Knuth and O'Connor introduced:

H. F. No. 2414, A bill for an act relating to Ramsey county; removing references to personnel from the county personnel law; amending Minnesota Statutes 1986, sections 383A.281, subdivision 13; and 383A.286, subdivision 2.

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

Dauner, McLaughlin, Cooper and Greenfield introduced:

H. F. No. 2415, A bill for an act relating to human services; exempting Indian health service facilities from rate establishment; requiring rate establishment for out-of-state hospitals; amending Minnesota Statutes 1987 Supplement, section 256.969, subdivision 3.

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

Olson, E.; Anderson, G.; Cooper; Wenzel and Dille introduced:

H. F. No. 2416, A bill for an act relating to agriculture; allowing participation by the rural finance administration in seller-sponsored loans to certain farmers; allowing combination of programs by



certain farmers; appropriating money; amending Minnesota Statutes 1986, section 41B.02, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 41B.01, subdivision 2; 41B.03, subdivision 3; 41B.039, subdivisions 1, 2, and by adding a subdivision; and 41B.05.

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

Schafer, by request, introduced:

H. F. No. 2417, A bill for an act relating to education; providing open options for all school-aged persons; providing penalties for parents of truants; changing school census provisions; appropriating money; amending Minnesota Statutes 1986, section 120.095, subdivisions 3 and 6; proposing coding for new law in Minnesota Statutes, chapters 124A and 609.

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

Orenstein; Carlson, L.; Haukoos; Dorn and Rose introduced:

H. F. No. 2418, A bill for an act relating to the state university board; authorizing it to use money held by it to discharge or otherwise provide for the payment of its outstanding revenue bonds; authorizing it to issue revenue bonds to finance the acquisition and betterment of facilities at the state universities subject to obtaining certain approvals; amending Minnesota Statutes 1986, sections 136.31, by adding a subdivision; and 136.41, by adding subdivisions.

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

Pappas, Greenfield and Swenson introduced:

H. F. No. 2419, A bill for an act relating to criminal procedure; defining "crime" in the law governing issuance of search warrants to include violations of municipal ordinances; amending Minnesota Statutes 1986, section 626.05, by adding a subdivision.

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

Bauerly and Bertram introduced:

H. F. No. 2420, A bill for an act relating to taxation; income;

restoring the pension and military pay exclusions; 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.

Munger, Jaros and Murphy introduced:

H. F. No. 2421, A bill for an act relating to independent school district No. 709; providing for payment of medical insurance premiums for terminated employees.

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

Simoneau and Kelly introduced:

H. F. No. 2422, A bill for an act relating to civil process; specifying property exempt from final process issued by a court; modifying the exemption for employee benefits; amending Minnesota Statutes 1986, section 550.37, subdivision 24.

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

Kelly, Vellenga, Valento, Bennett and Trimble introduced:

H. F. No. 2423, A bill for an act relating to local government; authorizing issuance of bonds for repair, restoration, and modernization of the Saint Paul City Hall and Ramsey County Courthouse building.

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

Jennings; Battaglia; Lasley; Johnson, V., and Waltman introduced:

H. F. No. 2424, A bill for an act relating to local government; clarifying the liability of governmental units for actions taken by joint powers boards; amending Minnesota Statutes 1986, section 471.59, by adding a subdivision.

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

Rest introduced:

H. F. No. 2425, A bill for an act relating to local economic development powers; abolishing economic development authorities; enabling housing and redevelopment authorities to become community development agencies and to exercise the powers of economic development authorities; correcting citations; amending Minnesota Statutes 1986, section 117.521, subdivision 3; Minnesota Statutes 1987 Supplement, sections 353.01, subdivision 2a; 355.11, subdivision 5; 462C.02, subdivision 9; 469.002, subdivision 2; 469.091, subdivision 1; 469.094, by adding a subdivision; 469.107, subdivision 1; 469.155, subdivision 2; 469.174, subdivision 8; and 469.181, subdivision 1; Laws 1987, chapter 182, section 2, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Minnesota Statutes 1987 Supplement, sections 469.090 to 469.108.

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

Riveness, Tjornhom, McLaughlin, Murphy and O'Connor introduced:

H. F. No. 2426, A bill for an act relating to health; health maintenance organizations; regulating chiropractic care; amending Minnesota Statutes 1986, sections 62D.02, subdivision 7; 62D.12, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 62D.102.

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

Dille, Schafer, Cooper, Uphus and Miller introduced:

H. F. No. 2427, 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.

Uphus and Redalen introduced:

H. F. No. 2428, A bill for an act relating to agriculture; reappropriating money remaining in the 1987 interest buy-down program.

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

Peterson and Wenzel introduced:

H. F. No. 2429, A bill for an act relating to state contracts; prohibiting the state from requiring Indian tribes or bands to deny their sovereignty to contract with the state; amending Minnesota Statutes 1986, section 16B.06, by adding a subdivision.

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

Scheid introduced:

H. F. No. 2430, A bill for an act relating to dogs; identifying and requiring licenses for potentially dangerous dogs; requiring licenses for pet stores and sellers who sell and kennels who keep potentially dangerous dogs; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 347.

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

O'Connor introduced:

H. F. No. 2431, A bill for an act relating to the St. Paul police relief association and the St. Paul fire department relief association; providing for the inclusion of retired members on the boards of directors of the relief associations.

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

O'Connor introduced:

H. F. No. 2432, A bill for an act relating to retirement; requiring a majority vote of all members of the St. Paul police and fire department relief associations on consolidation with the public employees retirement association; amending Minnesota Statutes 1987 Supplement, section 353A.02, subdivision 17.

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

Olson, K., and Nelson, C., introduced:

H. F. No. 2433, A bill for an act relating to traffic regulations; authorizing recreational vehicle combinations and restricting their use; amending Minnesota Statutes 1986, sections 169.01, by adding a subdivision; and 169.81, subdivision 3, and by adding a subdivision.

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

Munger and Jaros introduced:

H. F. No. 2434, A bill for an act relating to the city of Duluth; authorizing the expenditure of previously appropriated funds for acquisition or construction of Duluth's Western Waterfront Trail.

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

Simoneau, O'Connor, Morrison, Milbert and Clark introduced:

H. F. No. 2435, A bill for an act relating to animals; preserving the Minnesota humane society as a nonprofit corporation; providing the society with certain statutory powers to protect animals and to provide assistance in the enforcement of laws prohibiting animal abuse; amending Minnesota Statutes 1987 Supplement, sections 343.01; 343.06; 343.10; 343.12; and 343.29, subdivision 1; repealing Laws 1987, chapter 394, section 13.

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

Quinn and Battaglia introduced:

H. F. No. 2436, A bill for an act relating to game and fish; requiring a permit to possess dangerous non-domesticated wild animals; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Ogren; Munger; Battaglia; Carlson, D., and Murphy introduced:

H. F. No. 2437, A bill for an act relating to human services; affecting the demonstration project for uninsured low-income persons; adding Crow Wing county to the demonstration project geographic area; allowing additional demonstration projects; appropriating money; amending Minnesota Statutes 1987 Supplement, section 256B.73, subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1987 Supplement, section 256B.73, subdivision 10.

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

Minne, McEachern, Begich and Solberg introduced:

H. F. No. 2438, A bill for an act relating to education; providing for sale of permanent school fund lands; amending Minnesota Statutes 1986, section 92.67, subdivision 5; Minnesota Statutes 1987 Supplement, sections 92.46, subdivision 1; and 92.67, subdivisions 1, 3, and 4.

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

Begich and Munger introduced:

H. F. No. 2439, A bill for an act relating to taxation; sales and use; exempting used motor oil; exempting certain pollution control and other equipment used for hauling or processing used motor oils; amending Minnesota Statutes 1986, sections 297A.15, subdivision 5; and 297A.25, by adding subdivisions.

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

Schreiber, Gruenes, Thiede, Marsh and Omann introduced:

H. F. No. 2440, 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.

Kelso, Vellenga, Dille and Sviggum introduced:

H. F. No. 2441, A bill for an act relating to education; modifying certain requirements relating to school health services; amending Minnesota Statutes 1986, section 123.35, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, sections 123.35, subdivision 16; and 126.201.

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

Voss introduced:

H. F. No. 2442, A bill for an act relating to taxation; income; making technical and administrative corrections and changes; amending Minnesota Statutes 1986, sections 290.06, by adding a subdivision; 290.39, by adding a subdivision; and 290A.03, subdivision 7; Minnesota Statutes 1987 Supplement, sections 290.01, subdivisions 3a, 7, and 19a; 290.06, subdivisions 2c and 20; 290.067, subdivision 1; 290.081; 290.17, subdivision 2; 290.38; 290.41, subdivision 2; 290.92, subdivisions 7 and 15; 290A.03, subdivisions 3 and 8; 290A.06; and 290A.19; repealing Minnesota Statutes 1987 Supplement, section 290.077, subdivision 1.

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

Voss introduced:

H. F. No. 2443, A bill for an act relating to taxation; making technical corrections and administrative changes to property taxes, local government aids, and levy limits; providing for supervision and discipline of assessors; amending Minnesota Statutes 1986, sections 270.075, subdivision 2; 270.41; 270.69, subdivision 3; 273.05, subdivision 1; 273.061, subdivision 2; 273.121; 273.124, subdivision 1; 273.40; 375.192, subdivision 1; 473.167, subdivision 3, and by adding a subdivision; 473.249, subdivision 1; 473.446, by adding a subdivision; 473.711, subdivision 2, and by adding a subdivision; and 477A.015; Minnesota Statutes 1987 Supplement, sections 124A.02, subdivision 3a; 273.1102, subdivision 2; 273.1195; 273.13, subdivisions 15a, 23, and 25; 273.1397, subdivision 2; 274.01, subdivision 1; 275.07, subdivision 1; 473.446, subdivision 1; and 475.53, subdivision 4; Laws 1987, chapter 268, article 6, section 54; proposing coding for new law in Minnesota Statutes, chapter 275; repealing Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49.

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

Clark introduced:

H. F. No. 2444, A bill for an act relating to jobs and training; establishing demonstration projects to create housing for homeless people; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Rodosovich introduced:

H. F. No. 2445, A bill for an act relating to human services; planning for the Faribault regional center; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 246.

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

Rukavina, Munger, Minne, Battaglia and Boo introduced:

H. F. No. 2446, A bill for an act relating to St. Louis county; providing duties of the county board and the county administrator; regulating finances; providing for property assessments; repealing obsolete laws; amending Minnesota Statutes 1986, sections 383C.031; 383C.034; 383C.091; 383C.094, subdivision 1; 383C.131; 383C.133, subdivision 1; 383C.135; 383C.16; 383C.161; 383C.162; 383C.231, subdivision 1; 383C.232; 383C.26; 383C.261; 383C.36; 383C.422; 383C.482, subdivision 1; 383C.74, subdivision 1; 383C.75; and 383C.78, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 1986, section 383C.075; 383C.076; 383C.095; 383C.132; 383C.13; 383C.133; 383C.17; 383C.171; 383C.174; 383C.175; 383C.20; 383C.201; 383C.202; 383C.203; 383C.291; 383C.292; 383C.339; 383C.361; 383C.362; 383C.363; 383C.392, subdivision 2; 383C.423; 383C.424; 383C.45; 383C.481; 383C.52; 383C.521; 383C.523; 383C.55; 383C.551; 383C.552; 383C.553; 383C.554; 383C.555, subdivision 2; 383C.556; 383C.557; 383C.61; 383C.611; 383C.612; 383C.613; 383C.64; 383C.641; 383C.642; 383C.643; 383C.644; 383C.645; 383C.646; 383C.647; 383C.648; 383C.649; 383C.65; 383C.651; 383C.66; 383C.67; 383C.671; 383C.672; 383C.673; 383C.674; 383C.675; 383C.676; 383C.677; 383C.77; 383C.80; 383C.801; 383C.802; 383C.803; 383C.804; and 383C.805; Minnesota Statutes 1987 Supplement, section 383C.76.



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

Krueger; Winter; Steensma; Nelson, C., and DeBlieck introduced:

H. F. No. 2447, A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; amending Minnesota Statutes 1986, sections 79.074, by adding a subdivision; 79.252, by adding a subdivision; 176.011, subdivisions 3, 18, and by adding a subdivision; 176.081, subdivision 7; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3l, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1986, sections 79.50 to 79.62; 176.101, subdivision 6.

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

Greenfield and Ogren introduced:

H. F. No. 2448, A bill for an act relating to health; limiting reporting requirements for epidemiologic studies; providing grants for AIDS evaluation and counseling; providing fines for rule violations; creating an environmental health fee account; increasing fees for restaurant, hotel, and resort licenses; appropriating money; amending Minnesota Statutes 1986, section 144.053, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 145 and 157.

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

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Pauly introduced:

H. A. No. 64, A proposal for waste industry rate control.

The advisory was referred to the Committee on Environment and Natural Resources.

Rukavina, Minne, Begich, Battaglia and Carruthers introduced:

H. A. No. 65, A proposal to investigate discrepancies in sentencing in St. Louis county in the 6th Judicial District.

The advisory was referred to the Committee on Judiciary.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 11, A Senate concurrent resolution providing session deadline dates for the legislature pursuant to Joint Rule 2.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

### SUSPENSION OF RULES

Wynia moved that the rules be so far suspended that Senate Concurrent Resolution No. 11 be now considered and be placed upon its adoption. The motion prevailed.

### SENATE CONCURRENT RESOLUTION NO. 11

A Senate concurrent resolution providing session deadline dates for the legislature pursuant to Joint Rule 2.03.

*Whereas*, Joint Rule 2.03, paragraph (b) requires the legislature to establish session deadline dates for even-numbered year sessions;  
*Now, Therefore*,

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring, that committee reports on bills favorably acted upon by a committee in the house of origin after Thursday, March 10, 1988, and committee reports on bills originating in the other house favorably acted upon by a committee after

Friday, March 18, 1988, shall be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee, after the earlier date and by the later date set by this paragraph, acts on a bill that is a companion to a bill that has met the earlier deadline in the other house. This requirement does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Appropriations and on Taxes.

After Wednesday, March 30, 1988, neither house shall act on bills other than those contained in:

- (1) Reports of conference committees;
- (2) Messages from the other house;
- (3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or
- (4) Messages from the governor.

Wynia moved that Senate Concurrent Resolution No. 11 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 11 was adopted.

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 12, A Senate concurrent resolution declaring full support to the endeavors of the United States Soccer Federation to bring the 1994 World Cup to the United States.

PATRICK E. FLAHAVEN, Secretary of the Senate

Senate Concurrent Resolution No. 12 was referred to the Committee on General Legislation, Veterans Affairs and Gaming.

Mr. Speaker:

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

S. F. Nos. 1574 and 1643.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1574, A bill for an act relating to real property; mandating that city of Savage is owner in fee simple of title to certain land.

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

S. F. No. 1643, A bill for an act relating to crimes; child abuse; eliminating the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child; amending Minnesota Statutes 1986, sections 609.255, subdivision 3; and 609.377.

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

### CONSENT CALENDAR

H. F. No. 1761, A bill for an act relating to Mille Lacs county; authorizing sale of certain tax-forfeited land.

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

Rest	Schafer	Sparby	Trimble	Welle
Rice	Scheid	Stanius	Tunheim	Wenzel
Richter	Schreiber	Steensma	Uphus	Winter
Riveness	Seaberg	Sviggum	Valento	Wynia
Rodosovich	Segal	Swenson	Vellenga	Spk. Vanasek
Rose	Shaver	Thiede	Voss	
Rukavina	Simoneau	Tjornhom	Wagenius	
Sarna	Skoglund	Tompkins	Waltman	

The bill was passed and its title agreed to.

H. F. No. 1858, A bill for an act relating to the environment; designating the Willard Munger Trail; amending Minnesota Statutes 1986, section 85.015, subdivision 11.

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 115 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

## CALENDAR

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.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bertram	Carruthers	Forsythe	Heap
Anderson, R.	Blatz	Cooper	Frederick	Himle
Battaglia	Boo	Dauner	Frerichs	Hugoson
Bauerly	Brown	Dawkins	Greenfield	Jacobs
Beard	Burger	DeBlicke	Gruenes	Jaros
Begich	Carlson, D.	DeRaad	Hartle	Jefferson
Bennett	Carlson, L.	Dorn	Haukoos	Jennings

Jensen	Long	Omann	Richter	Sviggum
Johnson, A.	Marsh	Onnen	Riveness	Swenson
Johnson, R.	McDonald	Orenstein	Rodosovich	Thiede
Johnson, V.	McEachern	Osthoff	Rose	Tjornhom
Kahn	McLaughlin	Otis	Rukavina	Tompkins
Kalis	McPherson	Pappas	Sarna	Trimble
Kelly	Milbert	Pauly	Schafer	Tunheim
Kelso	Minne	Pelowski	Scheid	Uphus
Kinkel	Morrison	Peterson	Schreiber	Valento
Kludt	Munger	Poppenhagen	Seaberg	Vellenga
Knickerbocker	Murphy	Price	Segal	Voss
Knuth	Nelson, C.	Quinn	Simoneau	Wagenius
Kostohryz	Nelson, K.	Quist	Skoglund	Waltman
Krueger	Neuenschwander	Redalen	Solberg	Welle
Larsen	O'Connor	Reding	Sparby	Wenzel
Lasley	Olsen, S.	Rest	Stanius	Winter
Lieder	Olson, K.	Rice	Steensma	Wynia
				Spk. Vanasek

The bill was passed and its title agreed to.

S. F. No. 1575, A bill for an act relating to game and fish; 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.

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 92 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Heap	McEachern	Price	Trimble
Battaglia	Jacobs	McLaughlin	Quinn	Tunheim
Bauerly	Jaros	Milbert	Quist	Uphus
Beard	Jefferson	Minne	Redalen	Vellenga
Begich	Jennings	Morrison	Reding	Voss
Bennett	Jensen	Munger	Rest	Winter
Bertram	Johnson, A.	Murphy	Rice	Wynia
Bishop	Johnson, R.	Nelson, C.	Riveness	Spk. Vanasek
Boo	Kahn	Neuenschwander	Rodosovich	
Brown	Kelly	O'Connor	Rose	
Burger	Kelso	Olsen, S.	Rukavina	
Carlson, L.	Kinkel	Olson, E.	Sarna	
Carruthers	Kludt	Olson, K.	Scheid	
Cooper	Knickerbocker	Omann	Segal	
Dauner	Knuth	Orenstein	Simoneau	
Dawkins	Kostohryz	Osthoff	Solberg	
DeBleeck	Krueger	Otis	Sparby	
DeRaad	Larsen	Pappas	Steensma	
Dille	Lieder	Pauly	Swenson	
Dorn	Long	Pelowski	Tjornhom	
Greenfield	Marsh	Peterson	Tompkins	

Those who voted in the negative were:

Anderson, R.	Gruenes	Lasley	Schafer	Valento
Blatz	Hartle	McDonald	Schreiber	Waltman
Carlson, D.	Haukoos	McPherson	Seaberg	Welle
Clausnitzer	Himle	Miller	Skoglund	Wenzel
Forsythe	Hugoson	Onnen	Stanius	
Frederick	Johnson, V.	Poppenhagen	Sviggum	
Frerichs	Kalis	Richter	Thiede	

The bill was passed and its title agreed to.

S. F. No. 537 was reported to the House.

There being no objection, S. F. No. 537 was continued on the Calendar for one day.

H. F. No. 1850, A bill for an act relating to local improvements; special assessments; authorizing towns to make certain improvements; amending Minnesota Statutes 1986, section 429.011, subdivision 2b.

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

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

Those who voted in the affirmative were:

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



The bill was passed and its title agreed to.

H. F. No. 1851, A bill for an act relating to local government; regulating duties of town officers; setting town powers; amending Minnesota Statutes 1986, sections 18.272; 465.71; and 471.653; and Minnesota Statutes 1987 Supplement, section 115A.921; and repealing Minnesota Statutes 1986, section 365.03.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1867, A bill for an act relating to Washington county; repealing a provision for county board expenses; repealing Laws 1965, chapter 524, as amended.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1816, A bill for an act relating to traffic regulations; requiring motor vehicle lessors to provide child passenger restraints on request; amending Minnesota Statutes 1987 Supplement, section 169.685, subdivision 6.

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

The question was taken on the passage of the bill and the roll was called. There were 122 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Miller	Onnen	Quist	Thiede
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The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Anderson, G., requested immediate consideration of H. F. No. 1749.

H. F. No. 1749 was reported to the House.

Rukavina moved to amend H. F. No. 1749, as follows:

Pages 1 and 2, delete sections 1 to 3 and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 290.06, subdivision 2c, is amended to read:

Subd. 2c. [SCHEDULES OF RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS.] (a) The income taxes imposed by this chapter upon married individuals filing joint returns must be computed by applying to their taxable net income the following schedule of rates:

(1) For taxable years beginning after December 31, 1986, and before January 1, 1988

if taxable income is:

not over \$4,000  
 over \$4,000, but not  
 over \$11,000  
 over \$11,000, but not  
 over \$21,000  
 over \$21,000

the tax is:

4 percent  
 \$160 plus 6 percent of the  
 excess over \$4,000  
 \$580 plus 8 percent of the  
 excess over \$11,000  
 \$1,380 plus 9 percent of  
 the excess over \$21,000

## (2) For taxable years beginning after December 31, 1987

if taxable income is:  
 not over \$19,000  
 over \$19,000

the tax is:  
 6 6.05 percent  
 \$1,140 plus 8 8.25 percent of  
 the excess over \$19,000;

plus an amount equal to ten percent of the tax paid by the taxpayer under section 1(g) of the Internal Revenue Code of 1986, as amended through December 31, 1986.

(b) The income taxes imposed by this chapter upon unmarried individuals, married individuals filing separate returns, estates, and trusts must be computed by applying to taxable net income the following schedule of rates:

## (1) For taxable years beginning after December 31, 1986, and before January 1, 1988

if taxable income is:  
 not over \$3,000  
 over \$3,000, but not  
 over \$9,000  
 over \$9,000, but not  
 over \$16,000  
 over \$16,000

the tax is:  
 4 percent  
 \$120 plus 6 percent  
 of the excess over \$3,000  
 \$480 plus 8 percent  
 of the excess over \$9,000  
 \$1,040 plus 9 percent  
 of the excess over \$16,000

## (2) For taxable years beginning after December 31, 1987

if taxable income is:  
 not over \$13,000  
 over \$13,000

the tax is:  
 6 6.05 percent  
 \$780 plus 8 8.25 percent  
 of the excess over \$13,000;

plus an amount equal to ten percent of the tax paid by the taxpayer under section 1(g) of the Internal Revenue Code of 1986, as amended through December 31, 1986.

(c) The income taxes imposed by this chapter upon unmarried individuals qualifying as a head of household as defined in section 2(b) of the Internal Revenue Code of 1986, as amended through December 31, 1986, must be computed by applying to taxable net income the following schedule of rates:

## (1) For taxable years beginning after December 31, 1986, and before January 1, 1988

if taxable income is:	the tax is:
not over \$3,500	4 percent
over \$3,500, but not over \$10,000	\$140 plus 6 percent of the excess over \$3,500
over \$10,000, but not over \$18,500	\$530 plus 8 percent of the excess over \$10,000
over \$18,500	\$1,210 plus 9 percent of the excess over \$18,500

(2) For taxable years beginning after December 31, 1987

if taxable income is:	the tax is:
not over \$16,000	6.05 percent
over \$16,000	\$960 plus 8.25 percent of the excess over \$16,000;

plus an amount equal to ten percent of the tax paid by the taxpayer under section 1(g) of the Internal Revenue Code of 1986, as amended through December 31, 1986.

(d) In lieu of a tax computed according to the rates set forth in this subdivision, the tax of any individual taxpayer whose taxable net income for the taxable year is less than an amount determined by the commissioner must be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision, provided that the commissioner may disregard a fractional part of a dollar unless it amounts to 50 cents or more, in which case it may be increased to \$1.

(e) An individual who is not a Minnesota resident for the entire year must compute the individual's Minnesota income tax as provided in this subdivision. After the application of the nonrefundable credits provided in this chapter, the tax liability must then be multiplied by a fraction in which:

(1) The numerator is the individual's Minnesota sourced federal adjusted gross income as defined in section 62 of the Internal Revenue Code of 1986, as amended through December 31, 1986, after applying the allocation and assignability provisions of section 290.081, clause (a), or 290.17; and

(2) the denominator is the individual's federal adjusted gross income as defined in section 62 of the Internal Revenue Code of 1986, as amended through December 31, 1986."

Renumber the sections in sequence

Page 2, line 23, delete "65" and insert "37.5"

Page 2, line 24, delete "26.25" and insert "46.875"

Page 2, line 27, delete "8 $\frac{3}{4}$ " and insert "15.625"

Page 4, delete lines 4 to 5 and insert:

"Section 1 is effective for taxable years beginning after December 31, 1987. Section 2 is"

Further amend the title:

Page 1, line 2, delete "tax on" and insert "individual income tax rates,"

Page 1, delete line 3

Page 1, line 5, delete "35" and insert "62.5 percent"

Page 1, delete line 6

Page 1, line 7, delete "296.02, subdivision 1b; and" and insert "amending"

Page 1, line 8, delete "296.025, subdivisions 2a and 2b" and insert "290.06, subdivision 2c"

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

Schreiber, Poppenhagen and Johnson, V., moved to amend H. F. No. 1749, as follows:

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 16A.1541, is amended to read:

16A.1541 [ADDITIONAL REVENUES; PRIORITY.]

Subdivision 1. [FORECAST BALANCES.]If on the basis of a forecast of general fund revenues and expenditures made before the effective date of this section the commissioner of finance determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of finance must allocate money in the following order of priority:

(1) the amount necessary to reduce the property tax levy recognition percent under section 121.904, subdivision 4c, to 24 percent;

(2) the remainder (i) ~~one-half to the greater Minnesota fund, but not to exceed \$120,000,000~~ and (ii) ~~one-half to the budget and cash flow reserve account until the total amount in the account equals \$550,000,000~~ \$285,000,000.

Any positive unrestricted budgetary general fund balance forecast by the commissioner of finance after the effective date of this section, or so much thereof as is necessary, must be allocated by the commissioner to the budget and cash flow reserve account until the total amount in the account equals \$285,000,000, and the remainder if any must be retained in the general fund.

The amounts necessary to meet the requirements of clauses (1) and (2) this subdivision are appropriated from the general fund.

Subd. 2. [RETURN OF ALLOCATION.] Any amounts allocated before the effective date of this section which were not allocated in accordance with the requirements of subdivision 1 must be returned to the general fund."

Delete sections 1 to 3 and renumber the remaining sections

Delete section 4 and insert:

"Sec. 2. Minnesota Statutes 1987 Supplement, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. [GENERAL FUND SHARE.] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund as follows:

(1) of the money collected and received under this chapter during the fiscal year ending June 30, 1989:

(a) 40 percent to the general fund;

(b) 51 percent to the highway user tax distribution fund for distribution in the same manner as other money in that fund; and

(c) 9 percent to the transit assistance fund.

(2) of the money collected and received under this chapter during the fiscal years ending June 30, 1990 and 1991:

(a) 20 percent to the general fund;

(b) 68 percent to the highway user tax distribution fund for distribution in the same manner as any other money in that fund; and

(c) 12 percent to the transit assistance fund.

(3) of the money collected and received under this chapter during each fiscal year ending June 30, 1992 and thereafter

(a) 85 percent to the highway user tax distribution fund for distribution in the same manner as any other money in that fund; and

(c) 15 percent to the transit assistance fund.

The amounts collected and received shall be credited to the highway user tax distribution fund and the transit assistance fund as provided in this subdivision, and must be transferred from the general fund on July 15 and January 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund. Five percent of the money must be deposited in the highway user tax distribution fund and the transit assistance fund for apportionment as provided in this section. Of the money deposited under this section, 75 percent must be credited to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund. The remaining 25 percent of the money must be credited to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the regional transit board.

(b) The distributions under this subdivision to the highway user tax distribution fund must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. For the fiscal years ending June 30, 1988, and June 30, 1989, the commissioner of finance, before making the transfers required on July 15 and January 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the highway user tax distribution fund by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any



time during a six-month period in those fiscal years the amount of reduction in the transfer to the highway user tax distribution fund is insufficient to fund the appropriation under section 41A.09, subdivision 1 for that period, the commissioner shall transfer to the general fund from the highway user tax distribution fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution fund for that six-month period."

Page 4, after line 2, insert:

"Sec. 3. [REPEALER.]

Minnesota Statutes 1987 Supplement, section 296.02, subdivisions 2a and 2b; and 296.025, subdivisions 2a and 2b; are repealed."

Delete page 4, lines 3 to 6 and insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 3 are effective the day following final enactment. Section 2 is effective July 1, 1988."

Delete the title and insert:

"A bill for an act relating to state finance; cancelling certain allocations of surplus revenue; providing for the allocation of revenue from the motor vehicle excise tax; repealing excise taxes on railroad and barge fuel; amending Minnesota Statutes 1987 Supplement, sections 16A.1541; and 297B.09, subdivision 1; repealing Minnesota Statutes 1987 Supplement, sections 296.02, subdivisions 2a and 2b; and 296.025, subdivisions 2a and 2b."

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

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

Anderson, G.	Blatz	Cooper	Frederick	Jacobs
Anderson, R.	Boo	Dauner	Frerichs	Jaros
Battaglia	Brown	Dawkins	Greenfield	Jefferson
Bauerly	Burger	DeBlicke	Gruenes	Jennings
Beard	Carlson, D.	Dempsey	Hartle	Jensen
Begich	Carlson, L.	DeRaad	Haukoos	Johnson, A.
Bennett	Carruthers	Dille	Heap	Johnson, R.
Bertram	Clark	Dorn	Himle	Johnson, V.
Bishop	Clausnitzer	Forsythe	Hugoson	Kahn

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

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.

The question recurred on the Schreiber et al amendment and the roll was called.

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

There were 49 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Kelso	Onnen	Stanius
Bennett	Frerichs	Knickerbocker	Pauly	Swiggum
Blatz	Gruenes	Marsh	Poppenhagen	Swenson
Boo	Hartle	McDonald	Quist	Thiede
Burger	Haukoos	McKasy	Redalen	Tjornhom
Clausnitzer	Heap	McPherson	Richter	Tompkins
Dempsey	Himle	Miller	Rose	Uphus
DeRaad	Hugoson	Morrison	Schafer	Valento
Dille	Jennings	Olsen, S.	Schreiber	Waltman
Forsythe	Johnson, V.	Omann	Shaver	

Those who voted in the negative were:

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

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

Dille and Uphus moved to amend H. F. No. 1749, as follows:

Add a section to read:

"Sec. 2. Minnesota Statutes 1986, section 296.02, subdivision 7, is amended to read:

Subd. 7. [TAX REDUCTION FOR AGRICULTURAL ALCOHOL GASOLINE.] A distributor shall be allowed a credit of 30 cents on each gallon of fuel grade alcohol commercially blended with gasoline or blended in a tank truck with gasoline on which the tax imposed by subdivision 1 is due and payable. ~~The amount of the credit for every gallon of fuel grade alcohol blended with gasoline to produce agricultural alcohol gasoline is as follows:~~

(a) ~~For the fiscal year ending June 30, 1987, 25 cents.~~

(b) ~~On and after July 1, 1987, 20 cents.~~

The credit allowed a distributor must not exceed the total tax liability under subdivision 1. The tax credit received by a distributor on alcohol blended with motor fuels shall be passed on to the retailer."

Page 4, line 4, delete "Section 1 is" and insert "Sections 1 to 4 are"

Renumber the remaining sections

Amend the title:

Page 1, line 3, after the semicolon insert "increasing tax credit for agricultural alcohol gasoline;"

Page 1, line 7, delete "subdivision 1b" and insert "subdivisions 1b and 7"

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

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.

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.

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

There were 71 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dorn	Knuth	Olson, K.	Seaberg
Battaglia	Greenfield	Krueger	Orenstein	Segal
Beard	Jacobs	Larsen	Osthoff	Simoneau
Bishop	Jaros	Lasley	Otis	Solberg
Brown	Jefferson	Lieder	Pappas	Sparby
Carlson, D.	Jennings	McEachern	Pauly	Steensma
Carlson, L.	Jensen	McLaughlin	Peterson	Trimble
Carruthers	Johnson, A.	Minne	Price	Tunheim
Clark	Johnson, R.	Munger	Quinn	Vellenga
Cooper	Kahn	Murphy	Reding	Voss
Dauner	Kalis	Nelson, K.	Rice	Welle
Dawkins	Kelly	Neuenschwander	Riveness	Wenzel
DeBlicke	Kelso	Ogren	Rodosovich	Winter
Dille	Kludt	Olson, E.	Sarna	Wynia
				Spk. Vanasek

Those who voted in the negative were:

Anderson, R.	Frederick	Long	Onnen	Shaver
Bauerly	Frerichs	Marsh	Pelowski	Skoglund
Begich	Gruenes	McDonald	Poppenhagen	Stanius
Bennett	Hartle	McKasy	Quist	Sviggum
Bertram	Haukoos	McPherson	Redalen	Swenson
Blatz	Heap	Milbert	Rest	Thiede
Boo	Himle	Miller	Richter	Tjornhom
Burger	Hugoson	Morrison	Rose	Tompkins
Clausnitzer	Johnson, V.	Nelson, C.	Rukavina	Uphus
Dempsey	Kinkel	O'Connor	Schafer	Valento
DeRaad	Knickerbocker	Olsen, S.	Scheid	Wagenius
Forsythe	Kostohryz	Omann	Schreiber	Waltman

The bill was passed and its title agreed to.

Pursuant to rule 1.10, Voss requested immediate consideration of H. F. No. 1704.

H. F. No. 1704 was reported to the House.

Olsen, S., and Tjornhom offered an amendment to H. F. No. 1704, the first engrossment.

#### POINT OF ORDER

Voss raised a point of order pursuant to rule 3.10 that the Olsen, S., and Tjornhom amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

H. F. No. 1704, A bill for an act relating to taxation; property tax refunds; restoring the full amount for 1986 claims; removing the appropriation limit for 1987 claims; appropriating money; amending Laws 1987, chapter 268, article 3, section 12.

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.

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

There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. Miller

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

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

Pursuant to rule 1.10, Anderson, G., requested immediate consideration of S. F. No. 1184.

S. F. No. 1184 was reported to the House.

Carlson, D., moved to amend S. F. No. 1184, the unofficial engrossment, as follows:

Page 1, line 19, after "order" delete "or" and insert a comma

Page 1, line 19, after "county" insert "or other"

Page 2, line 7, after "order" delete "or" and insert a comma

Page 2, line 7, after "county" insert "or other"

The motion prevailed and the amendment was adopted.

S. F. No. 1184, A bill for an act relating to state lands; authorizing the conveyance of certain lands in Pine county to the Amherst H. Wilder Foundation; amending Laws 1981, chapter 354, section 1, subdivisions 1 and 5; repealing Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4.

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

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

Those who voted in the affirmative were:

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

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

Jaros, McPherson and Kludt were excused at 5:45 p.m. Nelson, K., and Lasley were excused at 6:10 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. Long presided during a portion of the meeting of the Committee of the Whole. After some time spent therein the Committee arose.

#### REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. No. 297 was recommended for progress retaining its place on General Orders.

H. F. No. 453, the first engrossment, which it recommended to pass with the following amendment offered by O'Connor:

Page 2, line 35, after "make" insert "future"

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

#### ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Tjornhom moved to amend H. F. No. 453, the first engrossment, as amended, as follows:

Page 1, delete lines 1 to 25

Page 2, delete lines 1 to 36, and insert:

“A resolution memorializing the President and Congress to consider the issues raised in H. F. No. 453 as introduced to the Minnesota State Legislature.

*Be It Resolved* by the Legislature of the State of Minnesota that Congress should speedily enact legislation to determine if religious and ethnic discrimination is occurring in Northern Ireland and take action by its investment policies to lead toward the achievements of the MacBride principles by corporations in Northern Ireland trading with the United States.”

The question was taken on the Tjornhom amendment and the roll was called. There were 41 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dille	Heap	Onnen	Sparby
Bauerly	Dorn	Himle	Pauly	Sviggum
Bishop	Forsythe	Hugoson	Poppenhagen	Swenson
Burger	Frederick	Knickerbocker	Quist	Thiede
Carlson, D.	Frerichs	McDonald	Richter	Tjornhom
Clausnitzer	Gruenes	Miller	Schafer	Tompkins
Dempsey	Hartle	Olsen, S.	Schreiber	Uphus
DeRaad	Haukoos	Omann	Shaver	Valento
				Waltman

Those who voted in the negative were:

Anderson, G.	Cooper	Kahn	Long	Ogren
Battaglia	Dauner	Kalis	McEachern	Olson, E.
Beard	Dawkins	Kelly	McKasy	Olson, K.
Begich	DeBlieck	Kelso	McLaughlin	Orenstein
Bennett	Greenfield	Kinkel	Milbert	Otis
Bertram	Jacobs	Knuth	Minne	Pappas
Blatz	Jefferson	Kostohryz	Morrison	Peterson
Brown	Jensen	Krueger	Murphy	Price
Carlson, L.	Johnson, A.	Larsen	Nelson, C.	Quinn
Carruthers	Johnson, R.	Lasley	Neuenschwander	Reding
Clark	Johnson, V.	Lieder	O'Connor	Rest



Rice	Scheid	Solberg	Vellenga	Winter
Rodosovich	Seaberg	Stanius	Voss	Wynia
Rose	Segal	Steensma	Wagenius	Spk. Vanasek
Rukavina	Simoneau	Trimble	Welle	
Sarna	Skoglund	Tunheim	Wenzel	

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

The question was taken on the McDonald motion to re-refer H. F. No. 453, as amended, to the Committee on Commerce and the roll was called. There were 41 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	Miller	Rose	Tjornhom
Bennett	Gruenes	Omann	Schafer	Tompkins
Bishop	Haukoos	Onnen	Schreiber	Uphus
Carlson, D.	Heap	Osthoff	Seaberg	Valento
Clausnitzer	Hugoson	Pauly	Shaver	Waltman
DeRaad	Johnson, V.	Poppenhagen	Stanius	
Dille	Knickerbocker	Quist	Sviggunn	
Forsythe	Marsh	Redalen	Swenson	
Frederick	McDonald	Richter	Thiede	

Those who voted in the negative were:

Anderson, G.	Greenfield	Krueger	Olson, K.	Skoglund
Battaglia	Hartle	Larsen	Orenstein	Solberg
Bauerly	Himle	Lieder	Otis	Sparby
Beard	Jacobs	Long	Pappas	Steensma
Begich	Jefferson	McEachern	Pelowski	Trimble
Bertram	Jennings	McKasy	Peterson	Tunheim
Blatz	Jensen	McLaughlin	Price	Vellenga
Brown	Johnson, A.	Milbert	Quinn	Woss
Burger	Johnson, R.	Minne	Reding	Wagenius
Carlson, L.	Kahn	Murphy	Rice	Wenzel
Carruthers	Kalis	Nelson, C.	Riveness	Winter
Clark	Kelly	Neuenschwander	Rodosovich	Wynia
Cooper	Kelso	O'Connor	Rukavina	Spk. Vanasek
Dawkins	Kinkel	Ogren	Sarna	
Dempsey	Knuth	Olsen, S.	Scheid	
Dorn	Kostohryz	Olson, E.	Simoneau	

The motion did not prevail.

The question was taken on the motion to recommend passage of H. F. No. 453, as amended, and the roll was called. There were 75 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Brown	Dawkins	Johnson, A.	Krueger
Battaglia	Carlson, D.	DeBlieck	Johnson, R.	Larsen
Bauerly	Carlson, L.	Dempsey	Kelly	Lieder
Beard	Carruthers	Greenfield	Kelso	McEachern
Begich	Clark	Jacobs	Kinkel	McKasy
Bertram	Cooper	Jefferson	Knuth	McLaughlin
Blatz	Dauner	Jensen	Kostohryz	Milbert

Minne	Olson, K.	Reding	Simoneau	Vellenga
Morrison	Orenstein	Rest	Solberg	Voss
Murphy	Otis	Rice	Stanius	Wagenius
Nelson, C.	Pappas	Riveness	Steenma	Welle
Neuenschwander	Pelowski	Rodosovich	Tjornhom	Wenzel
O'Connor	Peterson	Rukavina	Trimble	Winter
Ogren	Price	Sarna	Tunheim	Wynia
Olsen, S.	Quinn	Scheid	Uphus	Spk. Vanasek

Those who voted in the negative were:

Anderson, R.	Forsythe	Jennings	Poppenhagen	Sparby
Bennett	Frederick	Johnson, V.	Quist	Sviggum
Bishop	Frerichs	Kalis	Redalen	Swenson
Burger	Hartle	Knickerbocker	Rose	Thiede
Clausnitzer	Haukoos	Marsh	Schafer	Tompkins
DeRaad	Heap	Miller	Schreiber	Valento
Dille	Himle	Onnen	Shaver	Waltman
Dorn	Hugoson	Osthoff	Skoglund	

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Osthoff moved that the name of Norton be stricken and the name of Kostohryz be added as an author on H. F. No. 4. The motion prevailed.

Jaros moved that the name of Osthoff be added as chief author on H. F. No. 954. The motion prevailed.

Otis moved that the name of Schoenfeld be stricken and the name of Sparby be added as chief author on H. F. No. 1253. The motion prevailed.

Jefferson moved that the names of Carlson, D.; Murphy and Long be added as authors on H. F. No. 1815. The motion prevailed.

Jefferson moved that the name of McLaughlin be added as an author on H. F. No. 1847. The motion prevailed.

Bauerly moved that the names of Schreiber and Lasley be added as authors on H. F. No. 1882. The motion prevailed.

Bauerly moved that the names of Schreiber and Lasley be added as authors on H. F. No. 1883. The motion prevailed.

Johnson, A., moved that the name of Clark be added as an author on H. F. No. 2040. The motion prevailed.

Orenstein moved that the names of Ogren, Greenfield, Gruenes

and Clark be added as authors on H. F. No. 2083. The motion prevailed.

Bauerly moved that the names of Sparby and Wenzel be added as authors on H. F. No. 2085. The motion prevailed.

Vellenga moved that the name of Wynia be added as an author on H. F. No. 2130. The motion prevailed.

Wagenius moved that the names of Vellenga and Osthoff be added as authors on H. F. No. 2134. The motion prevailed.

Sparby moved that the name of Neuenschwander be added as an author on H. F. No. 2185. The motion prevailed.

Swenson moved that the name of Kelly be stricken and the name of Pappas be added as an author on H. F. No. 2204. The motion prevailed.

Gruenes moved that the name of Omann be added as an author on H. F. No. 2207. The motion prevailed.

Rodosovich moved that his name be stricken as an author on H. F. No. 2222. The motion prevailed.

Jefferson moved that the name of Clark be added as an author on H. F. No. 2224. The motion prevailed.

Jefferson moved that the name of Clark be added as an author on H. F. No. 2247. The motion prevailed.

Carruthers moved that the name of Scheid be added as an author on H. F. No. 2252. The motion prevailed.

Rodosovich moved that the name of Clark be added as an author on H. F. No. 2271. The motion prevailed.

Krueger moved that H. F. No. 2228 be recalled from the Committee on Education and be re-referred to the Committee on Judiciary. The motion prevailed.

Olsen, S., moved that H. F. No. 2319 be recalled from the Committee on General Legislation, Veterans Affairs and Gaming and be re-referred to the Committee on Judiciary. The motion prevailed.

Clark moved that H. F. No. 1893 be recalled from the Committee

on Education and be re-referred to the Committee on Economic Development and Housing. The motion prevailed.

Cooper moved that H. F. No. 2407 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Judiciary. The motion prevailed.

#### ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 3, 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., Thursday, March 3, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives