

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1988

SIXTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 3, 1988

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

Prayer was offered by the Reverend John Tanner, Southtown Baptist Church, Bloomington, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Beard; Jensen; Kahn; Kalis; Lasley; Nelson, D.; O'Connor; Osthoff; Scheid and Seaberg were excused.

Anderson, R., was excused until 3:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Haukoos moved that further reading of the Journal be dis-

pensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

The Honorable Roger J. Carrick, Her Majesty's Consul-General, British Consulate-General, Chicago, Illinois, addressed the body.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1748, 2056, 2180, 1710, 1784, 1876, 1989, 2039, 2083; 10, 577, 2123, 2132, 1659 and 453 and S. F. Nos. 1574 and 1643 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 93, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not abridged; appropriating money.

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

The report was adopted.

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

H. F. No. 322, A bill for an act relating to retirement; highway patrol formula; amending Minnesota Statutes 1986, section 352B.08, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987. Supplement, section 352B.08, subdivision 2, is amended to read:

Subd. 2. [NORMAL RETIREMENT ANNUITY.] The annuity must be paid in monthly installments. The annuity shall be equal to the amount determined by multiplying the average monthly salary of the member by 2½ percent for each year and pro rata for

completed months of service ~~not exceeding 25 years and two percent for each year and pro rata for completed months of service in excess of 25 years.~~

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1988."

Amend the title as follows:

Page 1, line 3, delete "1986" and insert "1987 Supplement"

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. 704, A bill for an act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative and judicial review; amending Minnesota Statutes 1986, sections 168.041; 169.123, subdivisions 5b, 5c, and 6; 169.1261; and 171.29, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 168.041, is amended to read:

168.041 [IMPOUNDING REGISTRATION PLATES AND CERTIFICATES.]

Subdivision 1. When ~~any~~ a person is convicted of driving a motor vehicle after the suspension ~~or~~, revocation ~~or~~ cancellation of the ~~drivers person's driver's~~ license or driving privileges of ~~such person~~, the court shall require the registration plates and registration ~~certificates~~ certificate of ~~any the~~ motor vehicle involved in ~~such the~~ violation owned by ~~such the~~ person or registered in that the person's name to be surrendered to the court. ~~Upon surrender thereof~~ The court shall issue a receipt ~~therefor~~ for the surrendered registration plates and registration certificate.

If the violator is not the owner of ~~such the~~ motor vehicle, the court shall require the registration plates and ~~the~~ registration certificate of ~~any the~~ motor vehicle to be surrendered to the court if the vehicle was used by the violator, with the permission of the owner who and

the owner had knowledge of the fact that the violator's driver's license had been revoked or suspended prior to the commission of the offense, to be surrendered to the court.

Subd. 2. If any a person is convicted of violating any a law or municipal ordinance, except a parking laws or ordinances law or ordinance, regulating the operation of motor vehicles on the streets or highways, and the record of such the person so convicted shows a previous conviction for driving after suspension or revocation of the person's driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license of such the person for a period not exceeding one year. The court may also require the registration plates and registration certificates certificate of any motor vehicles vehicle owned by the violator or registered in the violator's name to be surrendered to the court.

Subd. 3. Except as otherwise provided in subdivision 3a, if a person is convicted of any an offense which that makes mandatory the revocation of the drivers person's driver's license of such person, or is convicted of driving a motor vehicle without having a valid driver's license in force, the court may require the registration plates and registration certificates certificate of any motor vehicle owned by such the person or any motor vehicles vehicle registered in that the person's name to be surrendered to the court.

Subd. 3a. If a person's driver's license or driving privileges are revoked pursuant to a second violation of section 169.121 or 169.123 within five years, or a third or subsequent violation of section 169.121 or 169.123 within ten years, the court shall issue an impoundment order requiring the surrender of the registration plates and registration certificate of any motor vehicle owned by, registered, or leased in the name of the violator, including vehicles registered or leased jointly in the name of the violator and the violator's spouse and any vehicle involved in the violation if the vehicle owner was a passenger at the time of the violation. This requirement does not apply to rental motor vehicles, as defined in subdivision 10. An impoundment order must be issued under this subdivision when the driver appears in court on a criminal charge or civil driver's license matter arising out of the incident resulting in the most recent license revocation, whichever hearing occurs first. If no criminal charge or civil license matter is initiated in court, the attorney general may request an impoundment order under this subdivision in municipal or county court, or the unified district court in the jurisdiction where the violation of section 169.121 or 169.123 occurred.

In determining whether to issue an impoundment order, the court may rely on the following:

- (1) certified or uncertified copies of the violator's driving record;

(2) certified or uncertified copies of vehicle registration records;

(3) other relevant documentation; and

(4) oral or written arguments made by the violator, the violator's counsel, or the prosecutor concerning whether the requisite elements of an order of impoundment are present.

Subd. 4. Except as provided in subdivision 6 or subdivision 7, the court shall retain custody of the surrendered plates and certificates. Within three days after the court issues an impoundment order, the registration plates and certificates must be surrendered to the court. The court shall forward surrendered registration certificates to the registrar of motor vehicle within seven days. The court may destroy the surrendered registration plates. Except as provided in subdivision 5, 6, or 7, no new registration plates may be issued to the violator or owner until such time as the drivers driver's license of the violator has been reissued or reinstated. The court shall notify the commissioner of public safety within ten days after issuing an impoundment order.

Subd. 4a. [ADMINISTRATIVE REVIEW.] At any time during the effective period of an impoundment order, a person may request in writing a review of the impoundment order by the commissioner of public safety. Upon receiving a request, the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. The commissioner shall report in writing the results of the review within 15 days of receiving the request. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.01 to 14.70. As a result of this review, the commissioner may authorize the issuance at no cost of new registration plates and a registration certificate to the owner of the vehicle if the owner's driver's license or driving privileges were not revoked under section 169.121 or 169.123 and the owner was not a passenger in the vehicle at the time of the violation.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's license revocation under section 169.123, subdivision 5b.

Subd. 5. At the time of ordering the surrender of the registration plates and registration certificates of a violator or owner, the court shall notify the registrar of motor vehicles of that fact. Except as provided in subdivision 6 or subdivision 7, no new or duplicate registration plates or new registration certificates shall be issued to such violator or owner until the surrendered plates and certificates are returned to the violator or owner by the court. If the driver's license revocation that is the basis for an impoundment order is

rescinded, the registrar of motor vehicles shall issue new registration plates and a registration certificate for the vehicle at no cost, when the registrar receives an application that includes a copy of the order rescinding the driver's license revocation.

Subd. 6. Any such (a) A violator or owner may apply to the registrar of motor vehicles commissioner for new registration plates, which shall must bear a special series number which may of numbers or letters so as to be readily identified by traffic law enforcement officers. A fee of \$5 shall accompany the application. The registrar of motor vehicles shall forthwith notify the court of such application. The court may return the registration certificate of such violator or owner to the registrar of motor vehicles, together with its consent to the issuance of such registration plates to such violator or owner. Thereupon the registrar of motor vehicles shall issue such new registration plates. The commissioner may authorize the issuance of special plates if (1) a member of the violator's household has a valid driver's license, (2) the violator or owner has a limited license issued under section 171.30, or (3) the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license. The commissioner may issue the special plates on payment of a \$25 fee for each vehicle for which special plates are requested. The commissioner may not authorize the issuance of special plates unless the court that impounded the vehicle's plates gives written approval for the issuance of the special plates.

(b) Until the drivers driver's license of such the violator is reinstated or reissued, the violator shall inform the commissioner that an impoundment order is in effect when requesting any new registration plates issued to the violator or to an owner whose plates have been impounded shall bear a special series number.

Subd. 7. If An owner wishes to may not sell a motor vehicle during the time its registration plates and registration certificate are impounded have been ordered surrendered or during the time its registration plates bear a special series number, unless the owner may apply applies to the court which that impounded such the plates and certificate, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the owner will thereby be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provisions of this section, it may certify its consent to the registrar of motor vehicles and return the impounded registration plates and certificates. If during The registrar shall then transfer the registration certificate to the new owner upon proper application and issue new registration plates. After the time the registration plates and certificate of registration certificate are impounded have been ordered surrendered to the court under this section, if the title to said the motor vehicle is transferred by the foreclosure of a chattel mortgage, the

cancellation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, the court shall order the ~~license plates and registration certificate~~ surrendered to the new owner and ~~notify the registrar of motor vehicles of such action~~. The registrar of motor vehicles shall then transfer the registration plates and registration certificates to the new owner certificate and issue new registration plates to the new owner.

Subd. 8. Nothing contained in this section is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which ~~the motor vehicle taxes thereon shall~~ must be paid.

Subd. 9. Any A person who fails to surrender any impounded registration plates or a registration certificates certificate to the court upon demand or under this section, who operates any a motor vehicle on a street or highway at a time when a court has ordered the surrender of its registration plates and registration certificate, or who fails to comply with subdivision 6, paragraph (b), is guilty of a misdemeanor.

Subd. 10. "Rental motor vehicle" means a passenger vehicle, truck, motorcycle, or motorized bicycle:

(1) that is involved in a violation under subdivision 3a, leased in the name of the violator, or leased jointly in the name of the violator and the violator's spouse; and

(2) that is one of a fleet of two or more vehicles rented for periods of 30 days or less.

Sec. 2. Minnesota Statutes 1986, section 169.123, subdivision 5b, is amended to read:

Subd. 5b. [ADMINISTRATIVE REVIEW.] At any time during a period of revocation imposed under this section a person may request in writing a review of the order of revocation by the commissioner of public safety. Upon receiving a request the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.01 to 14.70.

The availability of administrative review for an order of revocation ~~shall have~~ has no effect upon the availability of judicial review under this section.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's impoundment order under section 168.041, subdivision 4a.

Sec. 3. Minnesota Statutes 1986, section 169.1261, is amended to read:

169.1261 [REINSTATEMENT OF DRIVING PRIVILEGES; NOTICE.]

Upon expiration of ~~any~~ a period of revocation under section 169.121 or 169.123, the commissioner of public safety shall notify the person of the terms upon which driving privileges can be reinstated, and new registration plates issued, which terms are: (1) successful completion of a driving test and proof of compliance with any terms of alcohol treatment or counseling previously prescribed, if any; and (2) any other requirements imposed by the commissioner and applicable to that particular case. The commissioner shall notify the owner of a motor vehicle subject to an impoundment order under section 168.041 as a result of the violation who is not the violator of the procedures for obtaining new registration plates. The commissioner shall also notify the person that if driving is resumed without reinstatement of driving privileges or without valid registration plates and registration certificate, the person will be subject to criminal penalties.

Sec. 4. Minnesota Statutes 1986, section 171.29, is amended by adding a subdivision to read:

Subd. 3. A person whose license has been revoked under section 169.121 or 169.123 may not be issued another license at the end of the revocation period unless the person has complied with all applicable registration plate impoundment provisions of section 168.041.

Sec. 5. [DESTRUCTION OF STORED LICENSE PLATES.]

License plates surrendered to courts before the effective date of section 1 may be destroyed.

Sec. 6. [EVALUATION.]

The commissioner of public safety shall monitor and evaluate the implementation and effects of the registration plate impoundment provisions of sections 1 to 5, and shall submit a written report to the legislature by January 1, 1990, containing the commissioner's findings and recommendations.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective August 1, 1988, and apply to violations committed on or after that date.

Amend the title as follows:

Page 1, line 5, delete "and judicial"

Page 1, line 7, delete "subdivisions" and insert "subdivision" and delete ", 5c, and 6"

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

The report was adopted.

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

H. F. No. 1244, A bill for an act relating to environment; providing reciprocal access to courts and administrative agencies for injuries caused by transboundary pollution; proposing coding for new law in Minnesota Statutes, chapter 543.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1589, A bill for an act relating to real property; providing a restriction on the duration of conditions affecting certain real property; providing an exemption for the city of North Oaks; amending Minnesota Statutes 1986, section 500.20, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 18, before "This" insert "To the extent provided in this subdivision,"

Page 1, line 20, delete "1987" and insert "1988"

Page 1, delete line 24 and insert:

"(2) that were created before August 1, 1958, under which a person who owns or has an interest in real property against which

such covenants, conditions, or restrictions have been filed claims a benefit of the"

Page 2, line 2, delete "1988" and insert "1989"

Page 2, line 6, delete "showing" and insert "stating"

Page 2, line 7, delete "why" and insert "that" and delete "or has not"

Page 2, line 8, delete "become" and delete "so that it" and insert "and" and after "may" insert "not"

Page 2, line 19, delete "nonprofit" and after "corporation" insert "of which" and delete the comma

Page 2, line 20, delete "membership of which" and insert "being a stockholder or member"

Page 2, line 22, delete "or"

Page 2, line 28, before the period insert "; or

(7) that were created after July 31, 1958, and before August 1, 1982, under which a person who owns or has an interest in real estate against which covenants, conditions, or restrictions have been filed claims a benefit of the covenants, conditions, or restrictions if the person records in the office of the county recorder or files in the office of the registrar of titles in the county in which the real estate affected is located during the period commencing on the 28th anniversary of the date of the deed or instrument, or the date of the probate of the will, creating them and ending on the 30th such anniversary, a notice as described in clause (2).

A notice filed in accordance with clause (2) or (7) shall delay application of this subdivision to such covenants, conditions, or restrictions for a period ending on the later of five years after the date of filing of such notice, or until final judgment is entered in an action to determine the validity of such covenants, conditions, or restrictions, provided in the case of an action the summons and complaint must be served and a notice of lis pendens must be recorded in the office of the county recorder or filed in the office of the registrar of titles in each county in which the real estate affected is located within five years after the date of recording or filing of the notice in accordance with clause (2) or (7)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 1627, A bill for an act relating to alcoholic beverages; authorizing cities and counties to issue licenses permitting on-sales of alcoholic beverages during certain hours when on-sales are otherwise prohibited; amending Minnesota Statutes 1986, section 340A.504, subdivisions 1, 2, 3, and 6; proposing coding for new law in Minnesota Statutes, chapter 340A.

Reported the same back with the following amendments:

Page 3, line 22, delete "3:00 a.m." and insert "2:00 a.m. on Monday through Friday and 2:30 a.m. on Saturday and Sunday."

Page 3, line 23, after the period insert "Before issuing the license, the city or county must consider the effect of the license on any residential area surrounding the licensed establishment."

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. 1750, A bill for an act relating to transportation; creating a transportation study board and prescribing its duties; appropriating money.

Reported the same back with the following amendments:

Page 3, delete lines 1 to 3

Page 3, line 4, delete "(7)" and insert "(6)"

Page 3, line 7, delete "(8)" and insert "(7)"

Page 3, line 9, delete "(9)" and insert "(8)"

Page 3, line 11, delete "(10)" and insert "(9)"

Page 3, line 13, delete "(11)" and insert "(10)"

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1755, A bill for an act relating to traffic regulations; broadening criminal liability of passengers under the open bottle law; amending Minnesota Statutes 1986, section 169.122, subdivision 2.

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

The report was adopted.

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

H. F. No. 1777, A bill for an act relating to the city of Minneapolis; providing for postretirement payments for Minneapolis police officers and Minneapolis firefighters, their surviving spouses and dependents; amending Laws 1949, chapter 406, section 5, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 16, delete "salary"

Page 1, line 17, delete "increases" and insert "increase in the current monthly salary of a top grade patrol officer"

Page 1, line 21, after "fund" insert "or an amount equivalent in value to the total number of units payable in one month to eligible members, whichever is less"

Page 2, line 3, delete "is receiving" and insert "received"

Page 2, delete lines 11 and 12

Page 2, line 17, before the period insert "on June 1 following the determination date in any year"

Page 2, line 17, after the period insert "Payment of the annual post-retirement payment shall be made only if the time weighted total rate of return exceeds five percent in any year."

Page 2, line 24, after the period insert "Payment to each eligible member shall not exceed an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan."

Page 2, after line 24, insert:

“(c) In the event an eligible member dies prior to the payment of the post-retirement payment, the relief association shall pay that eligible member’s estate the amount to which the eligible member was entitled.”

“(d) The relief association shall submit a report on the amount of all post-retirement payments made pursuant to this section and the manner in which those payments were determined to the state auditor, the executive secretary of the legislative commission on pensions and retirement, and the Minneapolis city clerk.”

Page 2, line 25, delete “AND POLICE”

Page 2, line 36, delete “salary”

Page 3, line 1, delete “increases” and insert “increase in the current monthly salary of a top grade firefighter”

Page 3, line 5, after “fund” insert “or an amount equivalent in value to the total number of units payable in one month to eligible members, whichever is less”.

Page 3, line 13, delete “is receiving” and insert “received”

Page 3, delete lines 21 and 22

Page 3, line 27, before the period insert “on June 1 following the determination date in any year”

Page 3, line 27, after the period insert “Payment of the annual post-retirement payment shall be made only if the time weighted total rate of return exceeds five percent in any year.”

Page 3, line 34, after the period insert “Payment to each eligible member shall not exceed an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan.”

Page 3, after line 34, insert:

“(c) In the event an eligible member dies prior to the payment of the post-retirement payment, the relief association shall pay that eligible member’s estate the amount to which the eligible member was entitled.”

“(d) The relief association shall submit a report on the amount of all post-retirement payments made pursuant to this section and the manner in which those payments were determined to the state auditor, the executive secretary of the legislative commission on pensions and retirement, and the Minneapolis city clerk.”

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. 1804, A bill for an act relating to retirement; authorizing a defined contribution plan for the Fridley volunteer firefighter's relief association.

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

The report was adopted.

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

H. F. No. 1832, A bill for an act relating to retirement; authorizing the Thief River Falls firefighters relief association to pay service pensions to members otherwise qualified at age 50.

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 1838, A bill for an act relating to intermediate school districts; permitting certain school districts to become a participating school district of intermediate school district number 917; amending Minnesota Statutes 1986, section 136D.81.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1844, A bill for an act relating to courts; prescribing when a referee's orders become effective; amending Minnesota Statutes 1986, section 484.70, subdivision 7.

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

The report was adopted.

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

H. F. No. 1855, A bill for an act relating to state employees; authorizing the purchase of certain insurance coverage by retired legislative employees; amending Minnesota Statutes 1986, section 43A.27, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 21, before "or" insert a comma

Page 1, line 22, after "employee" insert "who was eligible for fully or partially state-paid insurance benefits at the time of termination of legislative service,"

Page 1, after line 23, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to all people who become former legislative employees after the effective date of the section."

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. 1868, A bill for an act relating to local government; providing for reports on certain improvements in cities of the first class; amending Minnesota Statutes 1987 Supplement, section 430.102, subdivision 1.

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

The report was adopted.

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

H. F. No. 1884, A bill for an act relating to state lands; authorizing private conveyance of tax-forfeited land in Beltrami county.

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

The report was adopted.

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

H. F. No. 1912, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Cook county.

Reported the same back with the following amendments:

Page 1, line 16, after "Wilbur" insert "C." and after "Nemitz" delete "is the purchaser, he is" and insert ", Robert W. Nemitz, and Marlene Kadrie are the purchasers, they are"

Page 1, line 18, delete "him" and insert "any or all of them"

Page 1, line 19, after "Wilbur" insert "C." and after "Nemitz" insert ", Robert W. Nemitz, and Marlene Kadrie"

Page 1, line 25, after "Wilbur" insert "C." and after "Nemitz" delete "or his" and insert ", Robert W. Nemitz, or Marlene Kadrie or their"

Page 2, line 4, delete everything after the colon and insert "that part of the north 100.00 feet of government lot 4 of section 10, township 62 north, range 1 east, Cook county, Minnesota, lying easterly of the centerline of the existing United States Forest Service road."

Page 2, delete lines 5 to 9

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

The report was adopted.

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

H. F. No. 1913, A bill for an act relating to employment; prohibiting employer reprisals against employees who decline to participate in charitable fund drives; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 1, line 12, before the period insert "including contributions to the employer itself. "Employer" means any person having one or more employees in Minnesota and includes the state, the University of Minnesota, and any political subdivisions of the state"

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. 1922, A bill for an act relating to crimes; repealing the prohibition against the sale of articles relating to prevention of conception or disease; repealing Minnesota Statutes 1986, section 617.251.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1923, A bill for an act relating to civil actions; imposing civil liability for the theft of merchandise and shopping carts; proposing coding for new law in Minnesota Statutes, chapter 332.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [332.51] [CIVIL LIABILITY FOR THEFT FROM STORE.]

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

(b) "Merchandise" means things that are movable and capable of manual delivery and offered for retail or wholesale sale.

(c) "Person" includes an employee of a store.

(d) "Steal" means to intentionally and without claim of right take, use, transfer, conceal, or keep possession of movable property of another without the owner's consent and with intent to deprive the owner permanently of possession of the property.

(e) "Store" means a place where merchandise is displayed, held, or offered for retail or wholesale sale.

Subd. 2. [LIABILITY FOR THEFT OF MERCHANDISE.] A person who steals merchandise or cash from a store is civilly liable to the owner of the merchandise for the retail price of the merchandise in the store when the theft occurred or the amount of the cash, plus exemplary damages of up to \$300. If the value of the merchandise or the amount of the cash exceeds \$2,000, the person shall also be liable for reasonable costs.

Subd. 3. [LIABILITY FOR THEFT OF SHOPPING CART.] A person who steals a shopping cart from a store or who, upon demand by the store, refuses to return to the store a shopping cart that is in the person's possession is civilly liable to the store for the cost of the shopping cart, plus exemplary damages of up to \$300.

Subd. 4. [LIABILITY OF PARENT OR GUARDIAN.] The provisions of section 540.18 apply to this section.

Subd. 5. [CRIMINAL ACTION.] The filing of a criminal complaint, conviction, or guilty plea is not a prerequisite to liability under this section. Payment or nonpayment of a demand for payment under subdivision 7 may not be used as evidence in a criminal action.

Subd. 6. [RECOVERY OF MERCHANDISE.] The recovery of stolen merchandise or cash by a store does not affect liability under this section, other than liability for the amount of the cash or the full retail market value of the merchandise.

Subd. 7. [RIGHT TO DEMAND PAYMENT.] A store must make a demand for payment for the liability imposed by this section before beginning an action. A demand for payment must be in writing and include a copy of this section and a description of the liability contained in this section. A demand must include a statement to the recipient that payment of the amount demanded does not prevent local authorities from proceeding with criminal prosecution and that failure to pay may result in commencement of a civil action. A

demand for payment is a prerequisite to an action for the liability imposed by this section.

Subd. 8. [ACQUITTAL; RETURN OF PAYMENT.] If a person makes a payment under this section in satisfaction of either a demand for payment or a civil judgment and subsequently is acquitted of criminal charges relating to the theft of the store's movable property or cash, the person has the right to demand a refund of the entire payment from the store. The store must return the entire payment when the person provides satisfactory proof of the acquittal, including but not limited to a certified court record or an affidavit of a court officer."

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. 1926, A bill for an act relating to emergency services; permitting political subdivisions to authorize aid under certain conditions; amending Minnesota Statutes 1986, section 12.27, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1943, A bill for an act relating to state lands; permitting the sale of certain tax-forfeited lands that border public waters in the city of Aitkin.

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

The report was adopted.

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

H. F. No. 1949, A bill for an act relating to appropriations;

appropriating money to the commissioner of finance for loan to the western Lake Superior sanitary district.

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. 1950, A bill for an act relating to watershed districts; setting the limit on certain borrowing authority; amending Minnesota Statutes 1987 Supplement, section 112.43, subdivision 1.

Reported the same back with the following amendments:

Page 3, after line 25, insert:

“Sec. 2. Minnesota Statutes 1987 Supplement, section 112.65, subdivision 2, is amended to read:

Subd. 2. [CONSTRUCTION OR IMPROVEMENT.] Construction of new drainage systems or improvements of existing drainage systems in the district must be initiated by filing a petition with the managers. In all proceedings for the construction or improvement of existing drainage systems in the district, the managers shall conform to ~~section 112.49~~ chapter 106A.”

Amend the title as follows:

Page 1, line 4, delete “section” and insert “sections”

Page 1, line 5, before the period insert “; and 112.65, subdivision 2”

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. 1966, A bill for an act relating to zoning; providing for filing requirements of variances to real property; amending Minnesota Statutes 1986, section 462.36, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, after "462.358" insert "462.359,"

Amend the title as follows:

Page 1, line 3, after "variances" insert "and certain official maps"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2018, A bill for an act relating to agriculture; clarifying and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; authorizing inspection upon notice; authorizing enforcement of violations; authorizing civil judicial enforcement actions; authorizing administrative remedies for violations; imposing civil and criminal penalties; amending Minnesota Statutes 1986, sections 35.15, subdivision 2; 35.245, subdivision 5; 35.80; 35.82, subdivision 2; and 35.830;

Minnesota Statutes 1987 Supplement, section 35.68; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1986, sections 35.069; 35.70; 35.71, subdivision 8; and 35.72, subdivision 6.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 11, after "taxes" insert ", penalties."

With the recommendation that when so amended the bill pass.

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2029, A bill for an act relating to education; modifying provisions related to general education revenue and foundation revenue; correcting erroneous and obsolete references and text; providing instructions to the revisor; making miscellaneous corrections to statutes and other laws; amending Minnesota Statutes 1986, sections 3.866; 120.17, subdivisions 6 and 7; 120.181; 120.80, subdivision 1; 121.151; 121.904, subdivision 5; 121.931, subdivision 5; 122.45, subdivision 3a; 122.531, subdivisions 1 and 6; 123.32, subdivision 29; 123.3514, subdivision 6; 123.933, subdivision 3; 124.15, subdivisions 5 and 6; 124.18, subdivision 2; 124.19, subdivisions 1, 3, and 6; 124.214, subdivision 2; 124.274, subdivision 1; 124.32, subdivisions 4 and 6; 124A.02, subdivision 21; 124A.03, subdivision 2; 124A.034, subdivisions 1 and 1b; 124A.035, subdivisions 2 and 4; 124A.036, subdivisions 1 and 2; 126.70, subdivision 2; 129B.40, subdivision 1; 273.138, subdivision 6; 275.125, subdivision 1; 275.128; 298.39; and 475.61, subdivision 4; Minnesota Statutes 1987 Supplement, sections 120.17, subdivisions 5a and 7a; 121.912, subdivision 1; 123.3515, subdivision 9; 124.01, subdivision 1; 124.14, subdivision 7; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.195, subdivisions 8 and 9; 124.214, subdivision 3; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 4b; 124.245, subdivision 3b; 124.271; subdivision 7; 124.2711, subdivision 1;

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

Reported the same back with the following amendments:

Page 20, line 36, delete "last" and insert "previous"

Pages 24 to 28, delete sections 32 and 33

Page 48, lines 11 and 15, delete "must" and insert "may"

Page 69, after line 9, insert:

"Sec. 101. [EFFECTIVE DATES.]

Sections 8, 34, 35, 39, 60, 61, 62, 65, 82, 84, 88, 93, and 97 are effective the day following final enactment. The remaining sections are effective July 1, 1988."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 14, delete everything after the semicolon

Page 1, line 15, delete "2;"

Page 1, line 27, delete "124.214, subdivision 3;"

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. 2036, A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

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

The report was adopted.

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

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

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 17, delete "Northeast" and insert "Northwest"

Page 2, line 17, delete "\$" and insert "\$600 per acre."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 9, delete "enters the"

Page 1, line 10, delete "property of another and"

Page 1, line 11, after the fourth comma insert "horses, fur-bearing animals,"

Page 1, line 12, delete "raised for food production"

Page 1, line 14, delete "enters the"

Page 1, line 15, delete "property of another and"

Page 1, line 16, after the fourth comma insert "horses, fur-bearing animals,"

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

The report was adopted.

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

H. F. No. 2061, A bill for an act relating to workers' compensation; providing a single type of benefit for permanent partial disabilities; requiring all employers to purchase workers' compensation insurance from the state insurance fund; amending Minnesota Statutes 1986, sections 176.021, subdivision 3; 176.061, subdivision 10; 176.101, subdivisions 3e, 3f, 3i, 3j, 3l, 3r, and by adding a subdivision; 176.185, by adding a subdivision; 176.221, subdivision 6a; 176A.03, subdivision 2; Minnesota Statutes 1987 Supplement, sections 176.179; and 176A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 176A; repealing Minnesota Statutes 1986, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3g, 3m, 3o, 3p, 3q, 3s, and 3t; and 176.105.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 79.252, is amended by adding a subdivision to read:

Subd. 6. [TERMINATION.] The assigned risk plan shall not issue policies or contracts for coverage for injuries occurring after December 31, 1989.

Sec. 2. Minnesota Statutes 1986, section 176.021, subdivision 3, is amended to read:

Subd. 3. [COMPENSATION, COMMENCEMENT OF PAYMENT.] All employers shall commence payment of compensation at the time and in the manner prescribed by this chapter without the necessity of any agreement or any order of the division. Except for medical, burial, and other nonperiodic benefits, payments shall be made as nearly as possible at the intervals when the wage was payable, provided, however, that payments for permanent partial disability shall be governed by section 176.101. If doubt exists as to the eventual permanent partial disability, payment for the ~~economic recovery compensation or impairment compensation, whichever is due,~~ pursuant to section 176.101, shall be then made when due for the minimum permanent partial disability ascertainable, and further payment shall be made upon any later ascertainment of greater permanent partial disability. Prior to or at the time of commencement of the payment of ~~economic recovery compensation or lump sum or periodic payment of impairment compensation~~ permanent partial disability benefits, the employee and employer shall be furnished with a copy of the medical report upon which the payment is based and all other medical reports which the insurer has that indicate a permanent partial disability rating, together with a statement by the insurer as to whether the tendered payment is for minimum permanent partial disability or final and eventual disability. After receipt of all reports available to the insurer that indicate a permanent partial disability rating, the employee shall make available or permit the insurer to obtain any medical report that the employee has or has knowledge of that contains a permanent partial disability rating which the insurer does not already have. ~~Economic recovery compensation or impairment compensation~~ Permanent partial disability benefits pursuant to section 176.101 is payable in addition to but not concurrently with compensation for temporary total disability but is payable pursuant to section 176.101. ~~Impairment compensation~~ Permanent partial disability benefits are payable concurrently and in addition to compensation for permanent total disability pursuant to section 176.101. ~~Economic recovery compensation or impairment compensation~~ pursuant to section 176.101, but shall be withheld pending completion of payment for temporary total disability, and no credit shall be taken for payment of ~~economic recovery compensation or impairment compensation~~ permanent partial disability against liability for temporary total or future permanent total disability. Liability on the part of an employer or the insurer for disability of a temporary total, temporary partial, and permanent total nature shall be considered as a continuing product and part of the employee's inability to earn or reduction in earning capacity due to injury or occupational disease and compensation is payable accordingly, subject to section 176.101. ~~Economic recovery compensation or impairment compensation~~ Permanent partial disability is payable for functional loss of use or impairment of function, permanent in nature, and payment there-

fore shall be separate, distinct, and in addition to payment for any other compensation, subject to section 176.101. The right to receive temporary total, temporary partial, or permanent total disability payments vests in the injured employee or the employee's dependents under this chapter or, if none, in the employee's legal heirs at the time the disability can be ascertained and the right is not abrogated by the employee's death prior to the making of the payment.

The right to receive ~~economic recovery compensation or impairment compensation~~ permanent partial disability benefits vests in an injured employee at the time the disability can be ascertained provided that the employee lives for at least 30 days beyond the date of the injury. Upon the death of an employee who is receiving ~~economic recovery compensation or impairment compensation~~ permanent partial disability benefits, further compensation is payable pursuant to section 176.101. ~~Impairment compensation is payable under this paragraph if vesting has occurred, the employee dies prior to reaching maximum medical improvement, and the requirements and conditions under section 176.101, subdivision 3e, are not met.~~

Disability ratings for permanent partial disability shall be based on objective medical evidence.

Sec. 3. Minnesota Statutes 1986, section 176.061, subdivision 10, is amended to read:

Subd. 10. [INDEMNITY.] Notwithstanding the provisions of chapter 65B or any other law to the contrary, an employer has a right of indemnity for any compensation paid or payable pursuant to this chapter, including temporary total compensation, temporary partial compensation, permanent partial disability, ~~economic recovery compensation, impairment compensation,~~ medical compensation, rehabilitation, death, and permanent total compensation.

Sec. 4. Minnesota Statutes 1986, section 176.101, subdivision 1, is amended to read:

Subdivision 1. [TEMPORARY TOTAL DISABILITY.] For injury producing temporary total disability, the compensation is 66 $\frac{2}{3}$ percent of the weekly wage at the time of injury

(1) provided that during the year commencing on October 1, 1979, and each year thereafter, commencing on October 1, the maximum weekly compensation payable is the statewide average weekly wage for the period ending December 31, of the preceding year.

(2) The minimum weekly compensation benefits for temporary total disability shall be not less than 50 percent of the statewide

average weekly wage or the injured employee's actual weekly wage, whichever is less. In no case shall a weekly benefit be less than 20 percent of the statewide average weekly wage.

Subject to subdivisions 3a to 3u This compensation shall be paid during the period of disability, up to 500 weeks' payment to be made at the intervals when the wage was payable, as nearly as may be.

Sec. 5. Minnesota Statutes 1986, section 176.101, subdivision 2, is amended to read:

Subd. 2. [TEMPORARY PARTIAL DISABILITY.] In all cases of temporary partial disability the compensation shall be 66 $\frac{2}{3}$ percent of the difference between the weekly wage of the employee at the time of injury and the wage the employee is able to earn in the employee's partially disabled condition. This compensation shall be paid during the period of disability up to 500 weeks except as provided in this section, payment to be made at the intervals when the wage was payable, as nearly as may be, and subject to a maximum compensation equal to the statewide average weekly wage. If the employer does not furnish the worker with work which the worker can do in a temporary partially disabled condition and the worker is unable to procure such work with another employer, after reasonably diligent effort, the employee shall be paid at the full compensation rate for the employee's temporary total disability.

Sec. 6. Minnesota Statutes 1986, section 176.101, is amended by adding a subdivision to read:

Subd. 3. [PERMANENT PARTIAL DISABILITY.] For permanent partial disability compensation shall be that named in the following schedule:

(1) For the loss of a thumb the permanent partial disability rate at the time of injury during 65 weeks;

(2) For the loss of a first finger, commonly called index finger the permanent partial disability rate at the time of injury during 40 weeks;

(3) For the loss of a second finger the permanent partial disability rate at the time of injury during 35 weeks;

(4) For the loss of a third finger the permanent partial disability rate at the time of injury during 25 weeks;

(5) For the loss of a fourth finger, commonly called the little finger the permanent partial disability rate at the time of injury during 20 weeks;

(6) The loss of the first phalange of the thumb or of any finger, is considered equal to the loss of one-half of the thumb or finger and compensation shall be paid at the prescribed rate during one-half the time specified for the loss of the thumb or finger;

(7) The loss of one and one-half or more phalanges is considered equal to the loss of the entire finger or thumb; but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;

(8) For the loss of a great toe the permanent partial disability rate at the time of injury during 35 weeks;

(9) For the loss of a toe other than a great toe the permanent partial disability rate at the time of injury during 15 weeks;

(10) The loss of the first phalange of any toe is considered equal to the loss of one-half of the toe, and compensation shall be paid at the permanent partial disability rate during one-half the time specified for the loss of the toe;

(11) The loss of one and one-half or more phalanges is considered equal to the loss of the entire toe;

(12) For the loss of a hand, not including the wrist movement, the permanent partial disability rate at the time of injury during 195 weeks;

(13) For the loss of a hand, including wrist movement, the permanent partial disability rate at the time of injury during 220 weeks;

(14) For the loss of an arm the permanent partial disability rate at the time of injury during 270 weeks;

(15) Amputation of the arm below the elbow is considered the loss of a hand, including wrist movement, if enough of the forearm remains to permit the use of an effective artificial member, otherwise it is considered the loss of an arm;

(16) For the loss of a foot, not including ankle movement, the permanent partial disability rate at the time of injury during 140 weeks;

(17) For the loss of a foot, including ankle movement, the permanent partial disability rate at the time of injury during 165 weeks;

(18) For the loss of a leg, if enough of the leg remains to permit the

use of an effective artificial member the permanent partial disability rate at the time of injury during 195 weeks;

(19) For the loss of a leg so close to the hip that no effective artificial member can be used the permanent partial disability rate at the time of injury during 220 weeks;

(20) Amputation of a leg below the knee is considered as equal to the loss of a foot, including ankle movement, if enough of the lower leg remains to permit the use of an effective artificial member, otherwise it is considered as equal to the loss of a leg;

(21) For the loss of an eye the permanent partial disability rate at the time of injury during 160 weeks;

(22) For the complete permanent loss of hearing in one ear the permanent partial disability rate at the time of injury during 85 weeks;

(23) For the complete permanent loss of hearing in both ears the permanent partial disability rate at the time of injury during 170 weeks;

(24) For the loss of an eye and a leg the permanent partial disability rate at the time of injury during 475 weeks;

(25) For the loss of an eye and an arm the permanent partial disability rate at the time of injury during 475 weeks;

(26) For the loss of an eye and a hand the permanent partial disability rate at the time of injury during 450 weeks;

(27) For the loss of an eye and a foot the permanent partial disability rate at the time of injury during 400 weeks;

(28) For the loss of two arms, other than at the shoulder, the permanent partial disability rate at the time of injury during 500 weeks;

(29) For the loss of two hands the permanent partial disability rate at the time of injury during 500 weeks;

(30) For the loss of two legs, other than so close to the hips that no effective artificial member can be used, the permanent partial disability rate at the time of injury during 500 weeks;

(31) For the loss of two feet the permanent partial disability rate at the time of injury during 500 weeks;

(32) For the loss of one arm and the other hand the permanent partial disability rate at the time of injury during 500 weeks;

(33) For the loss of one hand and one foot the permanent partial disability rate at the time of injury during 500 weeks;

(34) For the loss of one leg and the other foot the permanent partial disability rate at the time of injury during 500 weeks;

(35) For the loss of one leg and one hand the permanent partial disability rate at the time of injury during 500 weeks;

(36) For the loss of one arm and one foot the permanent partial disability rate at the time of injury during 500 weeks;

(37) For the loss of one arm and one leg the permanent partial disability rate at the time of injury during 500 weeks;

(38) For the loss of the voice mechanism the permanent partial disability rate at the time of injury during 500 weeks;

(39) For head injuries the permanent partial disability rate at the time of injury for that proportion of 500 weeks which is represented by its percentage of the permanent partial disability to the entire body as is determined from competent testimony at a hearing before a compensation judge or as determined by the workers' compensation court of appeals in cases on appeal;

(40) For permanent partial disability resulting from injury to any internal organ the permanent partial disability rate at time of injury for that proportion of 500 weeks, not to exceed 500 weeks, which is the proportionate amount of permanent partial disability caused to the entire body by the injury as is determined from competent testimony at a hearing before a compensation judge or the workers' compensation court of appeals in cases on appeal;

(41) For disfigurement or scarring not resulting from the loss of a member or other injury specifically compensated affecting the employability or advancement opportunity of the injured person in the employment in which the employee was injured or other employment for which the employee is then qualified or for which the employee has become qualified, the permanent partial disability rate at the time of injury during the period the parties agree to or the compensation judge or the workers' compensation court of appeals in cases on appeal determines, not exceeding 90 weeks;

(42) For permanent partial disability resulting from injury to the back the permanent partial disability rate at the time of the injury for that proportion of 350 weeks which is represented by the percentage of the permanent partial disability as is determined from

competent testimony at a hearing before a compensation judge, the commissioner, or the workers' compensation court of appeals;

(43) When an employee sustains concurrent injuries resulting in concurrent disabilities the employee shall receive compensation only for the injury which entitled the employee to the largest amount of compensation, but this does not affect liability for disfigurement affecting the employability of the injured person or liability for the concurrent loss of more than one member, for which members compensations are provided in the specific schedule and in subdivision 5;

(44) In all cases of permanent partial disability it is considered that the permanent loss of the use of a member is equivalent to and draws the same compensation as the loss of that member, but the compensation provided by this schedule shall be in lieu of all other compensation in these cases, except as otherwise provided by this section;

In the event a worker has been awarded or is entitled to receive compensation for loss of use of a member under any workers' compensation law, and thereafter sustains loss of the member under circumstances entitling the employee to compensation therefor under this subdivision, the amount of compensation awarded, or that the employee is entitled to receive, for the loss of use, is to be deducted from the compensation due under the schedules of this section for the loss of the member, provided, that the amount of compensation due for the loss of the member caused by this subsequent accident is in no case less than 25 percent of the compensation payable under the schedule of this section for the loss of the member;

(45) In cases of permanent partial disability due to injury to a member, resulting in less than total loss of the member, not otherwise compensated in this schedule, compensation shall be paid at the permanent partial disability rate during that part of the time specified in the schedule for the total loss of the member which the extent of the injury to the member bears to its total loss;

(46) In cases of permanent partial disability caused by simultaneous injury to two or more members, the applicable schedules in this subdivision shall be increased by 15 percent. This clause shall not apply when the injuries are compensated under paragraphs 22 to 37. In cases of permanent partial disability due to injury to both eyes resulting in less than total loss of vision in one or both eyes compensation shall be paid at the permanent partial disability rate during that part of 450 weeks which the extent of the combined injury to both eyes bears to the complete loss of industrial vision;

(47) For permanent partial disability resulting from injury to the body as a whole due to burns the permanent partial disability rate

at the time of injury, for that proportion of 350 weeks which is represented by the percentage of the permanent partial disability as is determined from competent testimony at a hearing before a compensation judge, the compensation to be paid in addition to the compensation an employee would otherwise be entitled to for loss of use of a member in accordance with this section;

(48) The permanent partial disability payable as the result of any injury shall not exceed 750 weeks;

(49) The compensation rate for permanent partial disability shall be the weekly rate payable for temporary total disability, under section 176.101, subdivision 1, per week.

Sec. 7. Minnesota Statutes 1986, section 176.101, subdivision 3r, is amended to read:

Subd. 3r. [PAYMENT OF COMPENSATION AT DEATH.] If an employee receiving ~~economic recovery compensation or impairment compensation in periodic amounts~~ permanent partial disability compensation dies during the period from causes unrelated to the injury, the compensation shall be paid in the following manner:

(a) If the deceased employee leaves a dependent surviving spouse and no dependent children, as defined by section 176.111, subdivision 1, the spouse shall receive the ~~periodic economic recovery or impairment~~ permanent partial disability compensation that the deceased was receiving before the death. This compensation shall be paid for a period of up to ten years after the date of death at which time payments and future entitlement to it ceases.

(b) If the deceased employee leaves a dependent spouse and dependent children, as defined in section 176.111, subdivision 1, the ~~periodic economic recovery or impairment~~ permanent partial disability compensation shall continue to be paid to the surviving spouse for up to ten years after the last child is no longer dependent after which time payments and future entitlement to the compensation ceases.

(c) If the deceased employee leaves a dependent child, as defined by section 176.111, and no dependent spouse, the ~~periodic economic recovery or impairment~~ permanent partial disability compensation shall continue to be paid to the child until the child is no longer dependent or until the amount to which the employee was entitled to receive is exhausted, whichever is later.

(d) Payment of compensation under this subdivision shall cease prior to the end of the ten-year periods in this subdivision if the amount to which the employee is entitled to receive under subdivision 3a or 3b is reached prior to the end of the ten-year period except

as provided in clause (c). If the deceased employee is not survived by dependent children or a dependent spouse as defined in section 176.111, no further ~~economic recovery compensation or impairment~~ permanent partial disability compensation is payable to any person.

(e) If the death results from the injury, the payment of ~~economic recovery compensation or impairment~~ the permanent partial disability compensation shall cease upon the death and in lieu thereof death benefits are payable pursuant to section 176.111.

Sec. 8. Minnesota Statutes 1986, section 176.102, subdivision 9, is amended to read:

Subd. 9. [PLAN, COSTS.] An employer is liable for the following rehabilitation expenses under this section:

(a) Cost of rehabilitation evaluation and preparation of a plan;

(b) Cost of all rehabilitation services and supplies necessary for implementation of the plan;

(c) Reasonable cost of tuition, books, travel, and custodial day care; and, in addition, reasonable costs of board and lodging when rehabilitation requires residence away from the employee's customary residence;

(d) Reasonable costs of travel and custodial day care during the job interview process;

(e) Reasonable cost for moving expenses of the employee and family if a job is found in a geographic area beyond reasonable commuting distance after a diligent search within the present community. Relocation shall not be paid more than once during any rehabilitation program, and relocation shall not be required if the new job is located within the same standard metropolitan statistical area as the employee's job at the time of injury. An employee shall not be required to relocate and a refusal to relocate shall not result in a suspension or termination of compensation under this chapter; and

(f) Any other expense agreed to be paid.

Until January 1, 1990, an employer is not liable for the cost of services of any qualified rehabilitation consultant or rehabilitation vendor that exceeds the average amount charged by the consultant or vendor for those services on January 1, 1988.

Sec. 9. Minnesota Statutes 1986, section 176.136, subdivision 1, is amended to read:

Subdivision 1. [SCHEDULE.] The commissioner shall by rule establish procedures for determining whether or not the charge for a health service is excessive. In order to accomplish this purpose, the commissioner shall consult with insurers, associations and organizations representing the medical and other providers of treatment services and other appropriate groups. The procedures established by the commissioner shall limit the charges allowable for medical, chiropractic, podiatric, surgical, hospital and other health care provider treatment or services, as defined and compensable under section 176.135, to the 75th percentile of usual and customary fees or charges based upon billings for each class of health care provider during all of the calendar year preceding the year in which the determination is made of the amount to be paid the health care provider for the billing. The schedule that was in effect on January 1, 1988, shall remain in effect until January 1, 1990. The procedures established by the commissioner for determining whether or not the charge for a health service is excessive shall be structured to encourage providers to develop and deliver services for rehabilitation of injured workers. The procedures shall incorporate the provisions of sections 144.701, 144.702, and 144.703 to the extent that the commissioner finds that these provisions effectively accomplish the intent of this section or are otherwise necessary to insure that quality hospital care is available to injured employees.

Sec. 10. Minnesota Statutes 1987 Supplement, section 176.179, is amended to read:

176.179 [PAYMENTS OF COMPENSATION RECEIVED IN GOOD FAITH.]

Notwithstanding section 176.521, subdivision 3, or any other provision of this chapter to the contrary, except as provided in this section, no lump sum or weekly payment, or settlement, which is voluntarily paid to an injured employee or the survivors of a deceased employee in apparent or seeming accordance with the provisions of this chapter by an employer or insurer, or is paid pursuant to an order of the workers' compensation division, a compensation judge, or court of appeals relative to a claim by an injured employee or the employee's survivors, and received in good faith by the employee or the employee's survivors shall be refunded to the paying employer or insurer in the event that it is subsequently determined that the payment was made under a mistake in fact or law by the employer or insurer. When the payments have been made to a person who is entitled to receive further payments of compensation for the same injury, the mistaken compensation may be taken as a full credit against future lump sum benefit entitlement and as a partial credit against future weekly benefits. The credit applied against further payments of temporary total disability, temporary partial disability, permanent total disability, retraining benefits, death benefits, or weekly payments of ~~economic recovery or impair-~~

~~ment compensation~~ permanent partial disability shall not exceed 20 percent of the amount that would otherwise be payable.

A credit may not be applied against medical expenses due or payable.

Sec. 11. Minnesota Statutes 1986, section 176.181, subdivision 2, is amended to read:

Subd. 2. [COMPULSORY INSURANCE; SELF-INSURERS.] (1) Every employer, except the state and its municipal subdivisions, liable under this chapter to pay compensation shall insure payment of compensation with some insurance carrier authorized to insure workers' compensation liability in this state, or obtain a written order from the commissioner of commerce exempting the employer from insuring liability for compensation and permitting self-insurance of the liability; provided that no employer may self-insure after December 31, 1989. The terms, conditions and requirements governing self-insurance shall be established by the commissioner pursuant to chapter 14. The commissioner of commerce shall also adopt, pursuant to clause (2)(c), rules permitting two or more employers, whether or not they are in the same industry, to enter into agreements to pool their liabilities under this chapter for the purpose of qualifying as group self-insurers. With the approval of the commissioner of commerce, any employer may exclude medical, chiropractic and hospital benefits as required by this chapter. An employer conducting distinct operations at different locations may either insure or self-insure the other portion of operations as a distinct and separate risk. An employer desiring to be exempted from insuring liability for compensation shall make application to the commissioner of commerce, showing financial ability to pay the compensation, whereupon by written order the commissioner of commerce, on deeming it proper, may make an exemption. The commissioner of commerce may require further statements of financial ability of the employer to pay compensation. Upon ten days written notice the commissioner of commerce may revoke the order granting an exemption, in which event the employer shall immediately insure the liability. As a condition for the granting of an exemption the commissioner of commerce may require the employer to furnish security the commissioner of commerce considers sufficient to insure payment of all claims under this chapter. If the required security is in the form of currency or negotiable bonds, the commissioner of commerce shall deposit it with the state treasurer. In the event of any default upon the part of a self-insurer to abide by any final order or decision of the commissioner of labor and industry directing and awarding payment of compensation and benefits to any employee or the dependents of any deceased employee, then upon at least ten days notice to the self-insurer, the commissioner of commerce may by written order to the state treasurer require the treasurer to sell the pledged and assigned securities or a part thereof necessary to pay the full amount of any such claim or award with interest thereon.

This authority to sell may be exercised from time to time to satisfy any order or award of the commissioner of labor and industry or any judgment obtained thereon. When securities are sold the money obtained shall be deposited in the state treasury to the credit of the commissioner of commerce and awards made against any such self-insurer by the commissioner of commerce shall be paid to the persons entitled thereto by the state treasurer upon warrants prepared by the commissioner of commerce and approved by the commissioner of finance out of the proceeds of the sale of securities. Where the security is in the form of a surety bond or personal guaranty the commissioner of commerce, at any time, upon at least ten days notice and opportunity to be heard, may require the surety to pay the amount of the award, the payments to be enforced in like manner as the award may be enforced.

(2)(a) No association, corporation, partnership, sole proprietorship, trust or other business entity shall provide services in the design, establishment or administration of a group self-insurance plan under rules adopted pursuant to this subdivision unless it is licensed to do so by the commissioner of commerce. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to provide. The license shall be granted only when the commissioner of commerce is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner of commerce may issue a license subject to restrictions or limitations, including restrictions or limitations on the type of services which may be supplied or the activities which may be engaged in. The license is for a two-year period.

(b) To assure that group self-insurance plans are financially solvent, administered in a fair and capable fashion, and able to process claims and pay benefits in a prompt, fair and equitable manner, entities licensed to engage in such business are subject to supervision and examination by the commissioner of commerce.

(c) To carry out the purposes of this subdivision, the commissioner of commerce may promulgate administrative rules, including emergency rules, pursuant to sections 14.01 to 14.70. These rules may:

(i) establish reporting requirements for administrators of group self-insurance plans;

(ii) establish standards and guidelines to assure the adequacy of the financing and administration of group self-insurance plans;

(iii) establish bonding requirements or other provisions assuring the financial integrity of entities administering group self-insurance plans;

(iv) establish standards, including but not limited to minimum terms of membership in self-insurance plans, as necessary to provide stability for those plans;

(v) establish standards or guidelines governing the formation, operation, administration and dissolution of self-insurance plans; and

(vi) establish other reasonable requirements to further the purposes of this subdivision.

Sec. 12. Minnesota Statutes 1986, section 176.185, is amended by adding a subdivision to read:

Subd. 11. [CONTINUING LIABILITY.] Insurers remain liable under all policies of insurance written before January 1, 1990, for any injuries occurring before that date.

Sec. 13. Minnesota Statutes 1986, section 176.185, is amended by adding a subdivision to read:

Subd. 12. [RATES FOR NEW POLICIES.] For policies issued after the effective date of this section, including all renewals, an insurer may not charge more than the rates filed with the commissioner of commerce, under section 79.56, that were in effect on January 1, 1988.

Sec. 14. Minnesota Statutes 1986, section 176.221, subdivision 6a, is amended to read:

Subd. 6a. [MEDICAL, REHABILITATION, ECONOMIC RECOVERY, AND IMPAIRMENT PERMANENT PARTIAL COMPENSATION.] The penalties provided by this section apply in cases where payment for treatment under section 176.135, or rehabilitation expenses under section 176.102, subdivisions 9 and 11, ~~economic recovery compensation or impairment or permanent partial compensation~~ are not made in a timely manner as required by law or by rule adopted by the commissioner.

Sec. 15. Minnesota Statutes 1987 Supplement, section 176A.02, subdivision 1, is amended to read:

Subdivision 1. [FUND CREATED.] The fund is created as a nonprofit independent public corporation for the purpose of insuring employers against liability for personal injuries for which their employees may be entitled to benefits under chapter 176. The fund must be organized as a domestic mutual insurance company. The fund shall insure all employers in Minnesota that are required to provide insurance under chapter 176, including the state or municipal subdivisions or those employers that, before January 1, 1990,

qualified as self-insured under section 176.181. The fund shall also provide insurance to employers who elect coverage under chapter 176.

Sec. 16. Minnesota Statutes 1986, section 176A.03, subdivision 2, is amended to read:

Subd. 2. [INSURE WORKERS' COMPENSATION LIABILITY.] The fund ~~may~~ shall insure ~~an~~ every employer that is required or elects to provide insurance under chapter 176 after December 31, 1989, against any workers' compensation claim arising out of and in the course of employment, as fully as any other insurer. The fund may insure employers who elect coverage under chapter 176.

Sec. 17. Minnesota Statutes 1987 Supplement, section 176A.08, is amended to read:

176A.08 [EXEMPTION FROM AND APPLICABILITY OF CERTAIN LAWS.]

The fund shall not be considered a state agency for any purpose including, but not limited to, chapters 13, 14, 15, 15A, and 43A. However, the fund shall be subject to sections 179A.01 to 179A.25. The insurance operations of the fund are subject to all of the provisions of chapters 60A and 60B, and the commissioner of commerce has the same powers with respect to the board as the commissioner has with respect to a private workers' compensation insurer under chapters 60A and 60B, except that the state fund shall not be subject to any premium to surplus requirements or to the minimum surplus requirements of section 60A.07. The fund is considered an insurer for the purposes of chapters 60C, 72A, 79, and 176. The fund is subject to the same tax liability as a mutual insurance company in this state pursuant to section 60A.15. As a condition of its authority to transact business in this state the fund shall be a member of the workers' compensation reinsurance association and is bound by its plan of operation.

Sec. 18. [176A.12] [MANDATORY PARTICIPATION.]

Subdivision 1. [ALL EMPLOYERS MUST INSURE WITH FUND.] After December 31, 1989, every employer, including the state and its municipal subdivisions, liable under chapter 176 to pay compensation shall insure payment of compensation with the state insurance fund.

Subd. 2. [TRANSITION; LOW-RISK EMPLOYERS.] After December 31, 1988, the fund must insure every employer applying for insurance if the employer has not been liable for workers' compensation benefits, other than medical benefits, for any injury or death occurring after December 31, 1983.

Sec. 19. [176A.13] [EMPLOYERS TO FURNISH INFORMATION; ACCESS TO INFORMATION; CONFIDENTIALITY.]

Subdivision 1. [EMPLOYER INFORMATION.] Every employer shall furnish the manager, upon request, all information required by him to carry out the purposes of this chapter. The manager, or any person employed by the manager for that purpose, shall have the right to examine under oath any employer or officer, agent or employee of any employer. The manager shall prepare and furnish report forms for employers subject to this chapter.

Subd. 2. [GOVERNMENT INFORMATION.] Notwithstanding the provisions of any other statute, the manager may receive the following information:

(a) Upon written request to the state tax commissioner: The names, addresses and other identifying information of all businesses filing state tax returns or receiving a business franchise registration certificate.

(b) Upon written application to the commissioner of the department of jobs and training: The names, addresses and other identifying information of all employing units filing reports and information pursuant to chapter 268, as well as information contained in those reports regarding the number of employees employed and the gross quarterly wages paid by each employing unit.

Subd. 3. [CONFIDENTIALITY.] All information acquired by the commissioner pursuant to subdivision 2 shall be used only for auditing premium payments and registering businesses.

Information acquired by the manager pursuant to subdivision 1 or 2 shall be considered private data on individuals under section 13.02, subdivision 12, or protected nonpublic data under section 13.02, subdivision 13.

Sec. 20. [176A.14] [CLASSIFICATION OF INDUSTRIES; ACCOUNTS; EXPERIENCE RATING.]

Subdivision 1. [CLASSIFICATIONS.] The manager shall classify all occupations or industries, in accordance with the nature of the business and the degree of hazard. The manager may reclassify such industries into groups or classes at any time, and to create additional groups or classes. The manager may make necessary expenditures to obtain statistical and other information to establish the classes provided for in this section.

Subd. 2. [ACCOUNTS.] The manager shall keep an accurate account of all money paid or credited to the compensation fund, and of the liability incurred and disbursements made against same; and

an accurate account of all money received from each individual subscriber; and of the liability incurred and disbursements made on account of injuries and death of the employees of each subscriber; and of the receipts and incurred liability of each group or class.

In compensable fatal and total permanent disability cases, the amount charged against the employer's account shall be the estimated average incurred loss of such cases to the fund.

Subd. 3. [PREMIUMS.] The manager shall fix and maintain basic rates of premiums which shall be the lowest possible rates of premiums necessary to maintain a solvent workers' compensation fund and the creation and maintenance of a reasonable surplus in each classification, after providing for the payment to maturity of all liability incurred by reason of injury or death to employees entitled to benefits under this chapter. The manager shall use a method of premium calculation consistent with recognized actuarial principles of workers' compensation insurance. The manager may adjust rates annually, or at other times if necessary to maintain fund solvency, including adjustments necessary to fund benefits incurred by bankrupt and delinquent employers.

Subd. 4. [EXPERIENCE RATING.] Notwithstanding any provision to the contrary in chapter 79, the manager may fix premium rates pursuant to multiple rating plan levels, not to exceed three within a single business classification; the specific rating plan level to be applied is determined by risk factors other than premium size; provided, that if any classification has a sufficient number of employers with considerable difference in their degrees of hazard or experience, the manager may fix a rate for any subscriber of such classification, based upon the employer's experience record for a period not to exceed five years ending December 31 of the year preceding the year in which the rate is to be effective; the liability part of such record shall include cases that have been acted upon during such period, irrespective of the date the injury was received; and any subscriber in a classification so rated, whose record for such period cannot be obtained, shall be given a rate based upon the subscriber's record for any part of such period as may be deemed just and equitable by the manager. The manager may fix a reasonable minimum and maximum for any classification to which this individual method of rating is applied, and to add to the rate determined from the employer's record such amount as is necessary to liquidate any deficit as to create a reasonable surplus.

Subd. 5. [NOTICE TO EMPLOYERS.] The manager must notify every employer of any change in rate. The manager must also furnish each employer annually, or more often upon request, a statement giving the name of each employee who was paid for an injury and the amounts so paid during the period covered by the statement.

Sec. 21. [176A.15] [APPLICATION; PAYMENT OF PREMIUMS; PAYROLL REPORT; PREMIUMS; DEPOSITS.]

Subdivision 1. [PAYMENT.] For the purpose of creating a workers' compensation fund, each employer who is required to subscribe to the fund or who elects to subscribe to the fund, shall pay premiums calculated as a percentage of the employer's payroll at the rate determined by the manager. At the time each employer subscribes to the fund, the employer shall submit an application required by the manager and prepay a premium equal to the first year's estimated premium payment. The minimum premium to be paid by any employer shall be \$40.

Thereafter, premiums shall be paid annually on or before the last day of the premium year, and shall be the prescribed percentage of the total earnings of all employees during the preceding year.

At the time each premium is paid, every subscribing employer shall make a payroll report to the manager for the preceding year. The manager may audit each employer annually to determine whether sufficient premium was paid. The report shall be on the form prescribed by the manager.

Subd. 2. [ACCOUNTS.] All premiums and premium deposits required to be paid by this chapter shall be paid by the employers to the fund, which shall maintain record of all sums so received.

Sec. 22. [176A.16] [DELINQUENCY; DEFAULT; REINSTATEMENT; PAYMENT OF BENEFITS; NOTICE TO EMPLOYEES.]

Subdivision 1. [DELINQUENCY.] Failure of an employer to timely pay premium, to timely file a payroll report, or to maintain an adequate premium deposit, shall cause the employer's account to become delinquent. No employer will be declared delinquent or be assessed any penalty if the manager determines that such delinquency has been caused by delays in the administration of the fund. The manager shall, in writing, within 60 days of the end of the premium year, notify all delinquent employers of their delinquency and demand the filing of the delinquent payroll report and payment of delinquent premiums, or insufficient deposits and any interest owed, before the end of the third month following the end of the preceding premium year.

Subd. 2. [NOTICE OF DELINQUENCY.] The notification of delinquency shall explain the legal consequence of subsequent default by employers required to subscribe to the fund, and the effects of termination of any electing employer's account.

Subd. 3. [FAILURE TO RESOLVE DELINQUENCY.] An employer who fails to resolve a delinquency within the prescribed

period under subdivision 1, shall be in default. In addition to being subject to this chapter, the employer shall be deemed an uninsured employer under chapter 176, subject to all penalties and other provisions of that chapter.

Subd. 4. [REINSTATEMENT.] Any employer, who is required to subscribe to the fund and subsequently defaults, or who elects to subscribe and is terminated, shall be restored immediately to the benefits and protection of chapter 176 upon the filing of all delinquent payroll and other reports required by the manager and payment into the fund of all unpaid premiums, an adequate premium deposit, accrued interest and claims losses paid during the period of delinquency and default. The penalty for interest and claims losses paid by the fund during the period of delinquency and default shall not exceed an amount equal to 50 percent of the premium otherwise due and owing for the period of delinquency and default for the period of five years immediately before receipt of the application for reinstatement. The manager may reinstate an employee under the terms of a repayment agreement, provided that the repayment agreement is null and void, and the employer shall be denied the benefits and protection of chapter 176 effective from the date that such employer's account originally became delinquent, if the employer fails to make scheduled payments under the repayment agreement, to timely pay current premiums or to restore the premium deposit to the required amount by the end of the repayment period. The manager shall prescribe the form and information needed on applications for reinstatement.

Subd. 5. [EMPLOYEE PROTECTION.] No employee of an employer required by this chapter to subscribe to the state insurance fund shall be denied benefits provided by chapter 176 because the employer failed to subscribe or because the employer's account is either delinquent or in default. For injuries after December 31, 1989, such employees or employee dependents, shall be paid compensation from the fund, rather than the special compensation fund.

Subd. 6. [RIGHT OF ACTION.] The provisions of chapter 176 or 176A shall not deprive any individual of any cause of action which has accrued as a result of an injury or death which occurred during any period of delinquency not resolved in accordance with the provisions of this section, or after the failure to comply with the terms of a repayment agreement.

Subd. 7. [WITHDRAWAL.] Upon withdrawal from the fund or termination of election of any employer, the employer shall be refunded any balance due.

Subd. 8. [NOTICE.] The manager shall notify the commissioner of labor and industry, who shall notify the employees of any employer that the employer is no longer insured by the fund. The notice shall specify that the employer is delinquent under the workers' compen-

sation law; and, in the case of employers required by this chapter to subscribe and pay premiums to the fund, that the delinquent employer may be liable to employees for injuries under either workers' compensation law or common law or statute; and, in the case of employers not required by this chapter to subscribe and pay premiums to the fund, but voluntarily electing, that neither the employer nor the employees of such employer are protected by the workers' compensation law as to any injury sustained after the date specified in said notice. Such notice shall be in the form prescribed by the commissioner and must be posted in a conspicuous place at the employer's principal place of employment.

Sec. 23. [176A.17] [PREMIUMS FROM DEFAULTING EMPLOYERS; CIVIL REMEDIES; SECRETARY OF STATE TO WITHHOLD CERTIFICATES OF DISSOLUTION.]

Subdivision 1. [CIVIL ACTION.] The fund may commence a civil action against an employer who, after due notice, defaults in any payment required by this chapter. If judgment is against the employer the employer shall pay the costs of the action.

Subd. 2. [LIENS.] Any payment and interest thereon due and unpaid under this chapter shall be a personal obligation of the employer and shall, in addition thereto, be a lien enforceable against all the property of the employer.

Subd. 3. [INSOLVENCY.] If a business subject to the payments under this chapter shall be operated in connection with a receivership or insolvency proceeding in any Minnesota court, the court under whose direction such business is operated shall make provisions, so far as the assets in administration will permit, for the regular payment of such payments as the same became due.

Subd. 4. [CERTIFICATE OF DISSOLUTION.] The secretary of state of this state shall withhold the issuance of any certificate of dissolution or withdrawal in the case of any corporation organized under the laws of this state or admitted to do business in this state, until notified by the state insurance fund that all payments and interest owed by the corporation has been paid or that provision satisfactory to the manager has been made for payment.

Subd. 5. [EQUITABLE RELIEF.] If an employer required to subscribe to the fund defaults in payments of premium, premium deposit, or interest and the manager has been unable to collect such payments by civil remedies, the manager may bring an action to enjoin such employer from continuing to carry on the business in which such liability was incurred; provided, that the manager may, as an alternative, require such delinquent employer to file a bond in the form prescribed by the manager with satisfactory surety in an amount not less than 50 percent more than the payments and interest due.

Sec. 24. [REPEALER.]

Minnesota Statutes 1986, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3s, and 3t; and 176.105, are repealed.

Sec. 25. [EFFECTIVE DATE.]

Sections 8, 9, and 13 are effective the day following final enactment. The remaining sections are effective October 1, 1988.

Delete the title and insert:

“A bill for an act relating to workers’ compensation; regulating eligibility for benefits; providing a single type of benefit for permanent partial disabilities; requiring all employers to purchase workers’ compensation insurance from the state insurance fund; amending Minnesota Statutes 1986, sections 79.252, by adding a subdivision; 176.021, subdivision 3; 176.061, subdivision 10; 176.101, subdivisions 1, 2, 3r, and by adding a subdivision; 176.102, subdivision 9; 176.136, subdivision 1; 176.181, subdivision 2; 176.185, by adding subdivisions; 176.221, subdivision 6a; 176A.03, subdivision 2; Minnesota Statutes 1987 Supplement, sections 176.179; 176A.02, subdivision 1; and 176A.08; proposing coding for new law in Minnesota Statutes, chapter 176A; repealing Minnesota Statutes 1986, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3s, and 3t; and 176.105.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Otis from the Committee on Economic Development and Housing to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 15, delete “Public Law Number 93-638,” and insert “United States Code, title 25, section 450b”

Page 1, line 16, delete “section 4”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2092, A bill for an act relating to environment; authorizing sanitary districts to apply for and receive assistance from the waste management board for certain solid waste programs; amending Minnesota Statutes 1986, section 115A.50; and Minnesota Statutes 1987 Supplement, section 115A.49.

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 2095, A bill for an act relating to the office of the secretary of state; providing for the simplification of various filings with that office; eliminating certain filings; eliminating the requirement that documents be notarized, verified, or acknowledged; reducing the number of signatures required; setting fees for copies of documents filed with the office of the secretary of state; permitting the correction of documents; setting fees for various filings; allowing the annual registration to fulfill the requirement that an active status report be filed; conforming the business corporation act to the uniform fraudulent conveyances act; increasing the penalties for failure to file an assumed business name; changing the time period during which audits of legal newspapers may occur; amending Minnesota Statutes 1986, sections 5.12; 300.025; 300.49; 302A.115, subdivisions 1 and 7; 302A.551, subdivision 3; 302A.821, subdivision 1; 303.06; 303.10, subdivision 2; 303.11; 303.14, subdivisions 1 and 3; 303.16, subdivision 3; and by adding a subdivision; 306.70; 306.74; 308.06; 308.14, subdivisions 2 and 4; 308.15, subdivisions 1 and 4; 308.59; 317.04, subdivision 3; 317.08, subdivision 1; 317.27, subdivisions 1 and 5; 317.33; 317.35; 317.45, subdivision 4; 318.02, subdivision 1; 322A.12; 322A.14; 322A.73; 322A.74; 333.01; 333.055, subdivision 4; 333.06; 333.20, subdivision 2; 333.22, subdivision 2; 333.23; Minnesota Statutes 1987 Supplement, sections 302A.011, subdivision 11; 302A.139; 302A.615, subdivision 1; 308.58, subdivision 2; 322A.70; and 331A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 5.

Reported the same back with the following amendments:

Page 5, line 13, delete "\$35" and insert "\$25"

Page 10, line 31, after "file" insert "either (a)"

Page 10, line 34, after the comma insert "or (b) with the secretary of state,"

Page 32, after line 30, insert:

"Sec. 44. Minnesota Statutes 1986, section 333.055, subdivision 1, is amended to read:

Subdivision 1. Filing of a certificate hereunder shall be effective for a term of ten years from the date of filing and upon application filed within the six month period prior to the expiration of such term or a renewal thereof, on a form prescribed by the secretary of state, the certificate may be renewed for additional ten year terms. A renewal fee as specified herein, payable to the secretary of state, shall accompany the application for renewal.

The secretary of state shall notify each person filing business holding a certificate hereunder of the necessity of renewal thereof by writing to the last known address of the person business at least six months prior to the certificate's expiration date."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 28, delete the first "subdivision" and insert "subdivisions 1 and"

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. 2109, A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

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

The report was adopted.

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

H. F. No. 2182, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI, establishing a Minnesota environment and natural resources trust fund; providing implementing legislation; creating a legislation commission and an advisory committee; proposing coding for new law as Minnesota Statutes, chapter 115C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [CONSTITUTIONAL AMENDMENT PROPOSED.]

Subdivision 1. [AMENDMENT.] The following amendment to the Minnesota Constitution, adding a section to article XI, is proposed to the people. If the amendment is adopted, the section will read as follows:

Sec. 14. A Minnesota environment and natural resources trust fund is established that annually shall receive state appropriations, including two cents per pack from taxes on cigarettes, until the year 2015, at which time state appropriations to the fund must cease. State contributions to the fund may not exceed \$1,000,000,000.

Subd. 2. [SUBMISSION TO VOTERS.] The proposed amendment must be submitted to the people at the 1988 general election. The question submitted shall be:

“Shall the Minnesota Constitution be amended to establish a Minnesota environment and natural resources trust fund that shall receive state appropriations until the year 2015?”

Yes
No

Sec. 2. [115C.01] [FINDINGS.]

The legislature finds that all Minnesotans share the responsibility to ensure wise stewardship of the state’s environment and natural resources for the benefit of current citizens and future generations. Proper management of the state’s environment and natural resources includes and requires foresight, planning, and long-term activities that allow the state to preserve its high quality environment and provides for wise use of its natural resources. The legislature also finds that to undertake such activities properly, a long-term, consistent, and stable source of funding must be provided.

Sec. 3. [115C.02] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 2 to 13.

Subd. 2. [ADVISORY COMMITTEE.] "Advisory committee" means the advisory committee created in section 7.

Subd. 3. [COMMISSION.] "Commission" means the Minnesota future resources commission created in section 6.

Subd. 4. [TRUST FUND.] "Trust fund" means the Minnesota environment and natural resources trust fund.

Sec. 4. [115C.03] [PURPOSE AND INTENT OF TRUST FUND.]

Subdivision 1. [PURPOSE.] The purpose of the Minnesota environment and natural resources trust fund is to ensure that the environment and natural resources of the state will be protected, conserved, preserved and enhanced for current citizens and for future generations. Expenditures from the trust fund must be made only for activities that provide or contribute to long-term protection, conservation, preservation, or enhancement of the state's air, water, land, fish, wildlife, native vegetation, and other natural resources.

Subd. 2. [INTENT.] It is the intent of the legislature that the trust fund not be used as a substitute for traditional sources of funding environmental and natural resources activities, but that the trust fund supplement those traditional sources, including those sources used to support the categories established in section 9, subdivision 1. The trust fund must be used to primarily support activities whose benefits become available only over an extended period of time.

Sec. 5. [115C.04] [TRUST FUND ACCOUNT.]

Subdivision 1. [ESTABLISHMENT OF ACCOUNT AND INVESTMENT.] A Minnesota environment and natural resources trust fund, under article XI, section 14, of the Minnesota Constitution, if approved by the voters in the 1988 general election, is established as an account in the state treasury. The commissioner of finance shall credit to the trust fund all amounts authorized under section 1 and shall ensure that trust fund money is invested under section 11A.24. All money earned by the trust fund must be credited to the trust fund account and remains available until expended. The principal of the trust fund and any unexpended interest must be invested and reinvested by the state board of investment. The trust fund earns its proportionate share of the total annual state investment income.

Subd. 2. [REVENUE.] Revenue collected in accordance with this

section must be deposited monthly in the trust fund account. Nothing in sections 1 to 14 limit the source of contributions to the trust fund.

Subd. 3. [GIFTS AND DONATIONS.] Gifts and donations, including land or interests in land, may be made to the trust fund. Gifts and donations must be disposed of for cash as soon as the board prudently can maximize the value of the gift or donation. Gifts and donations of marketable securities may remain in their present form or be disposed of for cash at the option of the commission. The cash receipts of gifts and donations of cash or capital assets and marketable securities turned into cash must be credited immediately to the principal of the trust fund. The present value of marketable securities obtained as gifts and donations must be considered as part of the trust fund and any earnings generated must be treated as an earning of the trust fund.

Subd. 4. [TRANSFER OF BALANCES.] After June 30, 1989, balances remaining in the Minnesota resources fund under section 297.13, subdivision 1, must be transferred to the trust fund account created by subdivision 1.

Subd. 5. [AUDITS REQUIRED.] (a) The Minnesota future resources commission shall select a certified public accountant to annually audit the trust fund. The audit must be given to the governor and the legislature and be available to the public.

(b) The legislative audit commission shall audit trust fund expenditures to ensure that the money is spent for the purposes provided in the commission's budget plan.

Sec. 6. [115C.05] [MINNESOTA FUTURE RESOURCES COMMISSION.]

A Minnesota future resources commission of 16 members, consisting of the chairs of the house and senate committees on environment and natural resources, the chairs of the house appropriations and senate finance committees, six members of the senate appointed by the majority leader and six members of the house appointed by the speaker, shall develop a budget plan for expenditures from the trust fund and shall adopt a strategic plan as provided in section 9. At least two members from the senate and two members from the house must be from the minority caucus. Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission. The commission may adopt bylaws and operating procedures to fulfill their duties under this act.

Sec. 7. [115C.06] [ADVISORY COMMITTEE.]

An advisory committee of 15 members, consisting of the commis-

tioners of natural resources, the pollution control agency, the department of health, and the state planning agency; the chairs of the waste management board, the environmental quality board, and the board of water and soil resources; a representative of the University of Minnesota or the state university system appointed by the governor; and seven citizen members appointed by the governor, with not more than three from the seven-county metropolitan area, shall advise the Minnesota future resources commission on project proposals to receive funding from the trust fund and the development of budget and strategic plans. Citizen members shall be appointed so that the following interests are represented:

- (1) environment;
- (2) fish and wildlife;
- (3) labor;
- (4) business; and
- (5) agriculture.

The governor's appointees must be confirmed by the senate. The membership terms, compensation, removal, and filling of vacancies for citizen members of the advisory committee are governed by section 15.0575. Notwithstanding section 15.06, subdivision 6, members of the advisory committee may not delegate their responsibilities to any other person.

Sec. 8. [115C.07] [RESOURCES CONGRESS.]

The advisory committee must convene a resources congress at least once every biennium. The congress must be open to all interested individuals. The purpose of the congress is to collect public input necessary to allow the Minnesota future resources commission, with the advice of the advisory committee, to develop a strategic plan to guide expenditures from the trust fund. The congress also may be convened to receive and review reports on trust fund projects.

Sec. 9. [115C.08] [TRUST FUND EXPENDITURES; EXCEPTIONS; PLANS.]

Subdivision 1. [EXPENDITURES.] Money in the trust fund may be spent for:

- (1) research that contributes to increasing the effectiveness of protecting or managing the state's environment or natural resources;

(2) collection and analysis of information that assists in developing the state's environmental and natural resources policies;

(3) enhancement of public education, awareness, and understanding necessary for the protection, conservation, restoration, and enhancement of air, land, water, fish, wildlife, and other natural resources;

(4) the reinvest in Minnesota program as provided in section 84.95, subdivision 2;

(5) capital projects for the preservation and protection of unique natural resources; and

(6) activities that preserve or enhance fish, wildlife, and other natural resources that otherwise may be lost forever to the citizens of Minnesota.

Subd. 2. [EXCEPTIONS.] No expenditure from the trust fund may be made for:

(1) purposes of environmental compensation and liability under chapter 115B;

(2) purposes of municipal water pollution control under the authority of chapters 115 and 116, including combined sewer overflow under section 116.162; or

(3) costs associated with the decommissioning of nuclear power plants.

Subd. 3. [STRATEGIC PLAN REQUIRED.] (a) The commission shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next six years. The strategic plan must be updated every two years. Project proposals inconsistent with the strategic plan are not eligible for funding from the trust fund.

(b) The advisory committee shall develop the initial outline of the plan, taking into consideration the categories established in subdivision 1. The advisory committee shall place an outline of the strategic plan before the resources congress for review and comment and develop a draft strategic plan based on comments made by the resources congress before submitting it to the commission for approval.

(c) The commission may accept or modify the draft of the strategic plan submitted to it by the advisory committee before voting on the plan's adoption.

Subd. 4. [BUDGET PLAN.] (a) Funding may be provided only for those projects that meet the categories established in subdivision 1.

(b) Projects submitted to the commission for funding must be referred to the advisory committee for recommendation, except that research proposals first must be reviewed by the peer review panel created in this section. The advisory committee must review all project proposals for funding and make recommendations to the commission on whether:

(1) the projects meet the standards and funding categories set forth in sections 2 to 13;

(2) the projects duplicate existing federal, state, or local projects being conducted within the state; and

(3) the projects are consistent with the most recent strategic plan adopted by the commission.

(c) The commission must adopt a budget plan to make expenditures from the trust fund for the purposes provided in subdivision 1. The budget plan must be submitted to the governor for inclusion in the biennial budget and supplemental budget submitted to the legislature.

(d) Expenditures from the trust fund are subject to approval by the legislative appropriations process and approval by the governor, except that individual projects must be approved or not approved in their entirety and new projects may not be added. Funding for any project not approved by the governor and the legislature must be returned to the trust fund account and remains available until expended.

Subd. 5. [PUBLIC MEETINGS.] All advisory committee and commission meetings must be open to the public. The commission shall attempt to meet at least once in each of the state's congressional districts during each biennium.

Subd. 6. [PEER REVIEW.] (a) Research proposals must include a stated purpose, timeline, potential outcomes and an explanation of the need for the research. All research proposals must be reviewed by a peer review panel before receiving an appropriation from the trust fund.

In conducting these reviews, the peer review panel shall:

(1) comment on the methodology proposed and whether it can be expected to yield appropriate and useful information and data;

(2) comment on the need for the research and about similar existing information available, if any;

(3) comment on whether the research proposed meets the categories of subdivision 1; and

(4) report to the commission and advisory committee on clauses (1) to (3).

(b) The peer review panel also must review completed research proposals that have received an appropriation from the trust fund and comment and report upon whether the project reached the intended goals.

Subd. 7. [PEER REVIEW PANEL MEMBERSHIP.] (a) The peer review panel must consist of at least five but not more than 11 members who are knowledgeable in general research methods, including but not limited to the areas of air quality research, water research, fish and wildlife management research, environmental health research, and soil conservation research.

(b) Members of the peer review panel shall be selected by the commission and serve four-year staggered terms according to section 15.059. The commission may select additional temporary members for any research proposal deemed to be too technical for adequate peer review by the panel in paragraph (a). Members of the peer review panel shall elect a chair every two years, who shall be responsible for convening meetings of the panel as often as is necessary to fulfill its duties as prescribed in this section. Compensation of panel members is governed by section 15.059, subdivision 3.

Sec. 10. [115C.09] [ADMINISTRATION.]

Subdivision 1. [ADMINISTRATIVE AUTHORITY.] The commission may appoint legal and other personnel and consultants necessary to carry out their functions and duties as well as those of the advisory committee. Permanent employees shall be in the unclassified service. In addition, the commission may request staff assistance and data from any other agency of state government as needed for the execution of the responsibilities of the commission and advisory committee and an agency must promptly furnish it.

Subd. 2. [ADMINISTRATIVE EXPENSE.] (a) For the first five years of operation, the commission shall submit to the legislature for approval a budget plan that contains a reasonable amount for administrative expenses of the commission and advisory committee. The administrative expenses of the commission and advisory committee shall be paid from the general fund until June 30, 1990.

(b) For the sixth year and thereafter, the expenses of the commission and advisory committee combined may not exceed an amount equal to two percent of the total interest earned by the trust fund in the preceding fiscal year.

(c) The commission and the advisory committee must include their administrative expense in the budget plan submitted to the governor or the legislature.

Subd. 3. [CONFLICT OF INTEREST.] A commission member, advisory committee member, peer review panelist, or an employee of the commission, may not participate in or vote on a decision of the commission, advisory committee, or peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the legislative commission, advisory committee, or peer review panel, or being an employee of the commission, a person shall avoid any potential conflict of interest.

Subd. 4. [REPORTS REQUIRED.] The commission shall, by July 1 of each even-numbered year, submit a report to the governor, the chairs of the house appropriations and senate finance committees and the chairs of the house and senate committees on environment and natural resources. Copies of the report must be available to the public. The report must include:

- (1) a copy of the current strategic plan;
- (2) a description of each project receiving money from the trust fund during the preceding two years;
- (3) a summary of any research project completed in the preceding two years;
- (4) recommendations to implement successful projects and programs into a state agency's standard operations;
- (5) to the extent known by the commission, descriptions of the projects anticipated to be supported by the trust fund during the next two years;
- (6) the source and amount of all revenues collected and distributed by the commission, including all administrative and other expenses;
- (7) a description of the trust fund's assets and liabilities;
- (8) a list of all gifts and donations with a value over \$1,000; and
- (9) a copy of the most recent certified financial and compliance audit.

Sec. 11. [115C.10] [ROYALTIES, COPYRIGHTS, PATENTS.]

The trust fund owns and shall take title to that percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of its total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be immediately deposited in the principal of the trust fund. At its discretion, the commission may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer after the time as the amount of the original grant or loan, plus interest, has been repaid to the trust fund. This must be done before including the project in the budget plan submitted to the legislature and the governor under section 9.

Sec. 12. [115C.11] [AVAILABILITY OF FUNDS FOR DISBURSEMENT.]

The following sums are annually available from the Minnesota environment and natural resources trust fund for the budget plan developed by the commission, subject to legislative appropriation as provided in section 9, subdivision 4:

(1) interest earnings from the trust fund generated in the preceding year;

(2) (a) during the first fiscal year following the effective date of sections 2 to 13, up to 25 percent of the revenue deposited in the trust fund;

(b) during the second year following, up to 20 percent of the revenue deposited in the trust fund the preceding year;

(c) during the third year following, up to 15 percent of the revenue deposited in the fund the previous year;

(d) during the fourth year following, up to ten percent of the revenue deposited in the fund the previous year; and

(e) in the fifth year following, up to five percent of the revenue deposited in the fund the previous year.

Any funds not expended in the biennium they become available must be returned to the principal of the trust fund.

Sec. 13. [115C.12] [NATURAL RESOURCES LOAN PROGRAM.]

Subdivision 1. [LOANS AUTHORIZED.] When the principal of the trust fund equals or exceeds \$250,000,000, the commission may

vote to set aside not more than five percent of the principal of the trust fund in a natural resources loan account for investment purposes. The purpose of this account is to offer below market rate interest loans to local units of government for the purposes of water system improvements or emergency environmental protection, or both, including wastewater treatment, clean-up, and other programs consistent with the criteria established by section 9. The interest on a loan shall be calculated on the declining balance at a rate four percentage points below the secondary market yield of one-year United States treasury bills calculated according to section 549.09, subdivision 1, paragraph (c). An eligible project must prove that existing federal or state loans or grants have not been adequate for the emergency purpose. The amount of the loan, including the interest, must be repaid to the trust fund.

Subd. 2. [APPLICATION AND ADMINISTRATION.] The commission must adopt a procedure for the issuance of the natural resource loans. The commission also must ensure that the loan account is administered according to its fiduciary standards and requirements.

Subd. 3. [EXCEPTION INAPPLICABLE.] The exception noted in section 9, subdivision 2, clause 2, does not apply to loans issued from the natural resources loan account.

Sec. 14. Minnesota Statutes 1987 Supplement, section 116C.69, subdivision 3, is amended to read:

Subd. 3. [FUNDING; ASSESSMENT.] The board shall finance its base line studies, general environmental studies, development of criteria, inventory preparation, monitoring of conditions placed on site certificates and construction permits, and all other work, other than specific site and route designation, from an assessment made quarterly, at least 30 days before the start of each quarter, by the board against all utilities with annual retail kilowatt-hour sales greater than 4,000,000 kilowatt-hours in the previous calendar year.

Until June 30, 1992, the assessment shall also include an amount sufficient to cover 60 percent of the costs to the pollution control agency of achieving, maintaining, and monitoring compliance with the acid deposition control standard adopted under sections 116.42 to 116.45, reprinting informational booklets on acid rain, and costs for additional research on the impacts of acid deposition on sensitive areas published under section 116.44, subdivision 1. The director of the pollution control agency must prepare a work plan and budget and submit them annually by June 30 to the pollution control agency board. The agency board must take public testimony on the budget and work plan. After the agency board approves the work plan and budget they must be submitted annually to the legislative commission on ~~Minnesota resources~~ waste management for review and recommendation before an assessment is levied. Each share

shall be determined as follows: (1) the ratio that the annual retail kilowatt-hour sales in the state of each utility bears to the annual total retail kilowatt-hour sales in the state of all these utilities, multiplied by 0.667, plus (2) the ratio that the annual gross revenue from retail kilowatt-hour sales in the state of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the state of all these utilities, multiplied by 0.333, as determined by the board. The assessment shall be credited to the special revenue fund and shall be paid to the state treasury within 30 days after receipt of the bill, which shall constitute notice of said assessment and demand of payment thereof. The total amount which may be assessed to the several utilities under authority of this subdivision shall not exceed the sum of the annual budget of the board for carrying out the purposes of this subdivision plus 60 percent of the annual budget of the pollution control agency for achieving, maintaining, and monitoring compliance with the acid deposition control standard adopted under sections 116.42 to 116.45, for reprinting informational booklets on acid rain, and for costs for additional research on the impacts of acid deposition on sensitive areas published under section 116.44, subdivision 1. The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the board and the pollution control agency for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Sec. 15. Minnesota Statutes 1986, section 290.431, is amended to read:

290.431 [NONGAME WILDLIFE CHECKOFF.]

Every individual who files an income tax return or property tax refund claim form may designate on their original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that individual and paid into an account to be established for the management of nongame wildlife. The commissioner of revenue shall, on the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the nongame wildlife management account. The sum of the amounts so designated to be paid shall be credited to the nongame wildlife management account for use by the nongame program of the section of wildlife in the department of natural resources. All interest earned on money accrued in the nongame wildlife management account shall be credited to the account by the state treasurer. The commissioner of natural resources shall submit a work program for each fiscal year and semiannual progress reports to the legislative commission on Minnesota future resources commission in the form determined by the commission. None of the money provided in this section may be expended unless the commission has approved the work program.

The state pledges and agrees with all contributors to the nongame wildlife management account to use the funds contributed solely for the management of nongame wildlife projects and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of nongame wildlife.

Sec. 16. Minnesota Statutes 1987 Supplement, section 297.13, subdivision 1, is amended to read:

Subdivision 1. [CIGARETTE TAX APPORTIONMENT.] Revenues received from taxes, penalties, and interest under sections 297.01 to 297.13 and from license fees and miscellaneous sources of revenue shall be deposited by the commissioner of revenue in a separate and special fund, designated as the tobacco tax revenue fund, in the state treasury and credited as follows:

(a) first to the general obligation special tax bond debt service account in each fiscal year the amount required to increase the balance on hand in the account on each December 1 to an amount equal to the full amount of principal and interest to come due on all outstanding bonds whose debt service is payable primarily from the proceeds of the tax to and including the second following July 1; and

(b) after the requirements of paragraph (a) have been met:

(1) the revenue produced by one mill of the tax on cigarettes weighing not more than three pounds a thousand and two mills of the tax on cigarettes weighing more than three pounds a thousand must be credited to a the Minnesota environment and natural resources trust fund for purposes of natural resources acceleration as provided in chapter 86 115C;

(2) the revenue produced by two mills of the tax on cigarettes weighing not more than three pounds a thousand and four mills of the tax on cigarettes weighing more than three pounds a thousand must be credited to the Minnesota state water pollution control fund created in section 116.16, provided that, if the tax on cigarettes imposed by United States Code, title 26, section 5701, as amended, is reduced after June 1, 1985, an additional one mill of the tax on cigarettes weighing not more than three pounds a thousand and two mills of the tax on cigarettes weighing more than three pounds a thousand must be credited to the Minnesota state water pollution control fund created in section 116.16 less any amount credited to the general obligation special tax debt service account under paragraph (a), with respect to bonds issued for the prevention, control, and abatement of water pollution;

(3) the revenue produced by one mill of the tax on cigarettes weighing not more than three pounds a thousand and two mills of

the tax on cigarettes weighing more than three pounds a thousand must be credited to a public health fund, provided that if the tax on cigarettes imposed by United States Code, title 26, section 5701, as amended, is reduced after June 1, 1985, an additional two-tenths of one mill of the tax on cigarettes weighing not more than three pounds a thousand and an additional four-tenths of one mill of the tax on cigarettes weighing more than three pounds a thousand must be credited to the public health fund;

(4) the balance of the revenues derived from taxes, penalties, and interest under sections 297.01 to 297.13 and from license fees and miscellaneous sources of revenue shall be credited to the general fund.

Sec. 17. [REPEALER.]

Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; 86.08; 86.10; 86.11; 86.12; 86.31; 86.32; 86.33, subdivision 1; 86.34; 86.35; 86.41; 86.42; 86.51; 86.53; 86.61; 86.72; and 89.022, subdivision 2, are repealed.

Sec. 18. [EFFECTIVE DATE.]

Sections 2 to 15 are effective immediately upon approval by the voters of the constitutional amendment proposed by section 1. Sections 16 and 17 are effective July 1, 1989."

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing a Minnesota environment and natural resources trust fund; providing implementing legislation; creating a legislative commission, an advisory committee, and a review panel; providing for trust fund expenditures; amending Minnesota Statutes 1986, section 290.431; Minnesota Statutes 1987 Supplement, sections 116C.69, subdivision 3; and 297.13, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 115C; repealing Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; 86.08; 86.10; 86.11; 86.12; 86.31; 86.32; 86.33, subdivision 1; 86.34; 86.35; 86.41; 86.42; 86.51; 86.53; 86.61; 86.72; and 89.022, subdivision 2."

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

The report was adopted.

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

H. F. No. 2197, A bill for an act relating to employment; allowing certain nonlicensed facilities to perform breath tests for alcohol; amending Minnesota Statutes 1987 Supplement, section 181.951, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, after "a" insert "nonlicensed"

Page 1, line 24, after "that" insert "(1) the breath test otherwise meets the standards of the department of health and (2)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 2232, A bill for an act relating to cable television; exempting certain small cable systems; requiring new franchises to be granted on same terms as original franchise; prohibiting utilities from giving unfair preference to affiliated companies that provide cable television service; amending Minnesota Statutes 1986, sections 238.02, subdivision 3; and 238.08, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 238.

Reported the same back with the following amendments:

Page 1, line 23, reinstate the stricken language and delete the new language

Page 2, line 2, delete "2,000" and insert "1,000"

Page 2, line 3, reinstate the stricken language and delete the new language

Page 2, line 19, after the period insert "All"

Page 2, line 20, delete "as the"

Page 2, line 21, delete "original franchise" and insert "and conditions"

Page 3, line 16, delete "shall" and insert "may"

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. 2270. A bill for an act relating to natural resources; authorizing a private sale of surplus state property to the Memorial Hospital Association of Cambridge.

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

The report was adopted.

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

H. F. No. 2286. A bill for an act relating to workers' compensation; regulating the location of certain medical examinations; amending Minnesota Statutes 1987 Supplement, section 176.155, subdivision 1.

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

The report was adopted.

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

H. F. No. 2292. A bill for an act relating to state government; amending certain provisions governing advisory councils, committees, and task forces; amending Minnesota Statutes 1986, sections 3.922, subdivision 3; 3.9225, subdivision 1; 3.9226, subdivision 1; 6.65; 15.059, subdivision 5; 79.51, subdivision 4; 84B.11, subdivision 1; 85A.02, subdivision 4; 115.54; 116C.59, subdivisions 1, 2, and 4; 116C.839; 121.83; 124.48, subdivision 3; 126.56, subdivision 5; 128A.03, subdivision 3; 135A.05; 136A.02, subdivision 7; 138.97, subdivision 3; 162.02, subdivision 2; 162.09, subdivision 2; 174.031, subdivision 2; 175.008; 182.653, subdivision 4e; 214.141; 248.10, subdivision 2; 254A.035, subdivision 2; 256C.28, subdivision 2; 299F.097; 611A.34, subdivision 1; 611A.71, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 15.059, subdivision 3 and 6; 16B.20, subdivision 2; 43A.316, subdivision 4; 115A.12, subdivision 1; 116J.971, by adding a subdivision; 120.17, subdivision 11a; 121.934, subdivision 1; 123.935, subdivision 7; 126.665;

129C.10, subdivision 3; 136A.02, subdivision 6; 144.672, subdivision 1; 175.007, subdivision 1; 245.697, subdivision 1; 245.97, subdivision 6; 246.56, subdivision 2; 256.482, subdivision 1; 256.73, subdivision 7; 256B.064, subdivision 1a; 256B.27, subdivision 3; 256B.433, subdivisions 1 and 4; 299A.23, subdivision 2; 299J.06, subdivision 4; repealing Minnesota Statutes 1986, sections 116J.04; 160.80, subdivision 6; 174.031, subdivision 6; 177.28, subdivision 2; 326.66; Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 2.

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

The report was adopted.

Reding from the Committee on Future and Technology to which was referred:

H. F. No. 2299, A bill for an act relating to economic development; appropriating certain investment earnings to the Minnesota agricultural and economic development board; providing for the organization of the department of trade and economic development; amending Minnesota Statutes 1987 Supplement, sections 41A.05, subdivision 1; and 116J.01, subdivision 3.

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

The report was adopted.

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

H. F. No. 2312, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [626.5531] [REPORTING OF CRIMES MOTIVATED BY BIAS.]

Subdivision 1. [REPORTS REQUIRED.] A peace officer must report to the head of the officer's department every violation of chapter 609 or a local criminal ordinance if the officer has reason to believe that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or other identifiable characteristics identified as sexual orientation. The superintendent of the bureau of criminal apprehension shall adopt a reporting form to be used by law enforcement agencies in making the reports required under this section. The reports must include for each incident all of the following:

- (1) the date of the offense;
- (2) the location of the offense;
- (3) the target of the incident (person, private property, or public property);
- (4) the crime committed;
- (5) the type of bias (racial, religious, national origin, sex, age, disability, or other identifiable characteristics identified as sexual orientation) and information about the offender and the victim that is relevant to that bias;
- (6) any organized group involved in the incident;
- (7) the disposition of the case; and
- (8) any additional information the superintendent deems necessary for the acquisition of accurate and relevant data.

Subd. 2. [USE OF INFORMATION COLLECTED.] The head of a local law enforcement agency or state law enforcement department that employs peace officers licensed under section 626.843 must file a monthly report describing crimes reported under this section with the department of public safety, bureau of criminal apprehension. The commissioner of public safety must summarize and analyze the information received and file an annual report with the department of human rights and the legislature.

Sec. 2. [626.8451] [TRAINING IN IDENTIFYING AND RESPONDING TO CRIMES MOTIVATED BY BIAS.]

Subdivision 1. [TRAINING COURSE.] The board must prepare a training course to assist peace officers in identifying and responding to crimes motivated by the victim's race, religion, national origin, sex, age, disability, or other identifiable characteristics identified as sexual orientation. The course must include material to help officers distinguish bias crimes from other crimes, to help officers in understanding and assisting victims of these crimes, and to ensure that bias crimes will be accurately reported as required under section 1. The course must be updated periodically as the board considers appropriate.

Subd. 2. [PRESERVICE TRAINING REQUIREMENT.] An individual may not be licensed as a peace officer after August 1, 1989, unless the individual has received the training described in subdivision 1.

Subd. 3. [IN-SERVICE TRAINING; BOARD REQUIREMENTS.] The board must provide to chief law enforcement officers instructional materials patterned after the materials developed by the board under subdivision 1. These materials must meet board requirements for continuing education credit and be updated periodically as the board considers appropriate. The board must also seek funding for an educational conference to inform and sensitize chief law enforcement officers and other interested persons to the law enforcement issues associated with bias crimes. If funding is obtained, the board may sponsor the educational conference on its own or with other public or private entities.

Subd. 4. [IN-SERVICE TRAINING; CHIEF LAW ENFORCEMENT OFFICER REQUIREMENTS.] A chief law enforcement officer must inform all peace officers within the officer's agency of (1) the requirements of section 1, (2) the availability of the instructional materials provided by the board under subdivision 3, and (3) the availability of continuing education credit for the completion of these materials. The chief law enforcement officer must also encourage these peace officers to review or complete the materials."

Delete the title and insert:

"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 preservice training for peace officers in recognizing, responding to, and reporting crimes of bias; requiring the board to make similar instructional materials available to peace officers for continuing education credit; proposing coding for new law in Minnesota Statutes, chapter 626."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

S. F. No. 187, A bill for an act relating to liens; personal property; establishing a lien on personal property held in self-service storage facilities; providing for the enforcement of these liens; regulating rental agreements and advertising; proposing coding for new law in Minnesota Statutes, chapter 514.

Reported the same back with the following amendments:

Page 2, line 1, delete "50" and insert "2"

Page 2, after line 30 insert:

"Subd. 9. [SECURITY DEPOSIT.] "Security deposit" means any deposit of money with the owner used to secure performance under the rental agreement."

Page 3, line 12, after the period insert "No lien is created under subdivision 1 or shall attach under this subdivision to any personal property listed under subdivision 5, unless the occupant fails to remove the personal property before the sale authorized by section 4."

Page 3, line 22, after the period insert "The owner may deny the occupant access to the personal property contained in the self-service storage facility after default, service of the notice of default, expiration of the date stated for denial of access, and application of any security deposit to unpaid rent."

Page 3, line 22, after "state" insert "the date"

Page 3, line 24, after "facility" insert "and that access will be denied"

Page 3, line 27, after "occupant" insert "beginning legal action"

Page 4, line 17, after the period insert "Any notice the owner is required to mail to the occupant under sections 1 to 10 shall be sent to the mailing address and the alternate mailing address provided by the occupant in the rental agreement."

Page 4, line 21, before the comma insert "including the right to deny access to certain personal property contained in the self-service storage facility"

Page 4, after line 36 insert:

“Either in the rental agreement or otherwise in writing the occupant shall also be notified that the owner prohibits the storage of hazardous materials.”

Page 5, line 21, after the period insert “Any action begun by the owner or occupant shall be venued in the county where the facility is located. If an action to recover possession of personal property in the facility is begun by the occupant, the burden of proof shall be borne by the owner that default has occurred and the provisions of sections 1 to 10 have been followed.”

Page 6, line 5, delete “1987” and insert “1988”

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

S. F. No. 1268, A bill for an act relating to energy and economic development; providing for the powers and duties of the commissioner of energy and economic development; clarifying definitions; authorizing certain Indian tribes to create community energy councils; providing the purpose for which an appropriation may be spent; amending Minnesota Statutes 1986, sections 116J.09; 116J.10; 116J.19, subdivision 6; 116J.36, subdivision 1; 116J.381, subdivision 2; and Laws 1981, chapter 334, section 11, subdivision 1.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 322, 1244, 1589, 1627, 1755, 1777, 1804, 1832, 1838, 1844, 1855, 1868, 1884, 1912, 1913, 1922, 1923, 1926, 1943, 1950, 1966, 1999, 2018, 2025, 2029, 2036, 2045, 2046, 2061, 2063, 2092, 2095, 2109, 2197, 2232, 2270, 2286, 2312 and 2340 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 187 and 1268 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Steensma, Wenzel and Winter introduced:

H. F. No. 2449, A bill for an act relating to agriculture; directing the attorney general to study ownership of Minnesota farmland by limited partnerships.

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

Winter, Wenzel and Steensma introduced:

H. F. No. 2450, A bill for an act relating to agriculture; requiring certain entities with interests in agricultural lands or operations to file reports; providing a penalty; requiring study and report to the legislature; amending Minnesota Statutes 1986, section 500.24, subdivision 4.

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

Carruthers, Skoglund, Wagenius and McKasy introduced:

H. F. No. 2451, A bill for an act relating to statutes of limitation; regulating certain actions involving asbestos; amending Minnesota Statutes 1987 Supplement, section 541.22, subdivision 2.

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

Price and Vellenga introduced:

H. F. No. 2452, A bill for an act relating to trade regulation; making certain requirements for moving picture projector operators and projection rooms; granting power to state fire marshal; amending Minnesota Statutes 1986, section 299H.23; proposing coding for new law in Minnesota Statutes, chapter 299H.

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

Orenstein, Marsh, Tjornhom and Brown introduced:

H. F. No. 2453, A bill for an act relating to law enforcement; barring traffic citation quotas; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Begich introduced:

H. F. No. 2454, A bill for an act relating to taxation; requiring recomputation of certain corporate taxes; providing for purchase of health insurance policies for certain employees; appropriating money; amending Minnesota Statutes 1986, section 290.34, by adding a subdivision.

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

Gruenes, McPherson, Marsh, Quinn and Begich introduced:

H. F. No. 2455, A bill for an act relating to employment; requiring training for employees of correctional facilities for exposure to infectious agents; amending Minnesota Statutes 1986, section 182.653, subdivision 4f.

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

Osthoff, Vellenga, Wynia, Rose and Orenstein introduced:

H. F. No. 2456, A bill for an act relating to capital improvements; providing funds for improvements at Como Park; authorizing sale of state bonds; appropriating money.

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

Cooper, Brown, Nelson, C., and Dille introduced:

H. F. No. 2457, A bill for an act relating to agriculture; establishing liability for persons injured while using private land for recreational purposes with or without charge; establishing duty of care and liability for persons using a "pick your own" farm; amending Minnesota Statutes 1986, sections 87.01; 87.021; 87.0221; 87.023; 87.024; 87.025; 87.026; and 87.03.

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

Pauly; Kahn; Knuth; Nelson, K., and Long introduced:

H. F. No. 2458, A bill for an act relating to environment; requiring the state board of education to require school districts to recycle paper; proposing coding for new law in Minnesota Statutes, chapter 121.

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

Price; Carlson, L.; Bauerly; McEachern and Dorn introduced:

H. F. No. 2459, A bill for an act relating to education; providing for faculty exchanges between secondary schools and post-secondary institutions.

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

Jaros; Carlson, L.; Anderson, G.; DeRaad and Vanasek introduced:

H. F. No. 2460, A bill for an act relating to education; conditioning University of Minnesota appropriations on the restructuring of governance of the university by the board of regents.

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

Rodosovich introduced:

H. F. No. 2461, A bill for an act relating to state and local governments; extending the requirement that vendors be paid promptly for goods and services to cover providers of medical and social services; setting a deadline for the resolution of disputed obligations by municipalities; amending Minnesota Statutes 1986, sections 16A.124, subdivisions 1 and 5; and 471.425, subdivisions 1 and 4.

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

Vellenga, Vanasek, Orenstein, Quist and Forsythe introduced:

H. F. No. 2462, A bill for an act relating to alcoholic beverages; requiring registration numbers on kegs and barrels of beer and records of their sale; increasing penalties for selling or furnishing alcoholic beverages to a minor under certain circumstances; amending Minnesota Statutes 1986, sections 340A.701; and 340A.702; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

Begich, Battaglia, Minne, Rukavina and Solberg introduced:

H. F. No. 2463, A bill for an act relating to state agencies; authorizing the iron range resources and rehabilitation board to purchase fire insurance for facilities operated by the board; amending Minnesota Statutes 1986, section 15.38, by adding a subdivision.

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

Wenzel introduced:

H. F. No. 2464, A bill for an act relating to motor vehicles; providing that the \$10 flat tax in lieu of excise tax applies to all passenger automobiles ten or more years old; amending Minnesota Statutes 1986, section 297B.02, subdivision 2; repealing Minnesota Statutes 1986, section 297B.025.

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

Ozment, Milbert, Seaberg, Jensen and Morrison introduced:

H. F. No. 2465, A bill for an act relating to parks; authorizing the acquisition and betterment of the Spring Lake Park Reserve Lake and island recreational boating development in Dakota county; authorizing the issuance of state bonds; appropriating money.

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

Pauly and Carlson, D., introduced:

H. F. No. 2466, A bill for an act relating to environment; prohibiting operation of a solid waste business after conviction of a felony;

providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Olson, E., and Anderson, G., introduced:

H. F. No. 2467, A bill for an act relating to agriculture; appropriating money for a seller-sponsored loan program for beginning farmers.

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

Anderson, G., introduced:

H. F. No. 2468, A bill for an act relating to economic development; authorizing the commissioner to award set-aside procurements to local small businesses; amending Minnesota Statutes 1986, section 16B.19, subdivision 5; Minnesota Statutes 1987 Supplement, sections 16B.19, subdivision 6; and 645.445, subdivision 5.

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

Olson, E.; Wenzel; Sparby; Schafer and Tunheim introduced:

H. F. No. 2469, A bill for an act relating to agriculture; regulating sales of anhydrous ammonia; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Beard, Price and Kelly introduced:

H. F. No. 2470, A bill for an act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$200; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision.

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

Schafer introduced:

H. F. No. 2471, A bill for an act relating to retirement; public employees retirement association; authorizing certain public hospital employees to obtain retirement coverage; authorizing certain public hospital employees to purchase prior service credit; repealing Minnesota Statutes 1986, section 355.73, subdivision 8.

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

Pauly introduced:

H. F. No. 2472, A bill for an act relating to utilities; amending the definition of "high voltage transmission line"; amending Minnesota Statutes 1986, section 116C.52, subdivision 3.

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

Pauly introduced:

H. F. No. 2473, A bill for an act relating to utilities; requiring an electric utility to compensate property owners for the loss of large trees due to construction of a high voltage transmission line; amending Minnesota Statutes 1986, section 116C.63, by adding a subdivision.

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

Knuth and Voss introduced:

H. F. No. 2474, A bill for an act relating to the city of Mounds View; providing an exception from the Mounds View police civil service system for the chief and deputy chief of police.

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

Voss and Knuth introduced:

H. F. No. 2475, A bill for an act relating to state lands; authorizing transfer of certain state lands in Ramsey county to the city of Mounds View.

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

Milbert introduced:

H. F. No. 2476, 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; 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.

Reding introduced:

H. F. No. 2477, A bill for an act relating to retirement; local government correctional service retirement plan; clarifying coverage periods; adjusting member and employer contribution rates; clarifying annuity calculations for fractional service; clarifying the duration of initial annuity payments; providing for the augmentation of deferred annuities; amending Minnesota Statutes 1987 Supplement, sections 353C.03; 353C.05; 353C.06, subdivisions 3 and 4; and 353C.07.

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

Kelly introduced:

H. F. No. 2478, A bill for an act relating to public safety; providing that bomb disposal workers are state employees when disposing of bombs outside the jurisdiction of their municipal employer, for purposes of tort claims and workers' compensation; amending Minnesota Statutes 1987 Supplement, section 3.732, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 176.

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

Nelson, K., introduced:

H. F. No. 2479, A bill for an act relating to education; providing for additional early childhood family education programs for certain children; amending Minnesota Statutes 1986, sections 121.882, subdivision 7, and by adding a subdivision; and 275.125, subdivision 8b.

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

Nelson, K., introduced:

H. F. No. 2480, A bill for an act relating to education; allowing school boards to permit certain pupils to attend school for more or less than six hours a day; requiring aids and levies to be prorated; amending Minnesota Statutes 1986, section 123.35, by adding a subdivision; proposing coding for new law in chapter 124.

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

Battaglia and Begich introduced:

H. F. No. 2481, A bill for an act relating to local government; the city of Cook and Koochiching and St. Louis counties; providing for the establishment of a hospital district in portions of those counties.

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

Trimble, Rose, Segal, Winter and Carlson, L., introduced:

H. F. No. 2482, A bill for an act relating to education; appropriating money for child care at community colleges.

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

Rukavina, Jaros, Battaglia and Begich introduced:

H. F. No. 2483, A bill for an act relating to state lands; allowing St. Louis county to sell up to 30 percent of its tax-forfeited waterfront land for forest management purposes.

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

Hugoson introduced:

H. F. No. 2484, A bill for an act relating to local government; increasing the maximum amount of capital notes home rule charter cities may issue for capital equipment; amending Minnesota Statutes 1986, section 410.32.

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

Simoneau, Pappas and Trimble introduced:

H. F. No. 2485, A bill for an act relating to state government; authorizing the sale or lease of property within the jurisdiction of the commissioner of administration under certain conditions.

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

Blatz introduced:

H. F. No. 2486, A bill for an act relating to human services; authorizing a county to establish an adult protection team; requiring records to be maintained; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Jennings, Morrison, Pauly and Battaglia introduced:

H. F. No. 2487, A bill for an act relating to local government; changing a procedure for detachment and annexation of incorporated land; repealing Minnesota Statutes 1986, section 414.061, subdivision 5.

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

Simoneau, Rukavina and Solberg introduced:

H. F. No. 2488, A bill for an act relating to retirement; authorizing optional Medicare coverage for certain pre-1986 public employees; providing for a special referendum; proposing coding for new law in Minnesota Statutes, chapter 355.

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

Battaglia, Begich, Simoneau, Trimble and Rose introduced:

H. F. No. 2489, A bill for an act relating to land exchange; authorizing the exchange of certain state lands free from reserva-

tions of public travel under certain conditions; amending Minnesota Statutes 1986, section 94.342, subdivision 3.

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

Tunheim introduced:

H. F. No. 2490, A bill for an act relating to state land; conveying title to state land in Kittson county.

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

Segal introduced:

H. F. No. 2491, A bill for an act relating to commerce; regulating franchises; modifying the definition of franchise to include certain royalty or residuals agreements; amending Minnesota Statutes 1986, section 80C.01, subdivision 4.

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

Long, Pauly, Clausnitzer, Seaberg and Orenstein introduced:

H. F. No. 2492, A bill for an act relating to public safety; prohibiting assembly as a paramilitary organization for the purpose of practicing with weapons; prohibiting paramilitary training; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

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

Carlson, D., introduced:

H. F. No. 2493, A bill for an act relating to transportation; creating a navigable river safety and improvement fund; creating a bicycle trail fund and providing for its expenditure; providing for distribution of highway user tax set aside; redefining the veterans' evergreen memorial drive and providing for its development as a scenic highway; creating an outdoor recreation area road account to replace the state park road account in the county state-aid highway fund, and authorizing expenditures from the account on certain town roads; establishing priorities for counties in developing a formula for distributing money for town roads; regulating workers' compensa-

tion for truck drivers; providing that revenue from the tax on railroad diesel fuel be deposited in the rail service improvement account; providing that revenue from the tax on barge fuels be deposited in the navigable river safety and improvement fund; repealing limits on taxes imposed on gasoline and special fuel based on proximity to certain borders; providing for additional tax on gasoline and special fuel based on the percentage of motor vehicle excise tax revenues depositing annually in the highway user tax distribution fund; increasing share of motor vehicle excise tax revenues dedicated to highways and transit assistance to 35 percent; abolishing division of capitol complex security and transferring responsibilities to state patrol division of department of public safety; requiring referral by the metropolitan council to the regional transit board of light rail transit design plans submitted by regional rail authorities; removing restrictions on upgrading of certain airports; providing for the repeal of certain provisions of law relating to exchanges of highways between the state and Hennepin county if the exchanges of jurisdiction have not been accomplished by October 1, 1988; proposing an amendment to the Minnesota Constitution, article XIV, requiring the deposit of at least one-half the revenues from the motor vehicle excise tax in the highway user tax distribution fund and the transit assistance fund beginning in fiscal year 1990; creating a legislative transportation commission and providing for its duties; providing for the deposit of motor vehicle excise tax revenues in fiscal year 1989; directing a study of commercial water transportation; appropriating money; amending Minnesota Statutes 1986, sections 160.265, by adding a subdivision; 161.081; 161.082, subdivision 2a; 161.14, subdivision 6; 162.06, subdivision 5; 162.081, subdivision 4; 222.49; 296.02, subdivisions 1 and 1b; and 473.653; Minnesota Statutes 1987 Supplement, sections 296.02, subdivisions 2a and 2b; 297B.09, subdivision 1; and 473.169, subdivision 7; and Laws 1986, chapter 452, section 35; proposing coding for new law in Minnesota Statutes, chapters 84 and 299D; proposing coding for new law as Minnesota Statutes, chapter 176C.

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

Milbert, Steensma, Lieder, Jensen and Redalen introduced:

H. F. No. 2494, A bill for an act relating to veterans; requiring the commissioner of veterans affairs to provide certain grave markers; appropriating money; amending Minnesota Statutes 1986, section 197.23.

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

Simoneau, Pappas and Rukavina introduced:

H. F. No. 2495, A bill for an act relating to employment; creating a program to develop expertise and provide assistance to those wishing to establish employee-owned businesses; establishing a loan guaranty and bonding program to aid the establishment of employee-owned businesses; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 268A.

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

Segal introduced:

H. F. No. 2496, A bill for an act relating to insurance; accident and health; requiring partial hospitalization program coverage under certain circumstances; proposing coding for new law in Minnesota Statutes, chapters 62A and 62D.

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

Jacobs introduced:

H. F. No. 2497, A bill for an act relating to horse racing; reducing the amount which licensees are required to withhold from winnings from pari-mutuel betting; amending Minnesota Statutes 1986, section 290.92, subdivision 27.

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

Kalis; Nelson, C.; Redalen; Lieder and Brown introduced:

H. F. No. 2498, A bill for an act relating to agriculture; creating a laboratory services account in the state treasury; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

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

H. F. No. 2499, A bill for an act relating to education; altering the capital expenditure formula; creating health and safety revenue; creating equipment revenue; creating a repair and betterment

program; authorizing levies; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1986, section 124.245, subdivision 4; Minnesota Statutes 1987 Supplement, sections 124.244; 124.245, subdivisions 3, 3a, and 3b; 275.125, subdivision 11c.

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

Anderson, G.; Price; Battaglia; Beard and Bishop introduced:

H. F. No. 2500, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; providing for a state-operated lottery with net proceeds allocated to environmental and economic development funds.

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

Kelso, Vellenga, Beard, McEachern and Nelson, C., introduced:

H. F. No. 2501, A bill for an act relating to education; specifying the source of school district retirement and F.I.C.A. contributions for community education employees; setting community education and early childhood family education aids and levies; amending Minnesota Statutes 1987 Supplement, sections 121.912, subdivision 1; 124.271, subdivision 2b; 124.2711, subdivision 1; and 275.125, subdivision 8.

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

Carlson, D., introduced:

H. F. No. 2502, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in Pine county.

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

Jennings; Carlson, D.; Wenzel; Bauerly and Olson, E., introduced:

H. F. No. 2503, A bill for an act relating to agriculture; establishing an industrial by-product soil buffering materials demonstration project and study; appropriating money.

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

Simoneau introduced:

H. F. No. 2504, A bill for an act relating to workers' compensation; reassigning certain administrative duties; regulating reporting of injuries and information about injuries; regulating the payment of benefits; regulating the membership of the rehabilitation review panel; regulating rehabilitation services; changing certain administrative procedures; regulating dependent benefits; prohibiting excessive treatment or medical services; providing for data privacy; amending Minnesota Statutes 1986, sections 129A.05, subdivision 2; 176.021, subdivision 3; 176.081, subdivision 1; 176.101, subdivision 3e; 176.104, subdivision 1; 176.111, subdivisions 7 and 8; 176.135, by adding a subdivision; 176.191, subdivision 3; 176.221, subdivision 9; 176.225, subdivision 5; 176.231, subdivisions 8 and 9; Minnesota Statutes 1987 Supplement, sections 176.102, subdivisions 3 and 4; 176.103, subdivision 3; 176.106, subdivisions 7 and 9; 176.131, subdivision 1; 176.135, subdivisions 1 and 6; 176.155, subdivision 1; 176.238, subdivisions 1 and 9; 176.305, subdivisions 1 and 4; repealing Minnesota Statutes 1986, sections 176.021, subdivision 3a; 176.111, subdivision 8a; and 176.136, subdivision 3.

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

Simoneau introduced:

H. F. No. 2505, A bill for an act relating to retirement; public employees retirement association; clarifying certain ambiguous provisions, changing administrative requirements, and amending member eligibility requirements; amending Minnesota Statutes 1986, sections 69.031, by adding a subdivision; 353.01, subdivisions 7, 15, 29, and by adding a subdivision; 353.028, subdivision 2; 353.03, subdivision 1; 353.27, subdivisions 7, 13, and by adding a subdivision; 353.32, subdivisions 2 and 5; 353.33, subdivision 7, and by adding a subdivision; 353.37, subdivision 1; 353.65, subdivision 2; 353.651, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 353.01, subdivisions 2b, 10, 16, and 20; 353.27, subdivisions 10 and 12; 353.29, subdivision 6; 353.32, subdivision 1a; 353.33, subdivision 1; 353.34, subdivision 3; 353C.02; 353C.04; 353C.06, subdivisions 1 and 4; 353C.08, subdivision 5, and by adding a subdivision; 353D.05, subdivision 2; 353D.07, subdivisions 1, 2, and 4; 353D.08; 356.302, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 1987 Supplement, section 353D.07, subdivision 5.

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

Kelso introduced:

H. F. No. 2506, A bill for an act relating to education; providing levy adjustment aid to districts with auditor's errors.

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

Larsen, Lasley and Heap introduced:

H. F. No. 2507, A bill for an act relating to education; increasing the powers of the state board for community colleges; changing the criteria for board membership; directing the Revisor to prepare a bill reorganizing community college statutes; amending Minnesota Statutes 1986, sections 15.0591, subdivision 2; 136.61, subdivision 1; 136.622; and 136.67, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 136.

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

Voss and Knuth introduced:

H. F. No. 2508, A bill for an act relating to statute of limitations; providing relief for certain individuals denied a remedy due to the unconstitutionality of a statute of limitation relating to real property improvement.

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

Begich introduced:

H. F. No. 2509, A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

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

Kostohryz, Otis, McEachern, Quinn and Nelson, K., introduced:

H. F. No. 2510, A bill for an act relating to capital improvements; authorizing spending to better public land and buildings and other

public improvements of a capital nature; authorizing issuance of state bonds; appropriating money.

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

Rodosovich introduced:

H. F. No. 2511, A bill for an act relating to highways; naming and designating legislative trunk highway No. 299 as Olof Hanson Drive; amending Minnesota Statutes 1986, section 161.14, by adding a subdivision.

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

Segal introduced:

H. F. No. 2512, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; allowing the legislature to authorize lotteries with net revenues dedicated solely to children's health programs.

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

Quinn introduced:

H. F. No. 2513, A bill for an act relating to taxation; sales; clarifying the application of the exemption for certain fundraising activities to certain school organizations; amending Minnesota Statutes 1987 Supplement, section 297A.256.

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

Carruthers, Stanius and Jefferson introduced:

H. F. No. 2514, A bill for an act relating to metropolitan government; establishing various requirements on agency organization, work programs, budgets, and reports; amending Minnesota Statutes 1986, sections 473.13, subdivision 1; 473.146, subdivision 3; 473.173, subdivision 6; 473.245; and 473.375, subdivision 16; Minnesota Statutes 1987 Supplement, section 473.1623, subdivisions 4 and 6.

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

Welle, Peterson, Ogren, Larsen and Anderson, R., introduced:

H. F. No. 2515, 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.

Otis introduced:

H. F. No. 2516, A bill for an act relating to employment and training; establishing the jobs 2000 fund; providing for contributions from employers and employees; providing for training and transitional allowances; creating the training 2000 board; providing for grants and loans; promoting economic development; providing for the adoption of rules; appropriating money; amending Minnesota Statutes 1986, sections 116L.01, subdivision 3; and 116L.04; Minnesota Statutes 1987 Supplement, sections 116L.02; repealing Minnesota Statutes 1986, section 116L.03, subdivisions 3 and 4; Minnesota Statutes 1987 Supplement, section 116L.03, subdivisions 1, 2, 5, and 7.

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

Quist, Kelly, Bishop and Orenstein introduced:

H. F. No. 2517, A bill for an act relating to probate; providing for adult health care decisions; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 145B.

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

Kelly and Blatz introduced:

H. F. No. 2518, A bill for an act proposing an amendment to the Minnesota Constitution, article I, section 4; providing for six-member juries in nonfelony cases; conforming statutes to either the approval or rejection of the proposed amendment.

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

Bauerly and McEachern introduced:

H. F. No. 2519, A bill for an act relating to education; establishing revenue for school facilities used primarily for instructional purposes; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Milbert introduced:

H. F. No. 2520, A bill for an act relating to commerce; clarifying certain procedures and fees relating to the statewide uniform commercial code computerized filing system; amending Minnesota Statutes 1987 Supplement, sections 336.9-407; 336.9-411; and 336.9-413.

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

Kahn introduced:

H. F. No. 2521, A bill for an act relating to natural resources; eliminating a diversion of game and fish license fee money; repealing Laws 1987, chapter 373, section 15.

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

Price introduced:

H. F. No. 2522, A bill for an act relating to taxation; exempting the University of Minnesota, state universities, and community colleges from the sales and use tax and motor vehicle excise tax; providing for refunds; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 297A.25, subdivision 11; and 297B.03.

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

Carruthers, Blatz, Milbert, Peterson and McKasy introduced:

H. F. No. 2523, A bill for an act relating to financial institutions; interstate bank holding companies; clarifying the divestiture period for noncompliant companies; amending Minnesota Statutes 1986, section 48.95, subdivision 1.

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

Rukavina introduced:

H. F. No. 2524, A bill for an act relating to local government; including certain parcels in a tax increment financing district located in the city of Virginia.

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

Jacobs, Osthoff, Redalen and Scheid introduced:

H. F. No. 2525, A bill for an act relating to utilities; changing the definition of public utility; amending Minnesota Statutes 1986, section 216B.02, subdivision 4.

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

Price, Sparby, Schreiber, Sarna and Vanasek introduced:

H. F. No. 2526, A bill for an act relating to consumer protection; regulating the provision of real estate closing services; amending Minnesota Statutes 1986, sections 82.17, by adding a subdivision; 82.19, subdivisions 1, 2, and 4; 82.20, subdivisions 1, 2, and 3; 82.22, subdivisions 1, 5, 10, 11, and 13; 82.23, subdivision 2; 82.27, subdivision 2; and 481.02, subdivision 3, and by adding subdivisions; Minnesota Statutes 1987 Supplement, section 82.21, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 507.

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

Ozment, Milbert, Knuth and Seaberg introduced:

H. F. No. 2527, A bill for an act relating to environment; requiring persons to notify the pollution control agency of and take steps to

avoid air pollution; 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.

Osthoff introduced:

H. F. No. 2528, A bill for an act relating to insurance; regulating certain medical examinations in no-fault automobile insurance cases; amending Minnesota Statutes 1986, section 65B.56, subdivision 1.

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

Jacobs and Ogren introduced:

H. F. No. 2529, A bill for an act relating to alcoholic beverages; defining importers as brewers in the beer wholesaling act; amending Minnesota Statutes 1986, section 325B.01, subdivision 4.

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

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

H. F. No. 2530, A bill for an act relating to education; providing for capital expenditure and repair and restoration funding of school districts; amending Minnesota Statutes 1987 Supplement, section 124.244, subdivisions 1, 2, and 4; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Quinn, by request, introduced:

H. F. No. 2531, A bill for an act relating to local government; permitting the establishment by municipalities of street and road improvement districts; amending Minnesota Statutes 1986, sections 444.16; 444.17; and 444.18.

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

Minne, Rice, Sarna, Kelly and Schreiber introduced:

H. F. No. 2532, 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.

McLaughlin introduced:

H. F. No. 2533, A bill for an act relating to employment and training; creating an advisory task force on the employment and training of dislocated workers.

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

McLaughlin introduced:

H. F. No. 2534, A bill for an act relating to the department of jobs and training; authorizing the commissioner to buy and sell real property; amending Minnesota Statutes 1987 Supplement, section 268.0122, subdivision 2.

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

Rukavina introduced:

H. F. No. 2535, A bill for an act relating to liquors; authorizing municipalities to issue intoxicating malt liquor licenses to certain license holders; amending Minnesota Statutes 1987 Supplement, section 340A.404, subdivision 5.

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

Orenstein, Price, Minne and Shaver introduced:

H. F. No. 2536, A bill for an act relating to elections; providing that statewide computerized voter registration system satisfy requirements for duplicate registration file; establishing voter registration account and appropriating money; changing certain

procedures related to registration cards, files, and records; changing certain procedures for filing, voting, arranging names on ballots, and completing summary statements; amending Minnesota Statutes 1986, sections 201.091, subdivisions 2 and 5; 204B.09, subdivision 1; 204D.08, subdivision 5; Minnesota Statutes 1987 Supplement, sections 201.022, subdivision 1; 201.071, subdivision 4; 204C.24, subdivision 1; and 204D.08, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 201.

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

Kelso, Kostohryz, Redalen and Reding introduced:

H. F. No. 2537, A bill for an act relating to horse racing; changing the date when the racetrack must submit its financial statement to the racing commission; allowing the breeders' fund to be used to supplement purses for Minnesota horses racing in nonrestricted races; amending Minnesota Statutes 1986, sections 240.15, subdivision 4; and 240.18.

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

Jefferson introduced:

H. F. No. 2538, A bill for an act relating to motor vehicles; allowing full-service deputy registrar at pilot city regional center.

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

Rose and Wynia introduced:

H. F. No. 2539, A bill for an act relating to elections; allowing the city of Falcon Heights to consolidate election precincts.

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

Riveness introduced:

H. F. No. 2540, A bill for an act relating to the city of Bloomington; authorizing the city to expend and loan public funds for flood mitigation measures to protect residential structures.

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

Bauerly and McEachern introduced:

H. F. No. 2541, A resolution memorializing the Congress of the United States to investigate the connection between Agent Orange and health problems of Vietnam veterans.

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

Munger; Price; Anderson, G.; Rose and Winter introduced:

H. F. No. 2542, A bill for an act relating to the environment; authorizing the waste management board to enter agreements providing for the development and operation of a wholly or partially state owned stabilization and containment facility; directing the board to make recommendation for legislative changes needed to implement facility development and operation; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Sparby, Frerichs, Poppenhagen, McEachern and Solberg introduced:

H. F. No. 2543, 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.

Anderson, R., introduced:

H. F. No. 2544, A bill for an act relating to veterans; requiring the housing and care of veterans in the Fergus Falls regional treatment center; proposing coding for new law in Minnesota Statutes, chapters 198 and 253.

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

Murphy introduced:

H. F. No. 2545, A bill for an act relating to human services; requiring procedures to increase the cost to revenue ratios for nursing homes; requiring legislators to sit on an advisory committee; regulating rates and reporting requirements for therapy costs of nursing homes; amending Minnesota Statutes 1987 Supplement, sections 256B.433, subdivisions 1, 3, and 4; and 256B.47, subdivision 3.

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

Sparby, O'Connor, Beard, Bennett and Murphy introduced:

H. F. No. 2546, A bill for an act relating to commerce; regulating preparation of certain financial information for membership camping contract applications and subdivider qualification statements; repealing an exception to the exemption of subdivided lands within a city; prohibiting advance payments relating to resale of time share property interests; providing for hearing on misleading or deceptive sales practices relating to subdivisions; amending Minnesota Statutes 1986, sections 82A.04, subdivision 2; 83.26, subdivision 2; and 83.44; Minnesota Statutes 1987 Supplement, sections 83.23, subdivision 3; and 83.45.

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

Bauerly and Jennings introduced:

H. F. No. 2547, A bill for an act relating to health maintenance organizations; waiving the preexisting condition restriction for coverage under the comprehensive health insurance plan for former health maintenance organization enrollees; requiring medical care providers to contract with health maintenance organizations; amending Minnesota Statutes 1986, section 62E.14, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Bauerly and Jennings introduced:

H. F. No. 2548, A bill for an act relating to health maintenance organizations; requiring a reserve fund; prohibiting regional termination of health plans; requiring 90 days' notice of termination; creating conversion rights for enrollees; requiring the comprehen-

sive health insurance plan to offer four medicare supplement options; waiving the preexisting condition restriction for coverage under the comprehensive health insurance plan for medicare supplement enrollees who are terminated due to bankruptcy of a health maintenance organization; amending Minnesota Statutes 1986, sections 62D.041, subdivision 2; 62D.12, subdivision 2, and by adding a subdivision; 62E.12; and 62E.14, subdivision 4; repealing Minnesota Statutes 1986, section 62D.041, subdivisions 1, 3 to 6, and 8.

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

Bauerly introduced:

H. F. No. 2549, A bill for an act relating to game and fish; lowering the percentage of a disability required of veterans to qualify for a permanent license; amending Minnesota Statutes 1987 Supplement, section 97A.441, subdivision 5.

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

Clark, Greenfield and Dawkins introduced:

H. F. No. 2550, A bill for an act relating to health; establishing two studies concerning blood lead levels in American Indian children and in pregnant women; appropriating money.

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

Battaglia introduced:

H. F. No. 2551, A bill for an act relating to state lands; authorizing private conveyance of tax-forfeited land in St. Louis county.

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

Dauner, Quist and Steensma introduced:

H. F. No. 2552, A bill for an act relating to courts; repealing the law allowing the court administrator to appeal the salary set by the county board to the district court; repealing Minnesota Statutes 1986, section 485.018, subdivision 7.

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

Knickerbocker introduced:

H. F. No. 2553, A bill for an act relating to retirement; providing for a partially subsidized joint and survivor optional annuity for retiring judges; amending Minnesota Statutes 1987 Supplement, section 490.124, subdivision 11.

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

Begich introduced:

H. F. No. 2554, A bill for an act relating to education; allowing noncontiguous school districts to consolidate; amending Minnesota Statutes 1986, section 122.23, subdivision 1.

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

Olsen, S.; Schafer; Olson, E.; Dille and Omann introduced:

H. F. No. 2555, A bill for an act relating to education; increasing the secondary vocational formula allowance; appropriating money; amending Minnesota Statutes 1987 Supplement, section 124.573, subdivisions 2 and 3a; repealing Minnesota Statutes 1987 Supplement, section 124.573, subdivision 2b.

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

Bertram, Hartle, Scheid and Osthoff introduced:

H. F. No. 2556, A bill for an act relating to insurance; removing certain life insurance products from the general restrictions on advertisements of investment products; requiring certain life insurance policy disclosures; amending Minnesota Statutes 1987 Supplement, section 45.025, subdivisions 1, 2, and by adding a subdivision.

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

Bishop, Stanius, Solberg, Vellenga and Orenstein introduced:

H. F. No. 2557, A bill for an act relating to crimes; providing mandatory minimum penalties for aggravated robbery of a pharmacy; amending Minnesota Statutes 1986, section 609.245.

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

Scheid introduced:

H. F. No. 2558, A bill for an act relating to elections; requiring optical scan voting systems to be tested within 14 days before election; amending Minnesota Statutes 1986, section 206.83.

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

Beard, Sarna, Bennett and Price introduced:

H. F. No. 2559, A bill for an act relating to commerce; regulating sales and repair of hearing aids; amending Minnesota Statutes 1986, section 145.43, subdivision 1a, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 145.43, subdivision 4.

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

Olson, K.; Carlson, L.; DeBlicek; Anderson, G., and Steensma introduced:

H. F. No. 2560, A bill for an act relating to education; establishing library resources at certain technical institutes coordinated by Southwest State University; appropriating money.

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

Segal, Kelso, Greenfield, Stanius and Ogren introduced:

H. F. No. 2561, A bill for an act relating to human services; establishing a demonstration project for child and adolescent crisis intervention and suicide prevention; appropriating money; 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.

DeBlieck, Cooper, Trimble, Kelso and Johnson, R., introduced:

H. F. No. 2562, A bill for an act relating to education; appropriating money for a history center at Southwest State University and St. Cloud State University.

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

Hugoson, Redalen, Uphus, Jacobs and Omann introduced:

H. F. No. 2563, A bill for an act relating to taxation; income; allowing a subtraction over three years for certain ACRS modifications; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Stanius, Bennett and Schreiber introduced:

H. F. No. 2564, A bill for an act relating to taxation; individual income; imposing tax on certain deemed discharges of indebtedness income; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivisions 19a and 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Dille, Wenzel, Cooper, Krueger and Rose introduced:

H. F. No. 2565, A bill for an act relating to agriculture; farm safety; restoring the position of extension safety program specialist in the extension service; assigning responsibilities; appropriating money.

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

Sparby, Carlson, D., and Neuenschwander introduced:

H. F. No. 2566, A bill for an act relating to game and fish; prescribing procedures for commissioner's orders; amending Minnesota Statutes 1986, section 97A.051, subdivision 3.

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

Sparby; Anderson, G.; McDonald; Wenzel and Steensma introduced:

H. F. No. 2567, A bill for an act relating to trade practices; providing for payment to farm implement retailer by successor in interest of the manufacturer, wholesaler, or distributor who repurchases stock and inventory; amending Minnesota Statutes 1986, sections 325E.05; and 325E.06, subdivisions 1, 4, and 5, and by adding a subdivision.

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

Olson, K.; Otis; Cooper and Brown introduced:

H. F. No. 2568, A bill for an act relating to agriculture; changing and clarifying the small business development loan portion of the agricultural resource loan guarantee program; amending Minnesota Statutes 1987 Supplement, sections 41A.02, subdivision 16; and 41A.036, by adding subdivisions.

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

Johnson, R.; Segal; Marsh; Ogren and Kelly introduced:

H. F. No. 2569, A bill for an act relating to human services; authorizing counties to establish multidisciplinary chemical dependency prevention teams; authorizing the state planning agency to fund these teams in several counties on a demonstration basis; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 254A.

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

Orenstein; Price; Carlson, L.; Boo and Jaros introduced:

H. F. No. 2570, A bill for an act relating to education; placing conditions on University of Minnesota appropriations; requesting a study by the legislative auditor.

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

Lasley introduced:

H. F. No. 2571, A bill for an act relating to cable communications; requiring cable communication companies to block transmission of channel at request of customer; amending Minnesota Statutes 1986, section 238.11, by adding a subdivision.

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

Wenzel, Sparby, Pelowski, Bertram and McDonald introduced:

H. F. No. 2572, A bill for an act relating to agricultural trade; authorizing the establishment of a foreign trade office in the Federal Republic of Germany; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Olson, E.; Tunheim; Sparby; Brown and Lieder introduced:

H. F. No. 2573, A bill for an act relating to education; making certain changes to program improvement grants; increasing the levy for districts receiving grants; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 129B.11, subdivisions 1 and 2; and 275.125, subdivision 8d.

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

Bertram and Valento introduced:

H. F. No. 2574, A bill for an act relating to environment; amending and enacting various sections of law relating to capital intensive public services and private suppliers; amending Minnesota Statutes 1986, sections 471A.02, subdivisions 4, 6, and 12; 471A.03, subdivisions 1, 3, and 5; and 471A.07.

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

Ogren, Gruenes, Rodosovich, Jefferson and Sviggum introduced:

H. F. No. 2575, A bill for an act relating to human services; providing medical assistance to certain work activity programs; establishing pilot program; amending Minnesota Statutes 1987

Supplement, section 256B.02, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Poppenhagen, Frederick and Stanius introduced:

H. F. No. 2576, A bill for an act relating to economic development; recreating a tourism loan program within the department of trade and economic development; providing for the powers and duties of the commissioner; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Neuenschwander introduced:

H. F. No. 2577, A bill for an act relating to game and fish; closing date for fishing season on the Rainy River; repealing Minnesota Statutes 1987 Supplement, section 97C.402.

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

Reding introduced:

H. F. No. 2578, A bill for an act relating to retirement; various public employee pension plans; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results, and erroneous provisions; eliminating certain redundant, obsolete, or conflicting provisions; amending Minnesota Statutes 1986, sections 3.85, subdivision 11; 3A.01, by adding a subdivision; 3A.02, subdivision 1, and by adding a subdivision; 3A.03; 3A.06; 3A.11, subdivision 4; 3A.12, subdivision 1; 6.72, subdivisions 1 and 3; 11A.18, subdivisions 2, 4, and 5; 15.38, by adding a subdivision; 43A.44, subdivision 2; 60A.15, by adding a subdivision; 69.021, subdivisions 6 and 7; 69.031, subdivision 5; 69.051, subdivisions 1, 1a, and 3; 69.27; 69.28; 69.29; 69.62; 69.77, subdivisions 1, 1a, 2, 2a, 2c, 2e, 2f, 2g, 2i, and 3; 69.771, subdivisions 1 and 3; 69.772, subdivisions 2a and 4; 69.773, subdivision 5; 69.774, subdivision 1; 69.776; 69.78; 85A.01, subdivision 3; 136.80; 136.81, subdivision 1; 136.84; 176.021, subdivision 7; 256D.21; 290.35, subdivision 3; 345.381; 352C.01; 352C.021, subdivisions 4, 5, 6, and 7; 352C.031; 352C.033; 352C.04, subdivisions 1, 2a, 3, and 4; 352C.051; 352C.09; 352C.091, subdivision 1; 352D.02, subdivisions 1, 1a, and by adding a subdivision; 352D.03; 352D.05, subdivision 3; 352D.09, subdivi-

sions 2, 4, and 7; 352D.11, subdivisions 1 and 4; 353.01, subdivision 18; 353.025; 353.05; 353.06; 353.27, subdivision 9, and by adding subdivisions; 353.34, subdivision 5; 353.36, subdivision 2b, and by adding a subdivision; 353.46, subdivision 2; 353.63; 353.64, subdivision 4; 353.661; 354.05, subdivisions 3, 11, and by adding a subdivision; 354.06, subdivisions 2, 3, 4, 5, 6, and 7; 354.07, subdivisions 4 and 7; 354.33, subdivisions 5 and 6; 354.42, subdivision 7, and by adding a subdivision; 354.44, subdivisions 6 and 7; 354.47, subdivisions 1 and 2; 354.48, subdivisions 2 and 4; 354.49, subdivisions 4 and 5; 354.531; 354.55, subdivision 17; 354.62, subdivision 2; 354A.011, subdivision 27; 354A.30; 354A.31, subdivisions 2 and 3; 354A.34; 354A.36, subdivisions 3, 3a, and 4; 355.58; 355.73, subdivision 8; 355.74, subdivision 2; 356.18, subdivision 1; 356.20, subdivision 4a; 356.24; 356.371, subdivision 1; 356.452; 356.453; 356.65, subdivision 1; 356.70, subdivision 2; 356.71; 363.02, subdivision 6; 383A.20, subdivision 4; 383B.39; 383B.46; 383B.51; 398A.03, subdivision 7; 422A.01, subdivisions 12 and 13; 422A.02; 422A.05, subdivisions 1, 2c, 5, and 6; 422A.06, subdivisions 1 and 3; 422A.08, subdivision 1; 422A.09, subdivisions 1, 2, and 4; 422A.10, subdivisions 1 and 2; 422A.11, subdivisions 1, 3, and 4; 422A.12, subdivision 2; 422A.13, subdivision 2; 422A.15, subdivision 4; 422A.156; 422A.16, subdivisions 8 and 9; 422A.18, subdivisions 1, 2, and 3; 422A.22, subdivisions 1, 2, and 4; 422A.23, subdivisions 2, 9, and 10; 422A.25; 423.37; 423.372; 423.381; 423.391; 423.41; 423.43; 423.801, subdivision 2; 423A.01, subdivisions 1, 2, and 4; 423A.02; 423A.16; 424.01; 424.03; 424.165, subdivision 3; 424A.001, subdivision 3 and by adding a subdivision; 424A.02, subdivisions 1, 2, 6, and 10; 424A.03, subdivisions 1 and 2; 453.61; 453A.11; 458A.03, subdivision 6; 462.389, subdivision 4; 471A.10; 473.512, subdivision 1; 473.565, subdivisions 1 and 2; 490.102, subdivisions 1, 3, and 6; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12, subdivision 3; 490.123, subdivisions 2 and 3; 490.124, subdivision 9; 490.126, subdivisions 2, 3, 4, and by adding a subdivision; and 490.129; Minnesota Statutes 1987 Supplement, sections 3.85, subdivision 12; 11A.04; 11A.18, subdivisions 6 and 11; 43A.316, subdivision 8; 43A.34, subdivision 3; 69.011, subdivision 2; 69.021, subdivision 5; 69.77, subdivisions 2b and 2h; 69.772, subdivision 3; 69.773, subdivision 4; 136.81, subdivision 3; 352.01, subdivisions 2b, 4, 5, 11, and by adding subdivisions; 352.021, subdivision 4; 352.03, subdivisions 4, 5, and 6; 352.04, subdivision 9; 352.05; 352.115, subdivisions 1, 3, 8, 10, and 11; 352.116; 352.119, subdivisions 2 and 3; 352.12, subdivisions 2, 12, and 13; 352.22, subdivisions 2, 3, 5, and 9; 352.23; 352.72, subdivisions 1 and 2; 352.73, subdivision 3; 352.85, subdivisions 1, 4, and 5; 352.86, subdivisions 1 and 3; 352.90; 352.92; 352.93; 352B.01, subdivisions 2 and 3; 352B.02; 352B.03, subdivision 2; 352B.05; 352B.08, subdivisions 1, 2, and by adding a subdivision; 352B.14, subdivisions 1, 2, 3, and by adding a subdivision; 352B.30, subdivision 1; 353.01, subdivisions 2b and 16; 353.33, subdivision 1; 353.64, subdivision 1; 353.71, subdivision 1; 353A.04, subdivision 8; 353A.07, subdivision 4; 353A.08, subdivisions 1, 2, and 3; 353A.09, by adding a subdivision; 353A.10, by adding a subdivision; 353B.07, subdivisions 1 and 3; 353B.08, subdivision 2,

6, and 7; 353B.11, subdivision 8; 353C.03; 353C.06, subdivisions 3 and 4; 353D.01; 353D.02; 353D.07, subdivision 5, and by adding a subdivision; 353D.10; 354.05, subdivisions 2 and 35; 354.06, subdivisions 1 and 2a; 354.07, subdivision 1; 354.48, subdivision 3; 354.51, subdivision 5; 354.532, subdivision 1; 354.60; 354.62, subdivision 5; 354A.39; 356.20, subdivisions 2 and 4; 356.215, subdivisions 1, 3, 4, 4d, 4f, 4g, 4h, 6, and by adding a subdivision; 356.216; 356.302, subdivisions 1, 3, and 7; 356.303, subdivision 4; 356.41; 422A.06, subdivisions 5 and 8; 422A.09, subdivision 3; 422A.101, subdivisions 1, 3, and by adding subdivisions; 423.39; 469.056, subdivision 1; 469.094, subdivision 3; and 518.582, subdivision 1; Laws 1969, chapter 224, section 3; Laws 1985, chapter 259, section 5; and chapter 261, sections 31, as amended; and 38, as amended; Laws 1986, chapter 359, section 25; reenacting Laws 1978, chapter 563, section 8; proposing coding for new law in Minnesota Statutes, chapters 60A; 69; 352; 353D; 354A; 356; and 490; repealing Minnesota Statutes 1986, sections 3.85, subdivision 10; 69.56; 69.58; 69.59; 69.60; 69.61; 136.88, subdivision 3; 251.011, subdivision 8; 352C.091, subdivision 2; 353.36, subdivisions 2a and 2c; 353.46, subdivision 1a; 353.662; 353.663; 353.74; 353.75; 353.83; 353.84; 353.85; 354.41, subdivision 3; 354.55, subdivisions 5, 6, 14, 15, and 18; 354.56; 355.311, subdivisions 2, 3, and 4; 356.325; 356.35; 356.36; 356.37; 356.38; 356.39; 356.45; 356.451, subdivision 2; 356.454; 356.455; 356.70, subdivisions 1 and 2; 383A.295, subdivision 3; 383B.40; 422A.06, subdivision 4; 422A.22, subdivision 2; 424.165, subdivisions 1, 2, and 4; 473.565, subdivisions 3 and 4; 490.102, subdivisions 7 and 8; 490.105; and 490.12, subdivision 9; repealing Minnesota Statutes 1987 Supplement, sections 69.54; 69.55; 352.01, subdivision 7; 352.115, subdivision 2; 352.119, subdivision 1; 352.73, subdivisions 1 and 2; 352.75, subdivisions 1, 2, 3, and 6; 352.76; 352B.14, subdivisions 4 and 5; 352B.261; 352B.262; 352B.27; 352B.28; 352B.29; 353.36, subdivision 2; 355.311, subdivision 1; 356.451, subdivision 1; 422A.101, subdivisions 2 and 2a; repealing Laws 1915, chapter 68; Laws 1921, chapter 118; Laws 1923, chapter 54; Laws 1925, chapter 197; Laws 1935, chapter 208, section 4; Laws 1943, chapter 267; Laws 1949, chapter 153; Laws 1953, chapter 91, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, subdivisions 1, 2, and 3, 12, 13, 14, 15, and 16; Laws 1955, chapters 187; and 375, sections 30, as amended, and 31, 32, 33, 34, 35, and 36; Laws 1957, chapters 455, section 14 and 630; Laws 1959, chapter 191; Laws 1975, chapters 408 and 425; Laws 1976, chapters 99 and 247; Laws 1980, chapter 600, sections 11 and 12; Laws 1981, chapter 68, section 43; Laws 1982, chapter 578, article II, section 1, subdivision 8; Laws 1984, chapters 558, article I, section 9; 564, section 48, as amended, and 574, sections 18 and 20; and Laws 1985, chapter 261, sections 17 and 18; Laws 1986, chapter 458, section 23.

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

Beard and Begich introduced:

H. F. No. 2579, A bill for an act relating to workers' compensation; providing for review of rehabilitation plans; amending Minnesota Statutes 1986, section 176.102, subdivision 7.

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

Begich introduced:

H. F. No. 2580, A bill for an act relating to ethics in government; redefining "lobbyist"; amending Minnesota Statutes 1986, section 10A.01, subdivision 11.

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

Beard and Begich introduced:

H. F. No. 2581, A bill for an act relating to workers' compensation; requiring the department of labor and industry to provide counsel in certain instances; amending Minnesota Statutes 1986, section 176.261.

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

Bishop introduced:

H. F. No. 2582, A bill for an act relating to water; providing a classification of the waters of the South Fork of the Zumbro River.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. Nos. 1608, 1644 and 1594.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1608, A bill for an act relating to the city of Minneapolis; updating references in its development laws; amending Laws 1980, chapter 595, section 3, subdivisions 1, as amended, 3, 6, and 7; and section 4.

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

S. F. No. 1644, A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1986, chapters 3, as amended; 31A; 227; 228; 306, as amended; 451; 456; and 560.

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

S. F. No. 1594, 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; 245A.11, subdivision 5; 245A.13, subdivision 5; 256D.01, subdivision 1d; and 256D.37, subdivision 5; repealing Minnesota Statutes 1987 Supplement, sections 256D.01, subdivision 1c; and 256D.37, subdivision 4.

The bill was read for the first time.

Greenfield moved that S. F. No. 1594 and H. F. No. 2123, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 2056, A bill for an act relating to state lands; requiring

corrective deed to be issued to Basilica of St. Mary of Minneapolis for state lands authorized to be conveyed to Basilica of St. Mary's, Inc.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2180 was reported to the House.

Upon objection of ten members, H. F. No. 2180 was stricken from the Consent Calendar and returned to General Orders.

CALENDAR

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. 453 was reported to the House.

There being no objection, H. F. No. 453 was continued on the Calendar until Monday, March 14, 1988.

Knickerbocker was excused at 2:30 p.m. Tjornhom and Frerichs were excused at 3:45 p.m.

GENERAL ORDERS

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

REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 1805, 2020, 10, 1659, 1710, 1784, 1989, 2039, 2083 and 2132 were recommended to pass.

H. F. Nos. 1709, 1942, 718, 1817, 1940, 1979, 577 and 1748 were recommended for progress.

H. F. Nos. 297, 1705 and 1806 were recommended for progress retaining their places on General Orders.

H. F. No. 1876 was recommended for re-referral to the Committee on Appropriations.

H. F. No. 2180 which it recommended to pass with the following amendment offered by Rice:

Page 2, line 11, before the period insert "and to provide adequate funding to rural health care providers"

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:

Gruenes and Onnen moved to amend H. F. No. 2180, as follows:

Page 2, line 8, after "legislation" insert "S1438 introduced by U. S. Senator Dave Durenberger and

Senator	Heinz	(R) Penn.
Senator	Daschle	(D) SD
Senator	Lugar	(R) Ind.
Senator	Cohen	(R) ME
Senator	McCain	(R) Ariz.
Senator	Exon	(D) Neb.
Senator	Wirth	(D) Colo.
Senator	Grassley	(R) Iowa
Senator	Boschwitz	(R) MN
Senator	Hecht	(R) Nev.
Senator	Burdick	(D) ND
Senator	Pressler	(R) SD
Senator	Stevens	(R) Ark.
Senator	Conrad	(D) ND
Senator	Stafford	(R) VT
Senator	Hatch	(R) UT
Senator	Domenici	(R) NM
Senator	Nickles	(R) OK
Senator	Simpson	(R) WYO
Senator	Wallop	(R) WYO."

Page 2, line 11, before the period insert "and to provide adequate funding to rural health care providers"

The question was taken on the Gruenes and Onnen amendment and the roll was called. There were 53 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dille	Johnson, V.	Pauly	Sviggum
Bauerly	Forsythe	Marsh	Poppenhagen	Swenson
Bennett	Frederick	McDonald	Quist	Thiede
Bertram	Frerichs	McKasy	Redalen	Tjornhom
Blatz	Gruenes	McPherson	Richter	Tompkins
Boo	Gutknecht	Miller	Rose	Uphus
Burger	Hartle	Morrison	Schafer	Valento
Carlson, D.	Haukoos	Olsen, S.	Schreiber	Waltman
Clausnitzer	Heap	Omann	Shaver	Wenzel
Dempsey	Himle	Onnen	Sparby	
DeRaad	Hugoson	Ozment	Stanius	

Those who voted in the negative were:

Anderson, G.	Clark	Greenfield	Kelly	Krueger
Battaglia	Cooper	Jacobs	Kelso	Larsen
Begich	Dauner	Jaros	Kinkel	Lieder
Brown	Dawkins	Jefferson	Kludt	Long
Carlson, L.	DeBlicke	Johnson, A.	Knuth	McEachern
Carruthers	Dorn	Johnson, R.	Kostohryz	McLaughlin

Milbert	Olson, E.	Price	Simoneau	Wagenius
Minne	Olson, K.	Quinn	Skoglund	Welle
Munger	Orenstein	Reding	Solberg	Winter
Murphy	Otis	Rice	Trimble	Wynia
Nelson, C.	Pappas	Rodosovich	Tunheim	Spk. Vanasek
Neuenschwander	Pelowski	Rukavina	Vellenga	
Ogren	Peterson	Segal	Voss	

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

Rice moved to amend H. F. No. 2180, as follows:

Page 2, line 11, before the period insert "and to provide adequate funding to rural health care providers"

The question was taken on the Rice amendment and the roll was called. There were 113 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Wenzel moved that the names of Sparby, Clark, Pelowski and Marsh be added as authors on H. F. No. 10. The motion prevailed.

Heap moved that the name of Jefferson be added as an author on H. F. No. 1291. The motion prevailed.

Begich moved that his name be stricken as an author on H. F. No. 1791. The motion prevailed.

Begich moved that his name be stricken as an author on H. F. No. 1902. The motion prevailed.

Olsen, S., moved that the name of Seaberg be added as an author on H. F. No. 2319. The motion prevailed.

Dawkins moved that the name of Clark be added as an author on H. F. No. 2335. The motion prevailed.

Cooper moved that the name of Brown be stricken and the name of Lasley be added as an author on H. F. No. 2337. The motion prevailed.

Pappas moved that the names of Clark and Tjornhom be added as authors on H. F. No. 2345. The motion prevailed.

Wenzel moved that the names of Bertram, Omann, Peterson and Krueger be added as authors on H. F. No. 2362. The motion prevailed.

Brown moved that the name of Welle be added as chief author on H. F. No. 2363. The motion prevailed.

McKasy moved that the name of Olsen, S., be added as an author on H. F. No. 2377. The motion prevailed.

Quinn moved that the name of Milbert be added as an author on H. F. No. 2406. The motion prevailed.

Lasley moved that the names of Trimble and Johnson, A., be added as authors on H. F. No. 2409. The motion prevailed.

Skoglund moved that the names of Ogren, Rodosovich and Stanius be added as authors on H. F. No. 2413. The motion prevailed.

Bauerly moved that the name of Wenzel be added as an author on H. F. No. 2420. The motion prevailed.

Uphus moved that the name of Waltman be added as an author on H. F. No. 2428. The motion prevailed.

Clark moved that the name of Dawkins be added as an author on H. F. No. 2444. The motion prevailed.

Jennings moved that H. F. No. 2503 be recalled from the Commit-

tee on Future and Technology and be re-referred to the Committee on Agriculture. The motion prevailed.

Jacobs moved that H. F. No. 2497 be recalled from the Committee on General Legislation, Veterans Affairs and Gaming and be re-referred to the Committee on Taxes. The motion prevailed.

Larsen moved that H. F. No. 1624 be returned to its author. The motion prevailed.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 7, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, March 7, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives