

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1988

SIXTY-SIXTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 9, 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 Monsignor James D. Habiger, Executive Director, Minnesota Catholic Conference, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

McPherson was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be dispensed

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1743, 1795, 1818, 1877, 1941, 1986, 1995, 2055, 2177, 2187, 2221, 2265, 2336, 2372, 2431, 2432, 1486, 1796, 1863, 1952, 1962, 1978, 1980, 2008, 2212, 2220, 2251, 258, 1656, 1678 and 1914 and S. F. Nos. 1710, 1622, 1711 and 1715 have been placed in the members' files.

S. F. No. 1715 and H. F. No. 1942, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Ogren moved that S. F. No. 1715 be substituted for H. F. No. 1942 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1711 and H. F. No. 1986, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Ogren moved that S. F. No. 1711 be substituted for H. F. No. 1986 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1710 and H. F. No. 2212, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Simoneau moved that S. F. No. 1710 be substituted for H. F. No. 2212 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 518, A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; amending Minnesota Statutes 1986, sections 3.981, subdivisions 2, 8, and by adding subdivisions; 3.982; 3.983, subdivision 3; 14.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3 and

14; repealing Minnesota Statutes 1986, section 3.981, subdivisions 4, 5, and 9.

Reported the same back with the following amendments:

Page 3, line 34, before the period insert ", but not the metropolitan council or metropolitan commissions or agencies"

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 987, A bill for an act relating to education; requiring the state fire marshal to inspect a public school building every three years; amending Minnesota Statutes 1986, section 299F.11, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [299F.395] [INSPECTION OF PUBLIC SCHOOLS.]

Subdivision 1. [STATE INSPECTION.] The state fire marshal shall inspect every public school building once every three years except as provided in subdivision 2.

Subd. 2. [LOCAL INSPECTION.] Any public school building that has been inspected by a local unit of government between January 1, 1985, and January 1, 1988, may continue to be inspected by the local unit of government and does not need to be inspected by the state fire marshal, provided the inspections continue to occur at least once every three years.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1989."

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, delete line 5 and insert "proposing coding for new law in Minnesota Statutes, chapter 299F."

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1000, A bill for an act relating to agriculture; providing a milk marketing and price stabilization plan; declaring state policy relating to milk; creating a milk stabilization board; authorizing the board to prescribe milk stabilization plans and maximum and minimum prices for marketing milk; requiring licenses for persons involved in milk marketing; prescribing milk marketing violations; authorizing enforcement of disruptive trade practices; authorizing entry, inspection, and investigation of milk marketing practices; requiring records and reports; providing remedies and penalties for milk marketing violations; authorizing local advisory boards; authorizing assessments on milk processors; authorizing a referendum on continuance of stabilized prices; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, chapter 32A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“DAIRY INDUSTRY IMPROVEMENT ACT

Section 1. [FINDINGS.]

The legislature finds that to protect the health and welfare of Minnesotans it is necessary to provide a fair pricing and marketing program in the state for dairy products and to protect consumers of dairy products from unfair trade practices, unfair methods of competition, conditions of monopoly, and combinations in restraint of trade.

Sec. 2. [32C.01] [DEFINITIONS.]

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

Subd. 2. [AGRICULTURAL MARKETING AGREEMENT ACT.] “Agricultural Marketing Agreement Act” means the Agricultural Marketing Agreement Act of 1937 as amended, United States Code, title 7, sections 601 et. seq.

Subd. 3. [BULK MILK.] “Bulk milk” means milk purchased by a processor from a person other than a dairy farmer in a container

other than the one in which the milk will be resold to a retailer or to a consumer.

Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of agriculture.

Subd. 5. [DAIRY FARMER.] "Dairy farmer" means a person who produces grade A raw milk for sale to a processor.

Subd. 6. [DAIRY FARMER-PROCESSOR.] "Dairy farmer-processor" means a person who is both a dairy farmer and a processor and does not purchase raw milk from other dairy farmers. A dairy farmer-processor is a dairy farmer when selling to a processor raw milk produced by the dairy farmer-processor, and is a processor when processing, manufacturing, or selling dairy products, or receiving bulk milk from another person.

Subd. 7. [DAIRY MARKETER.] "Dairy marketer" means a processor or distributor, including the subsidiaries, affiliate corporations, agents, and representatives.

Subd. 8. [DAIRY PRODUCTS.] "Dairy products" means milk products and frozen dairy products.

Subd. 9. [DISTRIBUTOR.] "Distributor" means a person, other than a processor, who sells to retailers or consumers at retail on home delivery routes or at fixed places of business.

Subd. 10. [FROZEN DAIRY PRODUCT.] "Frozen dairy product" means:

(1) ice cream, frozen custard, ice milk, mellorine, olarine, sherine, fruit sherbets, fruit sherbines;

(2) the mix from which a product in clause (1) is made;

(3) frozen products that contain milk solids other than fat or butterfat, commonly referred to in the dairy industry as "novelties"; or

(4) frozen products, except baked goods, containing a milk derivative.

Subd. 11. [HANDLING.] "Handling" means the activities of a dairy marketer in bottling, processing, packaging, or manufacturing dairy products, or in purchasing processed or manufactured dairy products that are resold to another dairy marketer or retailer.

Subd. 12. [MILK.] "Milk" means the lacteal secretion of a cow, including a secretion that is raw, cooled, pasteurized, standardized,

homogenized, recombined, or concentrated, which meets the grade A requirements established in section 32.394.

Subd. 13. [MILK PRODUCT.] "Milk product" means:

(1) raw milk, regular or creamline milk, standardized milk, whole pasteurized milk, special milk, homogenized milk, fortified milk, plain or creamed buttermilk, cottage cheese, creamed cottage cheese, flavored milk, flavored skim milk, sour cream, half and half, whipping cream, whipped cream, skim milk, lowfat milk, fluid cream, concentrated milk, yogurt, and eggnog; or

(2) a product that contains milk solids other than fat, butterfat, or a milk derivative, which is manufactured to resemble a milk product as defined in clause (1).

"Milk product" does not include butter, cheese other than cottage cheese or cream cottage cheese, nonfat dry milk, skim condensed milk, whole condensed milk, whole dry milk, dried cream, evaporated milk, sweetened condensed milk, or baked goods.

Subd. 14. [MINNESOTA DAIRY COMMISSION; COMMISSION.] "Minnesota dairy commission" or "commission" means the commission established in section 16.

Subd. 15. [PERSON.] "Person" means an individual, business entity, cooperative corporation or association, or governmental agency.

Subd. 16. [PROCESSOR.] "Processor" means a person who:

(1) processes or manufactures dairy products;

(2) purchases raw milk from a grade A dairy farmer for resale to a person who processes or manufactures dairy products; or

(3) purchases bulk milk from anyone for resale to a person who processes or manufactures dairy products.

"Processor" does not include a person who only purchases ice cream mix, ice milk mix, or other frozen dairy products mix and whose processing activities are limited to converting the mix into a frozen dairy product, if more than half of the sales of the frozen dairy product are made by the person to consumers at retail on the premises where the frozen dairy product is processed.

Subd. 17. [RETAILER.] "Retailer" means a person who sells dairy products to consumers at fixed places of business located in this state, except that "retailer" does not include a person whose primary

business is the sale of food or dairy products subject to the sales tax under section 297A.01, subdivision 3, paragraph (c).

Subd. 18. [RETAIL PRICE.] "Retail price" means the price at which a dairy product is purchased when purchased for a purpose other than resale.

UNFAIR DAIRY TRADE PRACTICES

Sec. 3. [32C.02] [BUYING, SELLING, AND PRICING VIOLATIONS.]

Subdivision 1. [PROHIBITED PRICING.] A manufacturer, wholesaler, distributor, or retailer of dairy products doing business in this state must not sell, offer for sale, or advertise for sale a dairy product below cost, or give, offer to give, or advertise the intent to give away a dairy product for the purpose or with the effect of injuring a competitor or destroying competition. This section does not apply to a sale made in conformance with section 325D.06, clauses (1) to (4). No action may be commenced under this section if the retail price is 15 percent or more above the list price of the manufacturer.

Subd. 2. [RETAIL SELLING OF PRODUCTS OF DIFFERENT BRANDS AT DIFFERENT PRICES.] A retailer may not sell or offer for sale dairy products of one brand at a price different from the price charged by the retailer for an equal quantity of a product of the same type, quality, or grade, but of a different brand, unless the price differential is equal to the difference in the prices paid by the retailer for the products.

Subd. 3. [DAIRY PRODUCTS PRICED WITH OTHER PRODUCTS.] A dairy marketer may not charge a combined price for a dairy product and another commodity or service that is less or is represented to be less than the aggregate of the price of the dairy product and the price or value of the other commodity or service when sold or offered for sale separately.

Subd. 4. [SELLING BELOW COST.] A dairy marketer may not sell, offer for sale, or advertise for sale a dairy product below cost, or give, offer to give, or advertise the intent to give away the dairy product, to damage or harass a competitor or destroy competition. This section does not apply to a sale made in conformance with section 325D.06, clauses (1) to (4). An enforcement action may not be commenced under this subdivision if the retail price is 15 percent or more above the list price of the processor.

Subd. 5. [PRIMA FACIE EVIDENCE OF SALE BELOW COST.] (a) In an action for an injunction from or to impose civil penalties for a violation of this section, evidence that a dairy product was sold, offered for sale, or advertised for sale at a price that damages or

destroys competition is prima facie evidence that the product was sold, offered for sale, or advertised for sale below cost to damage a competitor or to destroy competition.

(b) For purposes of paragraph (a), price is presumed to damage or destroy competition if:

(1) a retail price is less than eight percent above the current net delivered price of the processor including a rebate, discount, refund, and price differential; or

(2) a price charged to a retailer by a distributor is less than five percent above the current net delivered price of the processor including any rebate, discount, refund, and price differential.

Subd. 6. [BURDEN OF PROOF] (a) If the commissioner has reason to believe that a dairy marketer is selling dairy products below cost and notifies the dairy marketer, the dairy marketer has the burden of proof using an accepted cost accounting procedure that sales were not made below cost.

(b) In demonstrating that sales of dairy products were not made below cost, general overhead costs and sales volume must be determined for the 12-month period immediately preceding the first month of the alleged violation, or the time in operation if less than 12 months. General overhead costs may not be taken into account if they occur during the same period as alleged violation of this section, and changes in sales volume from the months preceding the violation may not be taken into account if the changes occur during the same period as the alleged violation.

(c) In determining unit costs, raw material, and ingredient costs and other special costs that are announced in advance or otherwise known must be considered at the time the costs become effective, notwithstanding the 12-month period in paragraph (b).

(d) Costs include raw materials, ingredients, general processing, cost of goods sold, labor, marketing, distribution, selling, maintenance and repair, depreciation, taxes, utilities, licenses, and other general administrative or overhead costs, whether fixed or variable, as are recognized by generally accepted accounting principles.

(e) Product cost theories, direct or marginal costing, and differential cost concepts are unacceptable cost accounting procedures.

(f) Cost center accounting concepts must be used in determining cost of manufacturing or selling selected dairy products in multi-level operations.

(g) In an action brought under this chapter, the commissioner's

determination of a dairy marketer's specific costs are prima facie correct, and may be rebutted by the dairy marketer's actual costs. In determining costs and rebuttals of the determination, generally accepted accounting principles and generally accepted auditing standards that are relevant and proper to the determination must be followed and the principles and standards must include the use of proper sampling.

Subd. 7. [COMMISSIONER MAY REQUIRE PRICE SCHEDULES.] When the commissioner determines it necessary for the enforcement of this chapter, the commissioner may require a dairy marketer selling dairy products to furnish to the commissioner a current schedule of prices showing rebates, discounts, refunds, and price differentials for the dairy products offered for sale at wholesale by the dairy marketer to retailers or to any other person for sale at wholesale to a retailer. Manufacturers with retail stores may be required to furnish current price schedules for the stores. The price schedules furnished are informational only. Schedules of prices and cost data are confidential, nonpublic data.

Sec. 4. [32C.03] [UNFAIR DAIRY MARKETING PRACTICES.]

Subdivision 1. [DAMAGING A COMPETITOR.] A dairy marketer may not:

- (1) restrain, lessen, or destroy competition;
- (2) damage a competitor;
- (3) damage a person dealing in dairy products;
- (4) impair or prevent fair competition in the sale of dairy products to retailers in this state; or
- (5) engage in or threaten to engage in a prohibited practice or method of doing business.

Subd. 2. [METHOD TO DEFEAT DAIRY UNFAIR TRADE PRACTICES.] A dairy marketer may not apply or attempt to apply a method or device in the sale or distribution of dairy products intending to defeat the policy or to evade a provision of this chapter or an order or rule adopted by the commissioner.

Subd. 3. [INDUCING PROHIBITED ACTS.] In the course of doing business in this state, a person may not knowingly induce an act or knowingly receive a benefit from an act prohibited by this chapter.

Subd. 4. [FINANCIAL INTEREST IN RETAILER.] A dairy marketer may not own, control, or have more than a five percent financial interest in a retail business selling or offering for sale

dairy products in this state, unless the business name, address, nature, and extent of the dairy marketer's ownership or control of the retail business are prominently displayed at the main public entrance to the premises where the business is being conducted. The information displayed must be in upper-cased type not less than 24 points in size.

Sec. 5. [32C.04] [SALE AND LEASE BACK OF PROPERTY.]

Subdivision 1. [GENERAL PROHIBITION.] A dairy marketer may not purchase real or personal property from a retailer and lease back or resell the property to the retailer under a deferred payment contract except as allowed in this section.

Subd. 2. [RENTAL AGREEMENT.] A dairy marketer and a retailer may enter a written lease signed by both parties that specifies:

(1) a rental rate that is consistent with the value of similar property in the area where the retailer is located when the lease is executed; and

(2) other terms and conditions consistent with leases of similar property in that locality made at or about the same time by persons not having the relationship existing between the retailer, as the purchaser, and the lessor, as the seller, of dairy products.

Subd. 3. [CONTRACTS TO SELL PROPERTY.] (a) A dairy marketer and a retailer may enter a written contract for the sale of property signed by both parties specifying:

(1) a purchase price that is consistent with the fair market value of similar property in the area where the retailer is located when the contract is executed;

(2) the down payment on the purchase price;

(3) the periodic payments on the unpaid balance of the purchase price; and

(4) other terms and conditions consistent with sale contracts of similar property in that locality made at or about the same time by persons not having the relationship existing between the retailer, as the purchaser, and the dairy marketer, as the seller, of dairy products.

(b) A contract or agreement for the lease back or resale to a retailer of property purchased from the retailer by the dairy marketer may not contain a requirement that the retailer must purchase dairy products from a specified dairy marketer.

Sec. 6. [32C.05] [FURNITURE, TRADE FIXTURES, AND EQUIPMENT.]

Subdivision 1. [INDUCEMENT FOR PURCHASE.] A dairy marketer may not furnish, give, lend, lease, or sell furniture, fixtures, fittings, or equipment to a retailer as an incentive or inducement for the retailer to purchase, handle, store, display, sell, or trade in a dairy product of a dairy marketer.

Subd. 2. [RESTRICTION ON SALES TO RETAILERS.] To maintain fair, open, and free competition for the trade and custom of the retailers purchasing dairy products for resale, a dairy marketer may not sell or offer to sell to a retailer furniture, trade fixtures, or equipment except as allowed in this section.

Subd. 3. [TIME PAYMENT SALES.] (a) A dairy marketer may not sell furniture, trade fixtures, or equipment at less than their cost to a retailer that purchases dairy products from the dairy marketer. A sale made by a dairy marketer at less than 15 percent above the actual current invoice or replacement cost, less depreciation in the case of used furniture, trade fixtures, or equipment computed at the annual rate of 15 percent of the seller's cost, is prima facie evidence that the sale was made below the dairy marketer's cost.

(b) If the full purchase price of the furniture, trade fixtures, or equipment sold to the retailer is not paid to the dairy marketer by the retailer by 40 days after delivery, the retailer must pay at least ten percent of the purchase price within the 40 days and provide the dairy marketer a conditional sales contract or a promissory note with a purchase money security interest in the furniture, trade fixtures, or equipment.

(c) The conditional sales contract or purchase money security agreement must specifically describe each item of the sale. The dairy marketer, by ten days after the contract or security agreement is entered into, must file the conditional sales contract, or purchase money security agreement and financing statement, as required to enforce the purchase money secured debt. The conditional sales contract or purchase money security agreement must specify:

(1) the cash payment made by the retailer to the dairy marketer or the value of the trade-in accepted to apply on the purchase price, but the trade-in credit must not exceed the depreciated value of the items representing the trade-in credit as carried on the business records of the purchaser, or if records are not available, at an annual depreciation rate of 15 percent of the purchaser's cost; and

(2) that the amount of the unpaid purchase price must be paid by the retailer in 60 equal monthly installments with the last installment of principal and interest maturing not later than 60 months from the execution of the conditional sales contract or purchase

money security agreement given to the dairy marketer by the retailer.

(d) The rate of interest on the purchases may not be less than the prevailing market rate, and the rates of interest charged for various sales agreements on any given day must be the same for all retailers.

Subd. 4. [SERVICING.] The mechanical, electrical, and other servicing of furniture, trade fixtures, or equipment sold to a retailer by a dairy marketer is the sole responsibility of the retailer unless at the time of the sale, the dairy marketer and the retailer agree in writing that the dairy marketer is responsible for the servicing. The contract must require the dairy marketer to charge the retailer for the servicing at the same price charged by third persons rendering the service in the area or community where the retailer is located. The charge for the servicing, including the full cost of all repair and replacement parts, must be paid by the retailer to the dairy marketer by 40 days after the performance of the work.

Sec. 7. [32C.06] [PROHIBITED GIFTS, LOANS, CREDIT, AND COMPENSATION.]

Subdivision 1. [GIFTS AND LOANS.] A dairy marketer may not give, lend, or advance money, credit, or another thing of value to a retailer, or to a person for the benefit or relief of a retailer.

Subd. 2. [FINANCIAL OBLIGATIONS.] A dairy marketer may not become obligated for the repayment of a loan of money or financial commitment of a retailer.

Subd. 3. [EXTEND CREDIT WHEN DELIVERY DEBTS ARE DUE.] A dairy marketer may not extend or give an additional credit to a retailer if there is indebtedness attributable to the delivery of dairy products from the retailer on the 15th day of the next calendar month after delivery.

Subd. 4. [CREDIT FOR UNSALABLE PRODUCTS.] A dairy marketer may not credit an account of or pay a retailer for a dairy product that the retailer claims has become stale, spoiled, or otherwise unsalable, unless the particular product is in fact spoiled or otherwise unsalable.

Subd. 5. [COMPENSATION IN CONNECTION WITH SALE.] A dairy marketer may not make or offer to make any gift of money, merchandise, trading stamps, coupons, service, supplies, or anything of value, or to grant or offer to grant any rebate, discount, or advertising allowance in connection with any sale to a distributor or retailer in this state of a dairy product except as expressly allowed under this chapter.

Subd. 6. [RETAILER LICENSES.] (a) A dairy marketer may not:

- (1) have an interest in or pay for a license for a retailer; or
- (2) advance, furnish, lend, or give money for the payment of a license fee and expense incident to obtaining a license for a retailer.

(b) A dairy marketer may purchase a required license in the dairy marketer's name to sell the dairy marketer's dairy products in this state.

Sec. 8. [32C.07] [PROHIBITED SIGNS AND ADVERTISING.]

Subdivision 1. [ADVERTISING.] (a) A dairy marketer may not:

(1) provide, pay for, guarantee, or in any other manner assume, satisfy, or discharge the cost or obligation of a retailer for painting, decorating, improving, repairing, or rebuilding an existing billboard, outdoor sign, display area, wall, fence, building, or structure, or other type of outdoor display advertising having a fixed location; or

(2) build, erect, or purchase a new billboard, outdoor sign, or other outdoor advertising having a fixed location, or a structure or facility for use as an outdoor display for the direct benefit of a retailer.

(b) A dairy marketer may engage in all forms of outdoor advertising to promote dairy products manufactured, processed, or distributed by the dairy marketer if a reference is not made to a retailer.

Subd. 2. [INDOOR SIGNS.] (a) A dairy marketer may not furnish or maintain inside signs of a permanent nature unless the signs are used only for advertising or promoting:

(1) dairy products manufactured, distributed, or sold by the person furnishing the sign; or

(2) items of food made principally from the dairy product advertised or the brand name of the dairy product advertised.

(b) A dairy marketer may furnish point-of-sale advertising material made of paper or other similar materials to a retailer without charge only to promote the sale of a dairy product of the person furnishing the material.

Subd. 3. [MEDIA ADVERTISING.] (a) A dairy marketer may not furnish, give, lend, finance, pay for, contribute to, or by other means participate in cooperative advertising using newspapers, radio, television, or other advertising media if a retailer selling, handling,

or offering for sale a dairy product of the dairy marketer is named or otherwise identified or referred to in the advertising.

(b) A dairy marketer may purchase and pay for the lines or space actually used in advertising one or more of its dairy products in a newspaper advertisement, handbill, or other form of printed advertising put out by a retailer or for the time actually so used in any radio or television program sponsored by a retailer.

Subd. 4. [ADVERTISING ON RETAILER'S PREMISES.] (a) A dairy marketer may not pay, loan, or give money, credit, compensation, or anything of value to a retailer for:

(1) the privilege of placing a sign, advertisement, or other sales promotion material in or upon the premises of the retailer; or

(2) storing, advertising, or displaying a dairy product in connection with its sale or promotion.

(b) A dairy marketer may furnish paint and maintain an insulated truck body used exclusively in the sale and delivery of its dairy products by the person making retail sales.

Sec. 9. [32C.08] [DAIRY MARKETERS AS HANDLERS OR HAULERS.]

A dairy marketer may not engage in the business of a processor or distributor selling or offering products for sale at wholesale to retailers while at the same time engaging in the business of hauling, handling, or delivering dairy products to a retailer for a fee, or for itself, or another processor or distributor if the business results in a sale of a dairy product at wholesale to a retailer at a price lower than the retailer could obtain from the processor or distributor without the hauling, handling, or delivering.

ENFORCEMENT

Sec. 10. [32C.09] [ENFORCEMENT.]

The commissioner shall enforce this chapter. The commissioner may adopt rules and temporary rules under chapter 14 to carry out the provisions of this chapter.

Sec. 11. [32C.10] [ENTRY, INSPECTION, AND INVESTIGATION.]

Subdivision 1. [ENTRY.] The commissioner may enter, at reasonable hours:

(1) places of business operated by dairy marketer or retailer where raw milk, milk products, or frozen dairy products are produced, stored, processed, manufactured, or sold; and

(2) places where a dairy marketer or retailer maintains books, papers, accounts, records, or other documents related to the business.

Subd. 2. [SUBPOENA AND INSPECTION.] (a) The commissioner may subpoena, and inspect, audit, and make copies of books, papers, records, accounts, or documents to determine whether this chapter and rules of the commissioner are being complied with.

(b) The commissioner may subpoena, and may inspect, audit, and make copies of relevant books, papers, records, accounts, or other documents.

(c) The commissioner may subpoena and take the testimony, under oath, of persons believed to have information needed to administer and enforce this chapter.

Subd. 3. [INVESTIGATIONS.] The commissioner may call together dairy marketers, retailers, and dairy farmers to investigate and hold hearings on trade practices and make findings relative to a trade practice involving the manufacture, sale, or distribution of dairy products.

Subd. 4. [CONFIDENTIALITY OF INFORMATION.] (a) Information acquired by the commissioner under this section is private data under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9, and may only be used by the commissioner and the commission for the administration and enforcement of this chapter.

(b) A person who divulges confidential information that is private data on individuals or nonpublic data under this subdivision to an unauthorized person is guilty of a misdemeanor.

Sec. 12. [32C.11] [REMEDIES.]

Subdivision 1. [CIVIL PENALTY.] The commissioner may assess a civil penalty not to exceed \$500 per day for each violation or continuing violation, and may collect the civil penalty by a civil proceeding in an appropriate court. Penalties collected by the commissioner must be deposited in the state treasury and credited to the dairy marketing account.

Subd. 2. [COMPLIANCE ENFORCEMENT.] The commissioner may bring an action at law or in equity to enforce compliance with

a provision of this chapter or rule of the commissioner, or to obtain a declaratory judgment.

Subd. 3. [INJUNCTIVE RELIEF.] (a) The commissioner may bring an action for injunctive relief against any person violating or threatening to violate provisions of this chapter. The action does not require:

(1) alleging or proving actual damages or injury or that an adequate legal remedy does not exist, so that injunctive relief can be obtained promptly without awaiting injury or actual damage; or

(2) showing the intent or the effect of restraining, lessening or destroying competition, injuring a competitor or injuring a person dealing in dairy products, or impairing or preventing fair competition in the sale of dairy products in the state.

(b) The court shall grant injunctive relief unless the person objecting proves that the granting of the injunctive relief will damage or injure the person permanently or irreparably, and substantially. The proof must be offered within ten days after the injunctive action is filed.

(c) The injunctive relief must be temporary and may not extend beyond a violation of this chapter. The injunctive relief may not abridge or be in lieu of any other civil remedy provided in this chapter, except that temporary injunctive relief may be made permanent upon a showing by the board that the violation:

(1) has caused injury to competitors or competition;

(2) has restrained or lessened competition;

(3) has impaired fair competition in the sale of dairy products; or

(4) is reasonably expected to cause the effects stated in clause (1), (2), or (3).

(d) This subdivision does not allow the commissioner to bring an action for damages that will benefit the commissioner or the commission.

Sec. 13. [32C.12] [CEASE AND DESIST ORDER.]

Subdivision 1. [HEARING.] (a) If the commissioner has reason to believe that a person is violating provisions of this chapter or a rule of the commissioner, the commissioner may serve a complaint upon the person stating the alleged violation. The complaint must contain a notice of hearing with the time and place at least 20 days after the service of the complaint.

(b) The person receiving the complaint has the right to appear at the hearing to show cause why an order should not be entered by the commissioner requiring the person to cease and desist from the violation charged in the complaint. A person may apply and, upon good cause, be allowed by the commissioner to intervene and appear in the proceeding by counsel or in person.

(c) The testimony in the proceeding must be reduced to writing and filed in the office of the commissioner.

(d) If, upon hearing, the commissioner finds that there has been a violation of provisions of this chapter or rule of the commissioner, the commissioner shall make a report in writing stating the findings. The commissioner shall issue and serve an order upon the person requiring the person to cease and desist from the violation. The commissioner, at any time after notice and opportunity for hearing, may reopen and modify or set aside, in whole or in part, an order issued under this section.

Subd. 2. [REVIEW BY DISTRICT COURT.] (a) A person required by an order of the commissioner to cease and desist from an act or practice may obtain a review of the order in district court by filing with the court within 20 days after the date of service of the order a written petition requesting that the order of the commissioner be set aside. A copy of the petition must be served upon the commissioner. The commissioner shall certify and file in the court a transcript of the entire record and order of the commissioner. Upon the filing of the petition and transcript, the court has jurisdiction of the proceeding and of the question determined.

(b) The court may:

(1) make and enter upon the pleadings, evidence, and proceedings in the transcript a decree affirming, modifying, or setting aside the order of the commissioner or enforcing it to the extent that the order is affirmed; and

(2) issue writs ancillary to its jurisdiction or necessary in its judgment to prevent injury to the public or to competitors while a suit is pending.

(c) The findings of the commissioner relating to the facts, if supported by the evidence in the proceeding before the commissioner, are conclusive. To the extent that the order of the commissioner is affirmed, the court shall issue its own order commanding obedience to the terms of the order of the commissioner.

(d) If either party applies to the court for leave to acquire and offer additional evidence, and shows to the satisfaction of the court that the additional evidence is material and that there were reasonable

grounds for the failure to acquire and offer the evidence in the proceeding before the commissioner, the court may order that the additional evidence be taken before the commissioner. The evidence must be offered at the hearing in the manner and on the terms and conditions determined by the court. The commissioner may modify findings as to the facts, or make new findings, by reason of the additional evidence taken. The commissioner shall file the modified or new findings which, if supported by the evidence, are conclusive and the commissioner's recommendation, if any, for the modification or setting aside of the commissioner's original order with the return of the additional evidence.

(e) The judgment and decree of the court is final, except that it is subject to review by the court of appeals.

Subd. 3. [ENFORCEMENT.] Violations of a cease and desist order of the commissioner must be punished by the district court under the laws of contempt. Each day of failure to obey a cease and desist order of the commissioner is a separate violation and each violation of a particular act enjoined by the court is a separate violation.

Sec. 14. [32C.13] [CIVIL ACTIONS BY DAMAGED PARTIES.]

Subdivision 1. [TREBLE DAMAGES.] A person who has business or property damaged resulting from a violation of this chapter is entitled to an action in district court to recover three times the damages plus costs, including reasonable attorneys fees.

Subd. 2. [REQUEST FOR COMMISSIONER TO SEEK INJUNCTIVE RELIEF.] A person who is damaged or is threatened with damage or loss from a violation of this chapter may request the commissioner to seek injunctive relief under section 12, subdivision 3, against all persons involved in a violation or threatened violation of this chapter.

Subd. 3. [TORT ACTION WITH INJUNCTIVE RELIEF.] A person entitled to an action may sue both in tort and for injunctive relief and may recover for all loss, damage, or injury arising from the continued violation to the time of trial or hearing of the action.

Sec. 15. [32C.14] [DAIRY PROCESSOR ASSESSMENTS.]

Subdivision 1. [FEES.] (a) To administer and enforce this chapter, the commissioner may charge each processor the following maximum fees:

(1) one cent per hundredweight on all milk processed or used in the manufacture of a dairy product sold in this state or manufactured in this state for sale in this state;

(2) 0.75 cent per gallon of frozen foods sold in this state or manufactured in this state for sale in this state;

(3) 1.05 cents per gallon of ice milk mix; and

(4) 1.425 cents per gallon of ice cream mix.

(b) The commissioner may fix the fees at a lesser amount and may adjust the fees if the cost of administering and enforcing this chapter can be paid with less than the maximum fees.

Subd. 2. [COLLECTION.] (a) If the fees are:

(1) less than \$60 annually, the fees must be paid within 30 days following the end of the calendar year;

(2) less than \$240 annually, payment must be made quarterly within 30 days following the end of the quarter; or

(3) equal to or more than \$240 annually, payment must be made monthly within 30 days following the end of the month when due.

(b) A penalty amounting to ten percent of the fees due must be imposed by the commissioner for each month the fees are delinquent.

Subd. 3. [DAIRY MARKETING ACCOUNT.] The dairy marketing account is established in the state treasury. The fees collected by the commissioner under this section must be deposited in the state treasury and credited to the dairy marketing account. The money in the dairy marketing account is continuously appropriated to the commissioner to be used as a revolving fund for administering and enforcing this chapter.

Sec. 16. [32C.15] [MINNESOTA DAIRY COMMISSION.]

Subdivision 1. [ESTABLISHMENT; MEMBERSHIP; SUNSET.] (a) The Minnesota dairy commission of nine members is established consisting of:

(1) the commissioner of agriculture or the commissioner's designee;

(2) a representative from the University of Minnesota designated by the dean of the school of agriculture;

(3) one retail grocer appointed by the governor;

(4) one consumer appointed by the governor;

(5) three milk producers appointed by the governor; and

(6) two dairy processors appointed by the governor.

(b) The governor shall make appointments to the commission not later than August 1, 1988.

(c) The commission shall select a chair from among its members.

(d) The commission sunsets on June 30, 1990.

Subd. 2. [OBJECTIVES.] The objectives of the commission are increased profitability of individual dairy farms and the establishment of long-range goals, objectives, and strategies for the dairy industry in the state.

Subd. 3. [DUTIES; RESPONSIBILITIES; DEADLINES.] Not later than June 1, 1989, the commission shall:

(1) compile existing information on increasing profitability for dairy farmers;

(2) establish a mechanism to efficiently disseminate information and the findings of the commission to dairy farmers;

(3) establish working relationships with appropriate agencies and organizations in neighboring states in an attempt to coordinate information gathering and dissemination and the development of regional dairy policy;

(4) examine available data on patterns and relationships between changes in the purchase price of raw milk from dairy farmers and changes in the retail price of dairy products purchased by the consumer;

(5) examine and evaluate ways in which computer hardware and software could be utilized by dairy farmers to more effectively analyze dairy herd performance and farm operating strategies; and

(6) prepare a preliminary draft of long-range goals, objectives, and strategies for the dairy industry in Minnesota and the upper midwest.

Subd. 4. [PILOT PROJECTS; DEMONSTRATIONS.] The commission may sponsor and oversee pilot projects and demonstrations on dairy farms. The projects must be of general applicability to family size dairy farms of the state. Pilot projects and demonstrations must apply strategies and practices for increasing the profitability of dairy farms and increasing income levels for individual dairy farmers.

Sec. 17. [ACCOUNT TRANSFER.]

The commissioner of finance shall transfer the remaining balance in the dairy industry unfair trade practices account to the dairy marketing account.

Sec. 18. [APPROPRIATION.]

Subdivision 1. [MINNESOTA DAIRY COMMISSION EXPENSES.] \$ is appropriated from the dairy marketing account to the commissioner of agriculture for expenses of the Minnesota dairy commission under section 16.

Subd. 2. [PILOT PROJECTS AND DEMONSTRATIONS.] \$ is appropriated from the dairy marketing account to the commissioner of agriculture to be matched on a dollar-for-dollar basis by private funds to sponsor pilot projects and demonstrations under section 16, subdivision 4.

Sec. 19. [REPEALER.]

Minnesota Statutes 1986, sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05; 32A.07; 32A.08; and 32A.09, are repealed.

Sec. 20. [EFFECTIVE DATE.]

This act is effective July 1, 1988."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing procedures for the orderly marketing of dairy products; authorizing enforcement of disruptive trade practices; providing remedies and penalties; authorizing assessments on milk processors; establishing the Minnesota dairy commission; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, chapter 32A."

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

The report was adopted.

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

H. F. No. 1556, A bill for an act relating to children; establishing a program of cultural opportunities for kids; requiring certain nonprofit organizations to admit low-income families to events at

reduced prices; amending Minnesota Statutes 1986, sections 290A.07, by adding a subdivision; 297A.25, subdivision 24; and proposing coding for new law in Minnesota Statutes, chapter 268.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [37.235] [REDUCED ADMISSIONS.]

The society shall allow families qualified for reduced admission to be admitted to the fairgrounds during the annual fair by paying one-half of the fees they would otherwise be charged.

Sec. 2. Minnesota Statutes 1987 Supplement, section 85.052, subdivision 3, is amended to read:

Subd. 3. [FEE FOR CERTAIN PARKING AND CAMPSITE USE.]

(a) An individual using spaces in state parks under subdivision 1, clause (2), shall be charged daily rates determined and set by the commissioner in a manner and amount consistent with the type of facility provided for the accommodation of guests in a particular park and with similar facilities offered for tourist camping and similar use in the area.

(b) The fee for special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer parking spaces is one-half of the fee set in paragraph (a) for families qualified for reduced admission under section 3.

(c) The fee for special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer coach parking spaces is one-half of the fee set in paragraph (a) on Sunday through Thursday of each week for:

(1) an individual age 65 or over who is a resident of the state and who furnishes satisfactory proof of age and residence;

(2) a physically handicapped person with a motor vehicle that has special plates issued under section 168.021, subdivision 1; or

(3) a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3.

Sec. 3. Minnesota Statutes 1986, section 85A.02, subdivision 17, is amended to read:

Subd. 17. [ADDITIONAL POWERS.] The board may establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility. The schedule must allow

families qualified for reduced admission to be admitted at any time by paying one-half the fees they would otherwise be charged under this section. The board shall have a policy encouraging the admission of elementary school children at no charge when part of an organized school activity. The board may provide for the purchase, reproduction, and sale of gifts, souvenirs, publications, informational materials, food and beverages, and grant concessions for the sale of these items.

Sec. 4. [268.56] [CULTURAL OPPORTUNITIES FOR FAMILIES.]

Subdivision 1. [FINDINGS.] The legislature finds that:

(1) there are many cultural and recreational opportunities available throughout the state;

(2) many families are prohibited from attending cultural and recreational events because they cannot afford the cost of admission;

(3) attending a cultural or recreational event is a positive way to reinforce the family unit; and

(4) a number of organizations offer reduced admission to their events or premises but these admissions are often not available to whole families or are not available at times when a working family could attend.

Subd. 2. [PROGRAM ESTABLISHED.] The commissioner shall establish Cultural Opportunities for Families, a program to provide low-income families with access to cultural and recreational events. The program allows families qualified for reduced admission to attend cultural and recreational events at a reduced admission cost. Reduced admissions must be available in a manner that preserves the dignity of the participating family.

Subd. 3. [DEFINITIONS.] For purposes of this section, the following words have the meanings given:

(a) "Cultural and recreational events" means events sponsored by or admission to the premises of a participating public or tax-exempt organization.

(b) "Eligible family" means a family as defined in the child care sliding fee program with at least one child under the age of 13 whose household income meets the guidelines of the low-income energy assistance program.

(c) "Family qualified for reduced admission" means at least one child under age 13 who presents a cultural opportunity coupon and

who is accompanied by a parent, adult relative, or other adult who regularly takes part in the life of the child.

(d) "Participating public organization" means an entity required by law to offer reduced admission to families with cultural opportunity coupons.

(e) "Participating tax-exempt organization" means an association, corporation, or other group of persons that qualifies for exemption from payment of sales tax under section 297A.25, subdivision 24, and elects to participate in the Cultural Opportunities for Families program.

(f) "Reduced admission cost" means a reduction of at least 50 percent in the cost of admission to the premises or event.

Subd. 4. [DUTIES OF COMMISSIONER.] The commissioner shall:

(1) Administer the Cultural Opportunities for Families program through the low-income energy assistance program;

(2) Distribute to each agency that administers the low-income energy assistance program books of coupons allowing reduced admission to cultural and recreational events. Each coupon book must contain six coupons valid for one year. Each coupon must admit a family qualified for reduced admission to cultural or recreational events;

(3) Develop a reporting form to be used by participating public and tax-exempt organizations in reporting use of cultural opportunity coupons;

(4) Collect, summarize, and distribute data from the reporting forms;

(5) Prepare and submit to the legislature by January 1, 1990 a report showing use of the cultural opportunities for families program.

Subd. 5. [DUTIES OF AGENCY.] Agencies that administer the low-income energy assistance program must:

(1) publicize to clients the availability of cultural opportunity coupons;

(2) advertise the Cultural Opportunities for Families program in places accessible to clients;

(3) distribute cultural opportunity coupons to eligible families; and

(4) inform and solicit the participation of organizations in their communities that offer cultural and recreational events.

Subd. 6. [DUTIES OF PARTICIPATING ORGANIZATIONS.] The duties of a participating organization are:

(1) to develop and implement a program for reducing the cost and increasing the accessibility of admission to the premises or events for families qualified for reduced admission; and

(2) to report annually to the commissioner on the organization's receipt of cultural opportunity coupons and the specific terms of their use.

Sec. 5. [APPROPRIATION.]

§ is appropriated to the commissioner of jobs and training for the purposes of section 3."

Delete the title and insert:

"A bill for an act relating to children; providing reduced fees and admissions for low-income families; establishing a program of cultural opportunities for families; requiring certain public and tax-exempt organizations to admit low-income families at reduced prices; appropriating money; amending Minnesota Statutes 1986, section 85A.02, subdivision 17; Minnesota Statutes 1987 Supplement, section 85.052, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 37 and 268."

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

The report was adopted.

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

H. F. No. 1731, A bill for an act relating to intoxicating liquor; exempting new municipal liquor stores from vote on discontinuance for failure to show a profit; amending Minnesota Statutes 1986, section 340A.602.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [CONTINUANCE OF MUNICIPAL LIQUOR STORE IN PROCTOR.]

Notwithstanding the provisions of Minnesota Statutes, section 340A.602, the city of Proctor may continue to operate a municipal liquor store without holding a public hearing on the continuation of the municipal liquor store under that section or without being required to submit the continuation of the municipal liquor store to a referendum under that section. The authority granted by this section expires five years from the effective date of this section.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective on approval by the Proctor city council and compliance with Minnesota Statutes, section 645.021.”

Delete the title and insert:

“A bill for an act relating to the city of Proctor; authorizing the continuance of a municipal liquor store.”

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

The report was adopted.

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

H. F. No. 1732, A bill for an act relating to intoxicating liquor; authorizing extended off-sale hours on the day preceding Thanksgiving day; amending Minnesota Statutes 1986, section 340A.504, subdivision 4.

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1767, A bill for an act relating to commerce; real property; requiring notice of foreclosure by advertisement to separately list record owners with no legally protected interest in the real estate; proposing coding for new law in Minnesota Statutes, chapter 580.

Reported the same back with the following amendments:

Page 1, delete lines 12 to 16, and insert "include the name of each mortgagor who, at the time of first publication of the notice, has been released from financial obligation on the mortgage and a statement that the named mortgagor has been released from financial obligation on the mortgage."

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1779, A bill for an act relating to agriculture; changing certain licensing requirements of the consolidated food licensing law; amending Minnesota Statutes 1986, section 28A.06.

Reported the same back with the following amendments:

Page 1, line 19, after "of" insert "freeze-dried"

Page 1, line 23, after the period insert "The department of agriculture shall supply license copies."

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. 1812, A bill for an act relating to communication-impaired persons; requiring the commissioner of human services to provide assistance in implementing the program that provides telephones to communication-impaired persons; making other technical changes in the program; amending Minnesota Statutes 1987 Supplement, sections 237.50, subdivision 4; 237.51, subdivision 5; 237.52, subdivision 5; and 237.53, subdivisions 3, 4, 6, and 7; repealing Minnesota Statutes 1987 Supplement, section 237.53, subdivision 8.

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.

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

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

Reported the same back with the following amendments:

Page 2, line 16, after the period insert "The commissioner may require the commissioner of finance to create separate accounts within the fund for use in accordance with the fund's purpose."

Page 3, line 11, after "contaminants" insert "or petroleum releases"

Page 3, line 13, after "demolition," insert "and"

Page 3, line 13, after "correction" insert "necessitated by the development response action plan"

Page 3, line 15, after "removal" insert "actions"

Page 3, line 23, after "remedial" insert "actions"

Page 3, line 34, after "removal" insert "actions"

Page 4, line 4, after "removal" insert "actions"

Page 4, line 22, delete "or"

Page 4, line 24, after "115B.20" insert “, the petroleum tank release cleanup act under chapter 115C”

Page 4, line 25, delete "consent" and insert "approval"

Page 4, line 31, delete "agency" and insert "commissioner"

Page 5, line 9, delete the colon

Page 5, delete lines 10 to 17

Page 5, line 18, delete "(8)"

Page 5, line 18, delete "other" and insert "such"

Page 5, line 19, delete "agency" and insert "commissioner"

Page 5, line 28, delete "improvement" and insert "improvements"

Page 5, line 28, delete the second "and" and insert "demolition, soil compaction correction, and administrative and legal"

Page 5, line 33, delete "parties" and insert "persons"

Page 6, line 3, delete "parties" and insert "persons"

Page 6, line 4, delete everything after the period and insert "The commissioner may require the municipality to assign any claim against a responsible party to the state if the commissioner of the pollution control agency is willing to pursue the claim. Cost recovery sought under this subdivision must conform to the requirements of section 115B.17, subdivision 6, except that amounts recovered must be deposited in the loan fund established in section 2."

Page 6, delete lines 5 and 6

Page 6, line 16, after "3," insert "a plan or proposal for"

Page 6, line 17, delete "constitute" and insert "constitutes"

Page 6, line 18, after "actions" insert "contained in such plan or proposal"

Page 6, line 25, before the semicolon insert "or pollutant or contaminant"

Page 11, line 25, after "site" insert "established under section 6"

Page 11, line 26, before the period insert "established under section 7"

Page 11, line 28, before "\$" insert "Subdivision 1. [STATE BUILDING FUND.]"

Page 11, line 36, before "\$" insert "Subd. 2. [POLLUTION CONTROL AGENCY.]"

Page 12, after line 2, insert:

"Subd. 3. [COMMISSIONER OF TRADE AND ECONOMIC DEVELOPMENT.] \$ is appropriated from the general fund to the commissioner of trade and economic development to administer the hazardous substance loans under section 3."

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

The report was adopted.

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

H. F. No. 1822, A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the St. Cloud Civic Center.

Reported the same back with the following amendments:

Page 1, delete section 1 and insert:

“Section 1. [SALE OF INTOXICATING LIQUOR AT ST. CLOUD CIVIC CENTER.]

Notwithstanding any law, charter provision or ordinance to the contrary, the city of St. Cloud may:

(1) dispense intoxicating liquor at on-sale at the premises known and used as the St. Cloud Civic Center without a license therefor, or

(2) authorize the holder of a retail intoxicating liquor license issued by the city of St. Cloud or an adjacent city to dispense intoxicating liquor at the premises known and used as the St. Cloud Civic Center, provided that the licensee has been engaged to dispense intoxicating liquor at an event held by the city or by a person or organization permitted to use the premises.

Intoxicating liquor may be dispensed at the St. Cloud Civic Center under this section only to members or guests of a person or organization leasing space in the premises for a convention, banquet, conference, meeting, or social event, but not for any elementary, secondary, or college athletic event. Authority to dispense intoxicating liquor under this section is in addition to any license authorized by law or ordinance. All provisions of law, charter, or ordinance governing the sale and serving of intoxicating liquor not inconsistent with this section shall govern the dispensing of intoxicating liquor under this section.”

Delete the title and insert:

“A bill for an act relating to intoxicating liquor; authorizing the dispensing of intoxicating liquor at the St. Cloud Civic Center.”

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. 1831, A bill for an act relating to Becker county; authorizing issuance of one on-sale liquor license on an excursion and dinner boat on Detroit Lake.

Reported the same back with the following amendments:

Page 1, line 8, after "may" insert "with the approval of the commissioner of public safety,"

Page 1, after line 18, insert:

"Sec. 2. [FORT SNELLING LICENSE.]

The commissioner of public safety may issue an on-sale intoxicating liquor license to an establishment located on a watercraft moored at Fort Snelling state park. The license may authorize on-sales only to persons on the licensed premises while the boat is underway or attached to a dock or other mooring. The commissioner shall set the fee for the license in an amount comparable to on-sale fees in cities adjacent to Fort Snelling state park."

Renumber sections in sequence

Amend the title as follows:

Page 1, line 2, delete "Becker county" and insert "intoxicating liquor"

Page 1, line 4, before the period insert ", Becker county; authorizing issuance of an on-sale liquor license to Fort Snelling"

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

The report was adopted.

Voss from the Committee on Taxes to which was referred:

H. F. No. 1864, A bill for an act relating to the city of Jordan; enabling the city to issue tax anticipation certificates.

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

The report was adopted.

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

H. F. No. 1893, A bill for an act relating to youth employment; providing planning grants for the design of youth employment programs; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [DEFINITIONS.]

Subdivision 1. [TERMS.] For the purposes of sections 1 to 8, the following terms have the meanings given them.

Subd. 2. [ADVISORY COMMITTEE.] “Advisory committee” means the committee established in section 3.

Subd. 3. [COMMISSIONER.] “Commissioner” means the commissioner of education.

Subd. 4. [ELIGIBLE ORGANIZATION.] “Eligible organization” means a public agency or a nonprofit organization that can demonstrate an ability to design a program for education and training services provided to targeted youth. Eligible organizations may include local jurisdictions, public school districts, private nonsectarian schools, post-secondary educational institutes, alternative schools, community groups, and labor organizations.

Subd. 5. [HOMELESS INDIVIDUAL.] “Homeless individual” or “homeless person” means:

(1) an individual who lacks a fixed, regular, and adequate nighttime residence; and

(2) an individual who has a primary nighttime residence that is;

(i) a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations,

(ii) an institution that provides a temporary residence for individuals intended to be institutionalized, or

(iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

The term "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to federal or state law.

Subd. 6. [TARGETED YOUTH.] "Targeted youth" means persons that are at least 16 years of age and are not older than 21 years of age and are part of one of the following groups:

(1) persons who are not attending any school and have not received a secondary school diploma or its equivalent; or

(2) persons currently enrolled in a traditional or alternative school setting or a GED program and who, in the opinion of an official of the school, are in danger of dropping out of the school.

Subd. 7. [VERY LOW INCOME.] "Very low income" means incomes that are at or less than 30 percent of the median income for the Minneapolis-St. Paul metropolitan area.

Sec. 2. [PLANNING GRANTS.]

The commissioner shall make grants of up to \$ to eligible organizations for the design of programs to provide education and training services to targeted youth. The purpose of these programs is to provide specialized training and work experience to at-risk targeted youth who have not been served effectively by the current educational system. The programs are to be designed to include a work experience component with work projects that result in the rehabilitation or construction of residential units for the homeless. Two or more eligible organizations may jointly apply for a planning grant. The commissioner of the state planning agency to administer the grant program.

Interested eligible organizations must apply to the commissioner for the grants. The advisory committee must review the applications and provide to the commissioner a list of recommended eligible organizations that the advisory committee determines to meet the requirements for receiving a planning grant. The commissioner must select from the committee's list at least five organizations to receive the planning grants with at least one organization located in each of the cities of Minneapolis and St. Paul, two organizations located outside the metropolitan area defined in Minnesota Statutes, section 473.121, subdivision 2, and one organization in a suburban area.

Sec. 3. [ADVISORY COMMITTEE.]

A 13-member advisory committee is established to assist the

commissioner in selecting eligible organizations to receive planning grants, evaluating the final reports of each organization and providing recommendations to the legislature. The advisory committee consists of representatives of the commissioners of education, human services, and jobs and training; a representative of the state director of vocational education; a representative of the commissioner of the housing finance agency; the director of the office of jobs policy; and seven public members appointed by the governor. Each of the following groups must be represented by a public member; labor organizations, local educators, community groups, consumers, local housing developers, youth between the ages of 16 and 21, and homeless person. At least three of the public members must be from outside of the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2. The commissioner of the state planning agency may provide staff to the advisory committee to assist it in carrying out its purpose.

Sec. 4. [PROGRAM PURPOSE AND DESIGN.]

Subdivision 1. [PROGRAM PURPOSE.] The grants awarded under section 2 are for the design of a youth employment program directed at targeted youth who are likely at risk of not completing their high school education. Each program design must include education, work experience, and job skills components.

Subd. 2. [EDUCATION COMPONENT.] Each program design must contain an education component that requires program participants who have not completed their secondary education to be enrolled in a traditional public or private secondary school, a suitable alternative school setting or a GED program. Program participants must be working toward the completion of their secondary education or literary advancement.

Subd. 3. [WORK EXPERIENCE COMPONENT.] A work experience component must be included in each program design. The work experience component must provide vocational skills training in an industry where there is a viable expectation of job opportunities and a training subsidy or stipend may be provided to program participants. The wage or stipend must be provided to participants who are recipients of public assistance in a manner or amount which will not reduce public assistance benefits. The work experience component must be designed so that work projects result in the expansion of residential units for homeless persons and very low income families, and must include direct supervision by individuals skilled in each specific vocation. The program design must include an examination of how program participants may earn credits toward the completion of their secondary education from their participation in the work experience component.

Subd. 4. [JOB READINESS SKILLS COMPONENT.] A job readiness skills component must be included in each program design.

This component must provide program participants with job search skills, placement assistance, and other job readiness skills to ensure that participants will be able to compete in the employment market.

Subd. 5. [ELIGIBLE PROGRAM PROVIDERS.] Each program design must include the examination of the types of organizations that would administer and operate the program. The types of organizations examined must include public school districts, private nonsectarian schools, alternative schools, local jurisdictions, housing related groups, community groups, and labor organizations or a joint effort among two or more of these organizations.

Sec. 5. [HOUSING FOR HOMELESS.]

Subdivision 1. [REQUIREMENT.] The work experience component of the youth employment and training program described in section 4 must include work projects that provide residential units through construction or rehabilitation for the homeless and families with very low incomes.

Subd. 2. [PRIORITY FOR HOUSING.] Any residential units that become available through the employment and training program must be allocated in the following order:

(1) homeless families with at least one dependent;

(2) other homeless individuals;

(3) other very low income families and individuals; and

(4) families or individuals that receive public assistance and that do not qualify in any other priority group.

Subd. 3. [ACQUISITION OF HOUSING UNITS.] The program design must include an examination of the means of acquiring property or buildings for the construction or rehabilitation of residential units at the lowest possible cost. This examination must include the review of possible sources of property and funding through federal, state, or local agencies, including the federal Department of Housing and Urban Development, Farmers Home Administration housing finance agency and the local housing authority.

Subd. 4. [MANAGEMENT OF RESIDENTIAL UNITS.] The program design must address how to manage these residential units, including the source of financing for the maintenance costs of the buildings. Any management plan must include the participation of the residents and local established neighborhood groups.

Sec. 6. [REQUIREMENTS OF ORGANIZATIONS RECEIVING GRANTS.]

Each organization that is awarded a planning grant under section 2 must prepare and submit a report to the commissioner by January 15, 1989. The report must address each of the following:

(a) The method for encouraging the participation of the targeted youth in the geographic area surrounding the organization receiving the grant.

(b) The support services and social services that targeted youth require and the means of providing those services to program participants. Services may include client needs assessment, preemployment skills such as basic job skills and behavior, and intermediate needs such as education and chemical dependency treatment.

(c) The type and degree of work experience that program participants must participate in including real work experience in both vocational and nonvocational settings.

(d) The amount of training subsidy or stipend that each participant should receive while participating in the work experience component. The subsidy or stipend must reflect prevailing wage and benefits standards appropriate for preapprenticeship training unless a participant's receipt of public assistance is affected. The subsidy or stipend should be structured to include incentives for progress toward increasing job skills and completing their secondary education.

(e) The identification and means of providing the necessary job readiness skills so that program participants who have completed the work experience and educational components of the program may have the ability to compete in the job market. These job search skills may include skills assessment, job search and selection, application preparation and assistance in preparing for job interviews.

(f) The methods that may be used to assist in placing program participants in suitable employment. This should include means of involving state government, businesses, labor organizations, community groups, and local jurisdictions in assisting in the placement.

(g) A plan for evaluating the program including the necessary data elements that must be collected from program participants after they have completed the program to monitor the success of the program.

(h) The method used to maximize parental involvement in the program.

(i) The identification of existing public and private programs that may be utilized by the program to avoid duplication of services.

(j) The identification of regional characteristics that may affect the operation of the program in the specific region that the organization is located.

(k) The identification and special needs of priority groups of targeted youth. These groups may include:

(1) persons who are responsible for at least one dependent;

(2) persons who are pregnant;

(3) persons who are or have been subject to any stage of the criminal justice system and who may benefit from receiving employment and training services in overcoming barriers to employment resulting from a record of arrest or conviction;

(4) persons receiving income maintenance services and social services, including chemical dependency treatment, vocational rehabilitation services, and protection services;

(5) persons who reside on a farm who personally or whose family derives a substantial portion of their income from farming, lack nonfarm work skills, or have limited access to vocational education or work experience opportunities;

(6) homeless youth; and

(7) minors that are not financially dependent on a parent or a guardian.

(l) Cost estimates for each of the components of the program.

(m) The identification of funding sources other than state appropriations that may be used to support the program.

Sec. 7. [REPORT.]

The commissioner must prepare and submit a report to the legislature and the governor by February 15, 1989, that outlines the various program designs submitted by the organizations that received planning grants. The report must also include recommendations on which components of the program designs are most suitable to meeting the needs of targeted youth. The advisory committee must participate in the preparation of this report and in the formulation of the recommendations.

Sec. 8. [APPROPRIATION.]

\$ is appropriated from the general fund to the commissioner of education for the planning grants awarded under section 2.

Amend the title as follows:

Page 1, line 2, after "youth" insert "education and"

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

The report was adopted.

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

H. F. No. 1904, A bill for an act relating to liquor; defining the term "restaurant" for purposes of county liquor licenses; amending Minnesota Statutes 1986, section 340A.101, subdivision 25.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1931, A bill for an act relating to natural resources; defining state forest management roads; providing for the establishment, construction, administration, and maintenance of state forest management roads; providing for county management access road account; dedicating a portion of gasoline and special fuels taxes to use on state forest roads; amending Minnesota Statutes 1986, sections 89.001, by adding a subdivision; 89.19; and 296.421, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 296.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 89.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 89.001, is amended by adding a subdivision to read:

Subd. 14. "State forest management road" means a road constructed, acquired, maintained, or administered by the commissioner for the purpose of carrying out forest resource management policy as set forth in section 89.002.

Sec. 2. Minnesota Statutes 1986, section 89.19, is amended to read:

89.19 [RULES.]

The commissioner ~~shall have power to~~ may prescribe such rules governing the use of state forest lands under the authority of the commissioner and state forest management roads, or any part parts thereof, by the public or and governing the exercising exercise by holders of leases or permits upon state on forest lands and state forest management roads of all their rights under such the leases or permits as may be necessary to carry out the purposes of this chapter.

Sec. 3. [89.29] [STATE FOREST ROAD ACCOUNT.]

Subdivision 1. [ACCOUNT CREATED:] There is created in the state treasury a state forest road account, consisting of funds credited under section 7. Funds credited to the state forest road account are continually appropriated to the commissioner and remain available until expended.

Subd. 2. [EXPENDITURE.] Money in the state forest road account may be appropriated by law only for:

(1) acquisition, development, maintenance, and administration of state forest management roads under the jurisdiction of the commissioner of natural resources; and

(2) the commissioner's share of the cost of cooperative maintenance agreements made with other providers of forest roads.

Sec. 4. [89.30] [FOREST MANAGEMENT ROADS.]

Subdivision 1. [DESIGNATION, INVENTORY, RECORDING.] Forest roads, bridges, and other improvements in existence on July 1, 1988, and administered under section 89.002, subdivision 3, are hereby designated as state forest management roads to the width of the actual use including ditches, backslopes, fills, and maintained right-of-way, unless otherwise specified in a prior easement of record. The commissioner may undesignate all or part of a state forest management road that is not needed to carry out forest resource management policy. The commissioner shall maintain and keep current an inventory listing and describing roads in which the state claims a right or property interest for state forest management

road purposes. The commissioner may file for record with a county recorder or registrar of titles appropriate documents setting forth the state's interest in all or part of any state forest management road.

Subd. 2. [RIGHT-OF-WAY.] After July 1, 1988, additional rights-of-way and easements, including easements needed for drainage or slopes, may be acquired by the commissioner by purchase or gift and by condemnation for safety and/or environmental protection on existing roads and to provide access to tracts of public land larger than 1,000 acres having no access, following a public meeting in the area affected. Rights-of-way and easements shall be designated as state forest management roads when needed for construction, maintenance, or safety of roads.

Subd. 3. [CONSTRUCTION; MAINTENANCE.] The commissioner shall develop specifications for the design and construction of state forest management roads and shall establish maintenance schedules for forest roads consistent with their intended use.

Subd. 4. [RULES.] In promulgating rules relating to the use of state forest management roads, the commissioner may incorporate into the rules, by reference, traffic regulations contained in chapter 169.

Subd. 5. [POSTING OF MINIMUM-MAINTENANCE FOREST MANAGEMENT ROADS.] The commissioner may designate a state forest management road as a minimum-maintenance forest management road to be maintained at a level consistent with the intended use. Designation of a state forest management road as a minimum-maintenance forest management road is effective on the posting of signs, at entry points to the road and at regular intervals along the road, to the effect that the road is a minimum-maintenance forest management road and that the user travels on the road at the user's risk. Posting of the signs is prima facie evidence that adequate notice of minimum-maintenance status has been given to the public.

Subd. 6. [LIABILITY ON FOREST MANAGEMENT ROADS.] The commissioner and employees of the department are not liable for any claim by a person arising on a forest management road that is not in a state forest to the same extent that they are not liable for claims that arise on roads within a state forest under the provisions of section 3.736, subdivision 3, clause (h).

Subd. 7. [CONVEYANCE OF UNNEEDED ROADS TO OTHER GOVERNMENTS.] When the commissioner undesignates a state forest management road and determines that the road is no longer needed for any state purpose, the commissioner may convey, in the manner provided in section 84.63, the state interest in the road to

the United States, the state of Minnesota, or any of its subdivisions, whether or not the road is on state land.

Subd. 8. [COMMISSIONER NOT A ROAD AUTHORITY UNDER HIGHWAY LAWS.] Except as otherwise provided, the commissioner is not a road authority under chapters 160 to 168, and chapters 160 to 168 do not apply to forest management roads unless specifically made applicable by law or rule promulgated in accordance with law.

Sec. 5. [89.305] [COUNTY MANAGEMENT ACCESS ROAD ACCOUNT.]

Counties may receive payments for constructing, reconstructing, and maintaining county forest access roads from funds made available through unrefunded tax paid on gasoline and special fuels used to operate vehicles on county forest roads. This amount is \$275,000 annually and must be paid in equal installments into the state treasury on September 30 and March 31, following each six-month period from the account established pursuant to section 296.421, subdivision 8, must be credited to a special county account administered by the commissioner, to be known as the county management access road account, is continually appropriated to the commissioner, and must be made available in the form of annual payments to counties managing forest lands administered through a county land department under the jurisdiction of a land commissioner appointed under section 282.13. These payments must be made available in the form of annual payments by January 1 of each year through the commissioner and in proportion to each county's ownership of commercial forest lands, for purposes of constructing, reconstructing, acquiring, and maintaining county management access roads, including the acquisition of rights-of-way or easements, as may be needed. Counties having county forest access roads may also use these payments to study, determine, and inventory by December 31, 1989, these roads and their use by logging trucks, recreational vehicles, and other users.

Sec. 6. Minnesota Statutes 1986, section 296.16, is amended by adding a subdivision to read:

Subd. 1a. [INTENT; FOREST ROADS.] \$675,000 of the total unrefunded revenue from the gasoline fuel tax on all gasoline and special fuel received in, produced, or brought into this state, except gasoline and special fuel used for aviation purposes, is derived from the operation of motor vehicles on state forest roads and county forest roads, and of this sum, \$400,000 is derived from motor vehicles operated on state forest roads and \$275,000 is derived from motor vehicles operated on county forest roads in this state.

Sec. 7. Minnesota Statutes 1986, section 296.421, is amended by adding a subdivision to read:

Subd. 8. [COMPUTATION AND DISTRIBUTION OF UNRE-FUNDED TAXES FOR FOREST ROADS.] The amount of unrefunded tax paid on gasoline and special fuel used to operate motor vehicles on forest roads, except gasoline and special fuel used for aviation purposes, is \$675,000 annually and must be paid in equal installments into the state treasury six months, 12 months, 18 months, and 24 months after the effective date of this section. Of this amount, \$400,000 is annually credited to the state forest road account and \$275,000 is annually credited to the county management access road account.

Sec. 8. Laws 1987, chapter 404, section 22, subdivision 4, is amended to read:

Subd. 4. Forest Management

\$20,616,500 \$20,780,500

Summary by Fund

General	\$14,839,300	\$15,003,200
Con. Con.	\$ 250,000	\$ 250,000
Forest Management	\$ 5,527,200	\$ 5,527,300

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

\$750,000 the first year and \$750,000 the second year are for emergency fire fighting and are not subject to transfer. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. The unencumbered balance of any other appropriation from the general fund to the commissioner of natural resources remaining in the first year must not be canceled but must be transferred and added to this appropriation for the second year. No more than \$400,000 the first year and \$410,000 the second year are available for presuppression costs.

Up to \$120,000 per year from the general fund under Minnesota Statutes, section 89.04 may be used

for grants to the soil and water conservation board for cost-sharing with landowners in the state forest improvement program.

\$500,000 the first year and \$500,000 the second year are for grants to counties or groups of counties for county forestry assistance programs.

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

Sec. 9. [STUDY AND REPORT TO LEGISLATURE.]

The commissioner of transportation shall study and determine the percentage of total revenue received from the gasoline and special fuel tax that is derived from gasoline and special fuel for the operation of motor vehicles on state forest roads and county forest roads from May 1, 1988, to April 30, 1989. The commissioner shall report the results of this study by December 31, 1989, to the transportation committees of the senate and house of representatives.

Sec. 10. [REPEALER.]

Sections 6 and 7 are repealed, effective the day after the final installment is paid into the state treasury under section 7.

Sec. 11. [EFFECTIVE DATE.]

Sections 1, 2, 4, 6, and 7 are effective July 1, 1988. Sections 3, 5, 8, and 9 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 9, before "and" insert "296.16, by adding a subdivision,"

Page 1, line 10, delete everything after the semicolon and insert "Laws 1987, chapter 404, section 22, subdivision 4;"

Page 1, delete line 11

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

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

Reported the same back with the following amendments:

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1986, section 173.085, is amended to read:

173.085 [STAR CITY SIGNS.]

Subdivision 1. [AUTHORITY TO ERECT.] (a) A county or lesser populated statutory or home rule charter city of Minnesota that has received instruction and expertise from the department of energy and economic development on attracting and retaining businesses for the county or city and subsequently has been designated and annually recertified as a star county or star city for economic development by that department may erect star county or star city signs upon payment of a fee required under section 173.13, subdivision 4, to the department of transportation. In the case of star cities,

one sign may be erected at each approach to the city within the right-of-way of an interstate or other highway that passes inside the city limits. In the case of star counties, one sign may be erected within the right-of-way of an interstate or other highway at or near the point where the highway enters the county.

(b) Notwithstanding the provisions of paragraph (a), a lesser populated statutory or home rule charter city that has an official sign in an adjacent area of an approach of an interstate highway passing through or near the city as of August 1, 1985 may replace that sign with a star city sign upon payment of a fee required under section 173.13, subdivision 4, to the department of transportation. A county that has an official sign on the right-of-way or adjacent area of an interstate highway at the point where the highway enters the county may replace that sign with a star county sign on payment of a fee required under section 173.13, subdivision 4, to the department of transportation.

Subd. 2. [SIGN STANDARDS.] The department of transportation shall design and manufacture the star county and star city sign signs to specifications not contrary to other federal and state highway sign standards and substantially similar to those star city signs approved for display on state highways as of August 1, 1985."

Page 5, line 16, delete "3 to 5" and insert "4 to 6"

Renumber the remaining sections

Amend the title as follows:

Page 1, line 5, after the semicolon insert "authorizing star county signs on highways;"

Page 1, line 15, after the semicolon insert "173.085;"

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

The report was adopted.

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

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

and 287.12; proposing coding for new law in Minnesota Statutes, chapters 373 and 462.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 82.17, subdivision 6, is amended to read:

Subd. 6. “Trust account” means, for purposes of this chapter, a savings account, negotiable order of withdrawal account, demand deposit or checking account maintained for the purpose of segregating trust funds from other funds. A trust account ~~shall not~~ must be an interest bearing account except by agreement of the parties and subject to rules of the commissioner, paying the current passbook savings account rate of interest and shall ~~must not~~ allow the financial institution a right of set off against money owed it by the licensee.

Sec. 2. Minnesota Statutes 1986, section 82.24, is amended by adding a subdivision to read:

Subd. 8. [ACCRUED INTEREST.] (a) Each broker shall maintain a pooled interest-bearing trust account for deposit of client funds. The interest accruing on the trust account, less reasonable transaction costs, must be paid to the state treasurer for deposit in the housing trust fund account created under section 3 unless otherwise specified pursuant to an expressed written agreement between the parties to a transaction.

(b) For an account created under paragraph (a), each broker shall direct the depository bank to:

(1) pay the interest, less reasonable transaction costs, on the average monthly balance in the account, or as otherwise computed in accordance with the depository bank's standard accounting practice, at least quarterly, to the state treasurer for deposit in the housing trust fund account established under section 3; and

(2) send a statement to the state treasurer showing the name of the broker for whom the payment is made, the rate of interest applied, the amount of service charges deducted, and the account balance for the period in which the report is made.

Sec. 3. [462A.201] [HOUSING TRUST FUND ACCOUNT.]

Subdivision 1. [CREATION.] (a) The housing trust fund account is created as a separate account in the housing development fund.

(b) The housing trust fund account consists of:

- (1) money appropriated and transferred from other state funds;
- (2) interest accrued from real estate trust accounts as provided under section 2;
- (3) gifts, grants, and donations received from the United States, private foundations, and other sources; and
- (4) money made available to the agency for the purpose of the account from other sources.

Subd. 2. [LOW-INCOME HOUSING.] The agency may, in consultation with the advisory committee, use money from the housing trust fund account to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing units. At least 75 percent of the units must be rented to or cooperatively owned by persons and families whose income at the time the person or family originally occupied the unit was at or below 30 percent of the median family income for the metropolitan area as defined in section 473.121, subdivision 2. In making the grants, the agency shall determine the terms and conditions of repayment and the appropriate security, if any, should repayment be required. To promote the geographic distribution of grants and loans, the agency may designate a portion of the grant or loan awards to be set aside for projects located in specified congressional districts or other geographical regions specified by the agency. The agency may adopt emergency and permanent rules for awarding grants and loans under this subdivision. The emergency rules are effective for 360 days or until the permanent rules are adopted, whichever occurs first.

Subd. 3. [MATCHING FUNDS.] The agency may use money from the housing trust fund account to match federal, local, or private money to be used for projects authorized under subdivision 2.

Subd. 4. [ADVISORY COMMITTEE.] The agency shall establish an eight member advisory committee under section 15.059 to advise or assist the agency in providing loans or grants from the housing trust fund account. Members of the committee must represent the interests of realtors, lenders, nonprofit developers, apartment owners, low income persons, housing advocates, advocates for the homeless, and single or multifamily builders."

Delete the title and insert:

"A bill for an act relating to housing; creating a low-income housing trust fund account; providing for the uses of the account;

placing certain requirements on real estate trust fund accounts; amending Minnesota Statutes 1986, section 82.24, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 82.17, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 462A."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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

Reported the same back with the following amendments:

Page 3, line 3, after the comma insert "Minnesota Hampshire Association, Minnesota Suffolk Association, North American Dairy Sheep Association."

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 21, after the period insert "The amount spent on support services in any one fiscal year may not exceed 15 percent of the total annual appropriation for this program."

Page 2, line 4, before "Program" insert "The maximum number of hours that an individual may be employed in a position supported under this program is 480 hours."

Page 2, after line 12, insert:

“Sec. 2. [268.315] [WORKER DISPLACEMENT PROHIBITED.]

Subdivision 1. [LAYOFFS; WORK REDUCTIONS.] An employer may not terminate, lay off, or reduce the working hours of an existing employee for the purpose of hiring a person with funds available under section 268.31.

Subd. 2. [HIRING DURING LAYOFFS.] An employer may not hire a person with funds available under section 268.31 if any other person is on layoff from the same or a substantially equivalent job.

Subd. 3. [EMPLOYER CERTIFICATION.] In order to employ a person with funding under section 268.31, a government or non-profit agency must certify to the commissioner that each job created:

(a) will result in an increase in employment opportunities over those which would otherwise be available;

(b) will not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or employment benefits; and

(c) will not impair existing contracts for service or result in the substitution of wages paid under section 268.31 for other funds in connection with work that would otherwise be performed.”

Page 2, line 29, strike “summer”

Page 2, line 36, delete “3” and insert “4”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert “requiring that new jobs do not replace existing jobs;”

Page 1, line 6, before the period insert “; proposing coding for new law in Minnesota Statutes, chapter 268”

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2041, A bill for an act relating to agriculture; limiting ownership of agricultural land by certain corporations and limited partnerships; requiring certain reports; prescribing a civil penalty;

amending Minnesota Statutes 1986, section 500.24, subdivisions 3 and 4; and Minnesota Statutes 1987 Supplement, section 500.24, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 500.24, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings here given them:

(a) “Farming” means the production of (1) agricultural products; (2) livestock or livestock products; (3) milk or milk products; or (4) fruit or other horticultural products. It does not include the processing, refining, or packaging of said products, nor the provision of spraying or harvesting services by a processor or distributor of farm products. It does not include the production of timber or forest products or the production of poultry or poultry products.

(b) “Family farm” means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) “Family farm corporation” means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, and at least one of said related persons is residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

(d) “Authorized farm corporation” means a corporation meeting the following standards:

(1) its shareholders do not exceed five in number;

(2) all its shareholders, other than any estate are natural persons;

(3) it does not have more than one class of shares; and

(4) its revenues from rent, royalties, dividends, interest and annuities does not exceed 20 percent of its gross receipts; and

(5) shareholders holding a majority of the shares 90 percent of the interest in the corporation must be residing on the farm or actively engaging in farming; and

(6) it, directly or indirectly, owns or otherwise has an interest, whether legal, beneficial, or otherwise, in any title to no more than 1,500 acres of real estate used for farming or capable of being used for farming in this state.

(e) "Agricultural land" means land used for farming.

(f) "Pension or investment fund" means a pension or employee welfare benefit fund, however organized, a mutual fund, a life insurance company separate account, a common trust of a bank or other trustee established for the investment and reinvestment of money contributed to it, a real estate investment trust, or an investment company as defined in United States Code, title 15, section 80a-3. "Pension or investment fund" does not include a benevolent trust established by the owners of a family farm; authorized farm corporation or family farm corporation.

(g) "Farm homestead" means a house including adjoining buildings that has been used as part of a farming operation or is part of the agricultural land used for a farming operation.

(h) "Family farm partnership" means a partnership founded for the purpose of farming and the ownership of agricultural land in which the majority of the interests in the partnership is held by and the majority of the partners are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, and at least one of said related persons is residing on or actively operating the farm, and none of its partners are corporations; provided that a family farm partnership shall not cease to qualify as such hereunder by reason of any devise or bequest of interest in the partnership.

(i) "Authorized farm partnership" means a partnership meeting the following standards:

- (1) its partners do not exceed five in number;
- (2) all its partners, other than any estate are natural persons;
- (3) it does not have more than one class of partnership interests;
- (4) its revenues from rent, royalties, dividends, interest, and annuities do not exceed 20 percent of its gross receipts;
- (5) partners holding 90 percent of the interest in the partnership must be residing on the farm or actively engaging in farming; and

(6) it, directly or indirectly, owns or otherwise has an interest, whether legal, beneficial, or otherwise, in any title to no more than 1,500 acres of real estate used for farming or capable of being used for farming in this state.

(j) "Partnership" includes general partnership or limited partnership.

Sec. 2. Minnesota Statutes 1986, section 500.24, subdivision 3, is amended to read:

Subd. 3. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] No corporation or pension or investment fund or partnership shall engage in farming; nor shall any corporation or pension or investment fund or partnership, directly or indirectly, own, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to real estate used for farming or capable of being used for farming in this state. Provided, however, that the restrictions provided in this subdivision shall not apply to the following:

(a) A bona fide encumbrance taken for purposes of security;

(b) A family farm corporation or an authorized farm corporation as defined in subdivision 2;

(c) Agricultural land and land capable of being used for farming owned by a corporation as of May 20, 1973 or a pension or investment fund as of May 12, 1981, or a partnership as of May 1, 1988, including the normal expansion of such ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, or, in the case of a pension or investment fund, as of May 12, 1981, or in the case of a partnership, as of May 1, 1988, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules;

(d) Agricultural land operated for research or experimental purposes, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation or partnership;

(e) Agricultural land operated by a corporation or partnership for the purpose of raising breeding stock, including embryos, for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod;

(f) Agricultural land and land capable of being used for farming leased by a corporation or partnership in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of

May 20, 1973, or to such partnership as of May 1, 1988, and the additional acreage required for normal expansion at a rate not to exceed 20 percent of the amount of land leased as of May 20, 1973, for a corporation or May 1, 1988, for a partnership in any five-year period, and the additional acreage reasonably necessary to meet the requirements of pollution control rules;

(g) Agricultural land when acquired as a gift (either by grant or a devise) by an educational, religious or charitable nonprofit corporation or by a pension or investment fund or partnership; provided that all lands so acquired by a pension or investment fund, and all lands so acquired by a corporation or partnership which are not operated for research or experimental purposes, or are not operated for the purpose of raising breeding stock for resale to farmers or operated for the purpose of growing seed; wild rice, nursery plants or sod must be disposed of within ten years after acquiring title thereto;

(h) Agricultural land acquired by a pension or investment fund or a corporation other than a family farm corporation or authorized farm corporation, as defined in subdivision 2, or a partnership other than a family farm partnership or authorized farm partnership as defined in subdivision 2, for which the corporation or partnership has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A pension or investment fund or a corporation or partnership may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or, an authorized farm corporation, a family farm partnership, or an authorized farm partnership, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, United States Code, title 42, sections 3901 to 3914) as amended, or a subsidiary or assign of such a corporation;

(i) Agricultural lands acquired by a pension or investment fund or a corporation or partnership by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, however, that all lands so acquired be disposed of within ten five years after acquiring the title thereto, and further provided that the land so acquired shall not be used for farming during the ten-year five-year period except under a lease to a family farm unit, a family farm corporation or, an authorized farm corporation, a family farm partnership, or an authorized farm partnership. The aforementioned ten-year limitation period shall be deemed a covenant-run-

ning with the title to the land against any pension or investment fund or corporate or partnership grantee or assignee or the successor of such pension or investment fund or corporation or partnership;

(j) Agricultural land acquired by a corporation regulated under the provisions of Minnesota Statutes 1974, chapter 216B, for purposes described in that chapter or by an electric generation or transmission cooperative for use in its business, provided, however, that such land may not be used for farming except under lease to a family farm unit, ~~or~~ a family farm corporation, or a family farm partnership;

(k) Agricultural land, either leased or owned, totaling no more than 2,700 acres, acquired after May 20, 1973 for the purpose of replacing or expanding asparagus growing operations, provided that such corporation had established 2,000 acres of asparagus production;

(l) All agricultural land or land capable of being used for farming which was owned or leased by an authorized farm corporation as defined in Minnesota Statutes 1974, section 500.24, subdivision 1, clause (d) but which does not qualify as an authorized farm corporation as defined in subdivision 2, clause (d);

(m) A corporation formed primarily for religious purposes whose sole income is derived from agriculture;

(n) Agricultural land owned or leased by a corporation prior to August 1, 1975, which was exempted from the restriction of subdivision 3 under the provisions of Laws 1973, chapter 427, including normal expansion of such ownership or leasehold interest to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on August 1, 1975 in any five-year period and the additional ownership reasonably necessary to meet requirements of pollution control rules;

(o) Agricultural land owned or leased by a corporation prior to August 1, 1978, including normal expansion of such ownership or leasehold interest, to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on August 1, 1978 and the additional ownership reasonably necessary to meet requirements of pollution control rules, provided that nothing herein shall reduce any exemption contained under the provisions of Laws 1975, chapter 324, section 1, subdivision 2;

(p) An interest in the title to agricultural land acquired by a pension fund or family trust established by the owners of a family farm, authorized farm corporation or family farm corporation, but limited to the farm on which one or more of those owners or shareholders have resided or have been actively engaged in farming as required by subdivision 2, clause (b), (c), or (d);

(q) Agricultural land owned by a nursing home located in a city with a population, according to the state demographer's 1985 estimate, between 900 and 1,000, in a county with a population, according to the state demographer's 1985 estimate, between 18,000 and 19,000, if the land was given to the nursing home as a gift with the expectation that it would not be sold during the donor's lifetime. This exemption is available until July 1, 1995.

Sec. 3. [EFFECTIVE DATE.]

This act is effective May 1, 1988."

Delete the title and insert:

"A bill for an act relating to agriculture; limiting ownership of agricultural land by certain corporations and limited partnerships; amending Minnesota Statutes 1986, section 500.24, subdivision 3; Minnesota Statutes 1987 Supplement, section 500.24, subdivision 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

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

Reported the same back with the following amendments:

Page 9, line 16, after "chapter" insert ", or prevent a new motor vehicle dealer from bringing an action in a particular forum otherwise available under law".

Page 9, delete section 7

Re-number remaining sections in sequence

Amend the title as follows:

Page 1, line 10, delete "168.27, subdivision 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. 2087, A bill for an act relating to environment; amending certain statutes administered by the environmental quality board; prohibiting delegation of responsibilities; authorizing certain enforcement actions; prohibiting construction of certain projects; requiring project proposers to pay costs of environmental impact statements; appropriating money; amending Minnesota Statutes 1986, sections 116C.04, by adding a subdivision; 116D.04, by adding subdivisions; and 116D.045, subdivisions 1, 2, 3, and 4; Minnesota Statutes 1987 Supplement, section 116C.03, subdivision 2; repealing Minnesota Statutes 1986, section 116D.045, subdivision 5.

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.

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

H. F. No. 2091, A bill for an act relating to liquor; prohibiting certain transactions by brewers and malt liquor wholesalers; amending Minnesota Statutes 1987 Supplement, section 340A.308.

Reported the same back with the following amendments:

Page 1, line 22, delete "as adjusted annually under"

Page 1, line 23, delete the new language

Page 2, line 1, delete "as adjusted annually under paragraph (c)"

Page 2, delete lines 13 to 19 and insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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. 2098, A bill for an act relating to public utilities; pipeline safety; authorizing the office of pipeline safety to inspect and regulate intrastate pipeline facilities carrying liquefied natural gas, liquefied petroleum gas, and hazardous liquids; adopting federal safety regulations; providing for the calculation of pipeline inspection fees; appropriating money; amending Minnesota Statutes 1986, sections 299F.56, subdivisions 1, 2, 4, 6, and by adding subdivisions; and 299F.59; Minnesota Statutes 1987 Supplement, sections 116L.015, subdivision 3; 299F.57, subdivision 1, and by adding a subdivision; 299F.58; 299F.62; 299F.63, subdivision 1; 299F.64; and 299J.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299F; repealing Minnesota Statutes 1987 Supplement, section 299F.63, subdivision 4.

Reported the same back with the following amendments:

Page 3, after line 9, insert:

“Sec. 2. Minnesota Statutes 1987 Supplement, section 216D.01, subdivision 5, is amended to read:

Subd. 5. [EXCAVATION.] “Excavation” means an activity that moves, removes, or otherwise disturbs the soil at a depth of 18 inches or greater by use of a motor, engine, hydraulic or pneumatically-powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

(1) the repair or installation of agricultural drainage tile for which notice has been given as provided by section 116L.07, subdivision 2;

(2) the extraction of minerals;

(3) the opening of a grave in a cemetery;

(4) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch; or

(5) plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, landscaping, or gardening, unless any of these activities disturbs the soil to a depth of 18 12 inches or more.”

Page 3, line 13, delete “18” and insert “19”

Page 3, line 30, before the period insert “distribution systems”

Page 4, line 12, strike "state fire marshal" and insert "commissioner"

Page 4, line 15, strike "Power" and insert "Energy Regulatory"

Page 4, line 27, strike "STANARDS" and insert "STANDARDS"

Page 5, line 15, strike "Power" and insert "Energy Regulatory"

Page 5, line 22, delete "part" and insert "parts 192 and"

Page 6, lines 2, 6, 9, and 11, delete "18" and insert "19"

Page 7, line 25, delete "18" and insert "19"

Page 7, line 27, delete "3" and insert "4"

Page 7, line 28, delete "before" and insert "after"

Page 7, line 33, after the period insert "Fees collected under this section must be credited to the pipeline safety account."

Page 8, lines 2 and 27, delete "18" and insert "19"

Page 8, line 3, delete "are" and insert "will be"

Page 8, line 18, delete "and" and after "(4)" insert ", and (5)"

Page 8, line 24, delete "following" and insert "preceding"

Page 8, line 26, delete "attributable" and insert "proportionate"

Page 13, line 2, delete "354" and insert "353"

Page 13, line 8, delete "5" and insert "6"

Page 13, line 12, delete "21" and insert "22"

Renumber sections in sequence

Correct internal cross-references

Amend the title as follows:

Page 1, line 7, after the semicolon insert "removing the depth limitation for the one call excavation notice system;"

Page 1, line 12, after the semicolon insert "216D.01, subdivision 5,"

With the recommendation that when so amended 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. 2106, A bill for an act relating to public employees; providing that certain historical society employees be eligible for public employees benefits; amending Minnesota Statutes 1986, section 471.61, subdivision 1; and Minnesota Statutes 1987 Supplement, section 353.01, subdivision 2a.

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

The report was adopted.

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

H. F. No. 2112, A bill for an act relating to alcoholic beverages; increasing the time period for notification to licensing authorities of cancellation of liquor liability insurance; specifying that hearings by licensing authorities on license suspensions or revocations need not be before an administrative hearing officer; amending Minnesota Statutes 1986, section 340A.409, subdivision 1; and Minnesota Statutes 1987 Supplement, section 340A.415.

Reported the same back with the following amendments:

Page 2, line 19, after "cause" insert "except for nonpayment of premium,"

Page 2, line 22, after the period insert "A policy required by this section shall not be canceled for nonpayment of premium unless the insurer has first given ten days notice in writing to the issuing authority of the insurer's intent to cancel the policy."

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. 2115, A bill for an act relating to the city of Minneapolis; authorizing contracts with labor organizations for the provision of certain skilled trade and craft services.

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

The report was adopted.

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

H. F. No. 2130, A bill for an act relating to human services; defining terms; requiring that court receive annual reviews of people with indeterminate commitments; providing for court-ordered community-based nonresidential treatment; defining procedures for community-based nonresidential commitment; requiring procedures for release before commitment and provisional discharge; ensuring insurance coverage for court-ordered treatment; amending Minnesota Statutes 1986, sections 253B.02, subdivisions 13, 19, and by adding subdivisions; 253B.03, subdivision 5; 253B.09, subdivision 1; 253B.15, subdivisions 1, 3, 5, 6, 7, and by adding a subdivision; and 253B.16, subdivision 1; Minnesota Statutes 1987 Supplement, sections 62A.152, subdivision 2; and 62D.102; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1986, section 253B.09, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 253B.02, is amended by adding a subdivision to read:

Subd. 1a. [CASE MANAGER.] “Case manager” has the definition given in section 245.462, subdivision 4.

Sec. 2. Minnesota Statutes 1986, section 253B.02, is amended by adding a subdivision to read:

Subd. 4b. [COMMUNITY-BASED NONRESIDENTIAL TREATMENT.] “Community-based nonresidential treatment” means community support services programs defined in section 245.462, subdivision 6; day treatment services defined in section 245.462, subdivision 8; and outpatient services defined in section 245.462, subdivision 21.

Sec. 3. Minnesota Statutes 1986, section 253B.02, subdivision 13, is amended to read:

Subd. 13. [MENTALLY ILL PERSON.] "Mentally ill person" means any person who has an organic disorder of the brain or a substantial psychiatric disorder of thought, mood, perception, orientation, or memory which grossly impairs judgment, behavior, capacity to recognize reality, or to reason or understand, which

(a) is manifested by instances of grossly disturbed behavior or faulty perceptions; and

(b) poses a substantial likelihood of physical harm to self or others as demonstrated by:

(i) a failure to obtain necessary food, clothing, shelter, or medical care, as a result of the impairment, or

(ii) a recent attempt or threat to physically harm self or others; or

(ii) a failure to obtain necessary food, clothing, shelter or medical care, as a result of the impairment. This impairment excludes (a) epilepsy, (b) mental retardation, (c) brief periods of intoxication caused by alcohol or drugs, or (d) dependence upon or addiction to any alcohol or drugs.

Sec. 4. Minnesota Statutes 1986, section 253B.02, subdivision 19, is amended to read:

Subd. 19. [TREATMENT FACILITY.] "Treatment facility" means a hospital, community mental health center, or other institution treatment provider qualified to provide care and treatment for mentally ill, mentally retarded, or chemically dependent persons.

Sec. 5. Minnesota Statutes 1986, section 253B.09, subdivision 1, is amended to read:

Subdivision 1. [STANDARD OF PROOF.] If the court finds by clear and convincing evidence that the proposed patient is a mentally ill, mentally retarded, or chemically dependent person and, that after careful consideration of reasonable alternative dispositions, including but not limited to, dismissal of petition, voluntary outpatient care, informal admission to a treatment facility, appointment of a guardian or conservator, or release before commitment as provided for in subdivision 4, it finds that there is no suitable alternative to judicial commitment, the court shall commit the patient to the least restrictive treatment facility program which can meet the patient's treatment needs consistent with section 253B.03, subdivision 7. In deciding on the least restrictive program, the court shall consider a range of treatment alternatives including, but not

limited to, community-based nonresidential treatment, community residential treatment, partial hospitalization, acute care hospital, and regional treatment center services. The court shall also consider the proposed patient's treatment preferences and willingness to participate in the treatment ordered. The court shall not commit a patient to a facility or program that is not capable of meeting the patient's needs.

Sec. 6. [253B.093] [COMMUNITY-BASED NONRESIDENTIAL TREATMENT.]

Subdivision 1. [FINDINGS.] In addition to the findings required under section 253B.09, subdivision 2, an order committing a person to community-based nonresidential treatment must include:

(1) a written plan for services to the patient;

(2) a finding that the proposed treatment is available and accessible to the patient and that public or private financial resources are available to pay for the proposed treatment;

(3) conditions the patient must meet in order to obtain an early release from commitment or to avoid a hearing for further commitment; and

(4) consequences of the patient's failure to follow the commitment order. Consequences may include commitment to another setting for treatment.

Subd. 2. [CASE MANAGER.] When a court commits a patient with mental illness to community-based nonresidential treatment, the court shall appoint a case manager from the county agency or other entity under contract with the county agency to provide case management services.

Subd. 3. [REPORTS.] The case manager shall report to the court at least once every 90 days. The case manager shall immediately report a substantial failure of the patient or provider to comply with the conditions of the commitment.

Subd. 4. [MODIFICATION OF ORDER.] An order for community-based nonresidential treatment may be modified upon agreement of the parties and approval of the court.

Subd. 5. [NONCOMPLIANCE.] The case manager may petition for a reopening of the commitment hearing if a patient or provider fails to comply with the terms of an order for community-based nonresidential treatment.

Sec. 7. [253B.095] [RELEASE BEFORE COMMITMENT.]

Subdivision 1. [COURT RELEASE.] After the hearing and before a commitment order has been issued, the court may release a proposed patient to the custody of an individual or agency upon conditions which guarantee the care and treatment of the patient. No person against whom a criminal proceeding is pending shall be released. When the court stays an order for commitment or continues a hearing for more than 14 days beyond the date of the initially scheduled hearing, the court shall issue an order that meets the requirements of this section.

Subd. 2. [STAY OR CONTINUANCE.] An order staying commitment or continuing a hearing for more than 14 days must include:

(1) a written plan for services to which the proposed patient has agreed;

(2) a finding that the proposed treatment is available and accessible to the patient and that public or private financial resources are available to pay for the proposed treatment;

(3) a finding that at least one examiner has determined that the proposed patient is mentally ill and, in the case of a continuance, is competent to waive the hearing; and

(4) conditions the patient must meet to avoid a hearing for commitment or imposition of the stayed commitment order.

Subd. 3. [CASE MANAGER.] When a court releases a patient under this section, the court shall appoint a case manager.

Subd. 4. [REPORTS.] The case manager shall report to the court at least once every 90 days. The case manager shall immediately report a substantial failure of a patient or provider to comply with the conditions of the release.

Subd. 5. [DURATION.] The maximum duration of an order under this section is six months. The court may continue the order for a maximum of an additional 12 months if, after notice and hearing, the court finds that (1) the person continues to be mentally ill, and (2) an order is needed to protect the patient or others.

Subd. 6. [MODIFICATION OF ORDER.] An order under this section may be modified upon agreement of the parties and approval of the court.

Subd. 7. [REVOCATION OF ORDER.] The court, on its own motion or upon the petition of any person, and after notice and a hearing, may revoke any release and commit the proposed patient under this chapter.

Sec. 8. Minnesota Statutes 1986, section 253B.15, subdivision 1, is amended to read:

Subdivision 1. [PROVISIONAL DISCHARGE.] The head of the treatment facility may provisionally discharge any patient without discharging the commitment, unless the patient was found by the committing court to be mentally ill and dangerous to the public.

Each patient released on provisional discharge shall have an aftercare plan developed which specifies the services and treatment to be provided as part of the aftercare plan, the financial resources available to pay for the services specified, the expected period of provisional discharge, the precise goals for the granting of a final discharge, and conditions or restrictions on the patient during the period of the provisional discharge.

The aftercare plan shall be reviewed on a quarterly basis by the patient, designated agency and other appropriate persons. The aftercare plan shall contain the grounds upon which a provisional discharge may be revoked. The provisional discharge shall terminate on the date specified in the plan unless specific action is taken to revoke or extend it.

Sec. 9. Minnesota Statutes 1986, section 253B.15, is amended by adding a subdivision to read:

Subd. 1a. [CASE MANAGER.] Before a provisional discharge is granted, a representative of the designated agency shall be identified as the case manager. The case manager shall ensure continuity of care by being involved with the treatment facility and the patient for several months prior to the provisional discharge. The case manager shall coordinate plans for and monitor the patient's aftercare program.

Sec. 10. Minnesota Statutes 1986, section 253B.15, subdivision 3, is amended to read:

Subd. 3. [PROCEDURE; NOTICE.] When the possibility of revocation becomes apparent, the designated agency shall notify the patient, the patient's attorney, and all participants in the plan, and every effort shall be made to prevent revocation.

Revocation shall be commenced by a notice of intent to revoke provisional discharge, which shall be served upon the patient, the patient's attorney, and the designated agency. The notice shall set forth the grounds upon which the intention to revoke is based, and shall inform the patient of the rights of a patient under this chapter.

Sec. 11. Minnesota Statutes 1986, section 253B.15, subdivision 5, is amended to read:

Subd. 5. [RETURN TO FACILITY.] The head of the treatment facility case manager may apply to the committing court for an order directing that the patient be returned to the facility. The court may order the patient returned to the facility prior to a review hearing only upon finding that immediate return to the facility is necessary to avoid serious, imminent harm to the patient or others. If a voluntary return is not arranged, the head of the treatment facility may request a health officer, a welfare officer, or a peace officer to return the patient to the treatment facility from which the patient was released or to any other treatment facility which consents to receive the patient. If necessary, the head of the treatment facility may request the committing court to direct a health or peace officer in the county where the patient is located to return the patient to the treatment facility or to another treatment facility which consents to receive the patient. The expense of returning the patient to a treatment facility shall be paid by the commissioner unless paid by the patient or the patient's relatives.

Sec. 12. Minnesota Statutes 1986, section 253B.15, subdivision 6, is amended to read:

Subd. 6. [EXCEPTION.] During the first 60 days of a provisional discharge, the head of the treatment facility case manager, upon finding that either of the conditions set forth in subdivision 2 exists, may revoke the provisional discharge without being subject to the provisions of subdivisions 2 to 5.

Sec. 13. Minnesota Statutes 1986, section 253B.15, subdivision 7, is amended to read:

Subd. 7. [MODIFICATION AND EXTENSION OF PROVISIONAL DISCHARGE.] (a) A provisional discharge may be modified upon agreement of the parties.

(b) A provisional discharge may be extended only in those circumstances where the patient has not achieved the goals set forth in the provisional discharge plan or continues to need the supervision or assistance provided by an extension of the provisional discharge. In determining whether the provisional discharge is to be extended, the head of the facility shall consider the willingness and ability of the patient to voluntarily obtain needed care and treatment.

(b) (c) The designated agency shall recommend extension of a provisional discharge only after a preliminary conference with the patient and other appropriate persons. The patient shall be given the opportunity to object or make suggestions for alternatives to extension.

(e) (d) Any recommendation for extension shall be made in writing to the head of the facility and to the patient at least 30 days prior to the expiration of the provisional discharge. The written recommen-

dation submitted shall include: the specific grounds for recommending the extension, the date of the preliminary conference and results, the anniversary date of the provisional discharge, the termination date of the provisional discharge, and the proposed length of extension. If the grounds for recommending the extension occur less than 30 days before its expiration, the written recommendation shall occur as soon as practicable.

(d) (e) The head of the facility shall issue a written decision regarding extension within five days after receiving the recommendation from the designated agency.

Sec. 14. [REPEALER.]

Minnesota Statutes 1986, section 253B.09, subdivision 4, is repealed.

Sec. 15. [EFFECTIVE DATE.]

Sections 1 to 14 are effective January 1, 1989."

Delete the title and insert:

"A bill for an act relating to human services; defining terms; requiring that court receive annual reviews of people with indeterminate commitments; providing for court-ordered community-based nonresidential treatment; defining procedures for community-based nonresidential commitment; requiring procedures for release before commitment and provisional discharge; amending Minnesota Statutes 1986, sections 253B.02, subdivisions 13, 19, and by adding subdivisions; 253B.09, subdivision 1; and 253B.15, subdivisions 1, 3, 5, 6, 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1986, section 253B.09, subdivision 4."

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. 2155, A bill for an act relating to natural resources; revising provisions relating to the Heartland Trail; amending Minnesota Statutes 1986, section 85.015, subdivision 12.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 85.015, subdivision 12, is amended to read:

Subd. 12. Heartland Trail, Hubbard and Cass counties.

(a) The trail shall originate at mile post 90.92 at Park Rapids in Hubbard county and shall extend in an easterly direction along the Burlington Northern Railroad right-of-way to the south line of Oak Avenue in through Walker in Cass county. The trail shall then continue from the section line between sections 9 and 16, Township 142 North, Range 31 West, in a northerly direction along the Burlington Northern Railroad right-of-way to mile post 137.78, approximately 2 miles south of Cass Lake in Cass county, and there terminate.

(b) The trail shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Heartland Trail may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the legislative advisory commission before granting approval. Recommendations of the legislative advisory commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

Sec. 2. Minnesota Statutes 1986, section 85.015, is amended by adding a subdivision to read:

Subd. 15. [PAUL BUNYAN TRAIL, CROW WING, CASS, HUBBARD, AND BELTRAMI COUNTIES.] The trail shall originate in the city of Baxter in Crow Wing county and shall extend in a northerly direction along the Burlington Northern Railroad right-of-way, intersecting the Heartland State Trail southeast of the city of Walker in Cass county. The trail shall continue on the Heartland State Trail through the city of Walker, then in a northwesterly direction along the Burlington Northern Railroad right-of-way to the city of Bemidji in Beltrami county and there terminate.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; revising provisions relating to the Heartland Trail; establishing the Paul Bunyan Trail;

amending Minnesota Statutes 1986, section 85.015, subdivision 12, and by adding a subdivision.”

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2166, A bill for an act relating to health and human services; requiring the commissioner of health to implement an infant formula rebate system for the W.I.C. program; requiring written materials provided to clients under programs administered or supervised by the departments of human services, health, and jobs and training to be in plain language and readable at the seventh-grade level; establishing a local income assistance grant program to increase the use of food stamps by homeless individuals; appropriating money; amending Minnesota Statutes 1986, section 145.894; proposing coding for new law in Minnesota Statutes, chapters 144, 256, and 268.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [CITATION.]

Sections 1 to 8 may be cited as the hunger reduction act of 1988.

Sec. 2. [144.054] [PLAIN LANGUAGE IN WRITTEN MATERIALS.]

(a) To the extent feasible and consistent with the goal of providing easily understandable and readable materials, all written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under a program administered or supervised by the commissioner of health must be understandable to a person who reads at the seventh-grade level, using the Flesch scale analysis readability score as determined under section 72C.09.

(b) All written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under programs administered or supervised by the commissioner of health must satisfy the plain language requirements of the plain language contract act under sections 325G.29 to 325G.36. Materials may be submitted to the attorney general for review and certification. Notwithstanding section

325G.35, subdivision 1, the attorney general shall review submitted materials to determine whether they comply with the requirements of section 325G.31. The remedies available pursuant to sections 325G.33 to 325G.36 do not apply to these materials.

(c) The requirements of this section apply to all new materials developed by the commissioner on or after October 1, 1988, and to all materials distributed by the commissioner to recipients and applicants on and after July 1, 1991. The requirements of this section do not apply to materials that must be submitted to a federal agency for approval, to the extent that application of the requirements prevents federal approval.

Sec. 3. Minnesota Statutes 1986, section 145.894, is amended to read:

145.894 [STATE COMMISSIONER OF HEALTH; DUTIES, RESPONSIBILITIES.]

The commissioner of health shall:

(a) Develop a comprehensive state plan for the delivery of nutritional supplements to pregnant and lactating women, infants, and children;

(b) Contract with existing local public or private nonprofit organizations for the administration of the nutritional supplement program;

(c) Develop and implement a public education program promoting the provisions of sections 145.891 to 145.897, and provide for the delivery of individual and family nutrition education and counseling at project sites;

(d) Develop in cooperation with other agencies and vendors a uniform state voucher system for the delivery of nutritional supplements;

(e) Authorize local health agencies to issue vouchers bimonthly to some or all eligible individuals served by the agency, provided the agency demonstrates that the federal minimum requirements for providing nutrition education will continue to be met and that the quality of nutrition education and health services provided by the agency will not be adversely impacted;

(f) Investigate and implement an infant formula cost reduction system that will reduce the cost of nutritional supplements so that by October 1, 1988, additional mothers and children will be served;

(g) Develop, analyze and evaluate the health aspects of the

nutritional supplement program and establish nutritional guidelines for the program;

(f) (h) Apply for, administer, and annually expend at least 99 percent of available federal or private funds;

(g) (i) Aggressively market services to eligible individuals by conducting ongoing outreach activities and by coordinating with and providing marketing materials and technical assistance to local human services and community service agencies and nonprofit service providers;

(h) (j) Determine, on July 1 of each year, the number of pregnant women participating in each special supplemental food program for women, infants, and children (W.I.C.) and, in 1986, 1987, and 1988, at the commissioner's discretion, designate a different food program deliverer if the current deliverer fails to increase the participation of pregnant women in the program by at least ten percent over the previous year's participation rate;

(i) (k) Promulgate all rules necessary to carry out the provisions of sections 145.891 to 145.897; and

(j) (l) Report to the legislature by November 15 of every year on the expenditures and activities under sections 145.891 to 145.897 of the state and local health agencies for the preceding fiscal year.

Sec. 4. [256.016] [PLAIN LANGUAGE IN WRITTEN MATERIALS.]

(a) To the extent feasible and consistent with the goal of providing easily understandable and readable materials, all written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under a program administered or supervised by the commissioner of human services must be understandable to a person who reads at the seventh-grade level, using the Flesch scale analysis readability score as determined under section 72C.09.

(b) All written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under programs administered or supervised by the commissioner of human services must satisfy the plain language requirements of the plain language contract act under sections 325G.29 to 325G.36. Materials may be submitted to the attorney general for review and certification. Notwithstanding section 325G.35, subdivision 1, the attorney general shall review submitted materials to determine whether they comply with the requirements of section 325G.31. The remedies available pursuant to sections 325G.33 to 325G.36 do not apply to these materials.

(c) The requirements of this section apply to all new materials developed by the commissioner on or after October 1, 1988, and to all materials distributed by the commissioner to recipients and applicants on and after July 1, 1991. The requirements of this section do not apply to materials that must be submitted to a federal agency for approval, to the extent that application of the requirements prevents federal approval.

Sec. 5. [268.0124] [PLAIN LANGUAGE IN WRITTEN MATERIALS.]

(a) To the extent feasible and consistent with the goal of providing easily understandable and readable materials, all written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under a program administered or supervised by the commissioner of jobs and training must be understandable to a person who reads at the seventh-grade level, using the Flesch scale analysis readability score as determined under section 72C.09.

(b) All written materials relating to determinations of eligibility for or amounts of benefits that will be given to applicants for or recipients of assistance under programs administered or supervised by the commissioner of jobs and training must satisfy the plain language requirements of the plain language contract act under sections 325G.29 to 325G.36. Materials may be submitted to the attorney general for review and certification. Notwithstanding section 325G.35, subdivision 1, the attorney general shall review submitted materials to determine whether they comply with the requirements of section 325G.31. The remedies available pursuant to sections 325G.33 to 325G.36 do not apply to these materials.

(c) The requirements of this section apply to all new materials developed by the commissioner on or after October 1, 1988, and to all materials distributed by the commissioner to recipients and applicants on and after July 1, 1991. The requirements of this section do not apply to materials that must be submitted to a federal agency for approval, to the extent that application of the requirements prevents federal approval.

Sec. 6. [LOCAL INCOME ASSISTANCE FROM FEDERAL FOOD STAMPS.]

To the extent of available appropriations, the commissioner of human services shall contract with community outreach programs to encourage participation in the food stamp program of seniors, farmers, veterans, unemployed workers, low-income working heads of households, battered women residing in shelters, migrant workers, families with children, and other eligible individuals who are homeless. For purposes of this section, "homeless" means that the

individual lacks a fixed and regular nighttime residence or has a primary nighttime residence that is:

(1) a publicly supervised or privately operated shelter, including a welfare hotel or congregate shelter, designed to provide temporary living accommodations;

(2) an institution that provides a temporary residence for individuals who will be institutionalized;

(3) a temporary accommodation in the residence of another individual; or

(4) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The commissioner shall seek federal money to equally match or supplement state money appropriated under section 7 for grants and contracts under this section. The commissioner shall convene an advisory committee to help establish criteria for awarding grants, to make recommendations regarding grant proposals, to assist in the development of training and educational materials, and to participate in the evaluation of grant programs. The grantees shall provide training for program workers, offer technical assistance, and prepare educational materials. Grantees must demonstrate that grants were used to increase participation in the food stamp program by creating new outreach activities, and not by replacing existing activities. No more than five percent of the appropriation for community outreach programs shall be used by the commissioner for the department's administrative costs. The rulemaking requirements of Minnesota Statutes, chapter 14 do not apply to the procedures used by the commissioner to request and evaluate grant proposals and to award grants and contracts under this section. Distribution of grant money appropriated during the 1988 legislative session must begin by October 1, 1988.

Sec. 7. [APPROPRIATIONS.]

(a) \$500,000 is appropriated from the general fund to the commissioner of health for the nutritional supplement program for women, infants, and children (W.I.C.), to be available until spent.

(b) \$250,000 is appropriated from the general fund to the commissioner of human services for the food stamp community outreach grant program established in section 6, to be available until spent.

Sec. 8. [REPEALER.]

Section 6 is repealed July 1, 1990."

Delete the title and insert:

"A bill for an act relating to health and human services; requiring the commissioner of health to implement an infant formula rebate system for the W.I.C. program; requiring written materials provided to clients under programs administered or supervised by the departments of human services, health, and jobs and training to be in plain language and readable at the seventh-grade level; establishing a local income assistance grant program to increase the use of food stamps by homeless individuals; appropriating money; amending Minnesota Statutes 1986, section 145.894; proposing coding for new law in Minnesota Statutes, chapters 144, 256, and 268."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2173, A bill for an act relating to agriculture; appropriating money for purple loosestrife eradication grants.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2174, A bill for an act relating to agriculture; shifting the responsibility for eradication of purple loosestrife in certain public waters and wetlands; amending Minnesota Statutes 1986, section 18.191.

Reported the same back with the following amendments:

Page 1, delete lines 22 to 25 and insert:

"Control of purple loosestrife (*Lythrum salicaria*) on public waters and wetlands, as defined in section 105.37, subdivision 14, and inventoried under section 105.391, shall be the responsibility of the department of natural resources. An owner of land is not required to control purple loosestrife on land as defined in section 105.37, subdivision 14, which is inventoried under section 105.391."

Page 2, delete lines 1 and 2

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

The report was adopted.

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

H. F. No. 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 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.

Reported the same back with the following amendments:

Page 2, line 35, after "land," insert "forests."

Page 3, line 30, delete "board" and insert "commission"

Page 4, line 16, before "A" insert "(a)" and after "members" insert "is created"

Page 4, line 21, delete the comma and insert ". The commission"

Page 4, line 27, after the period insert:

"(b) Members shall appoint a chair who shall preside and convene meetings as often as necessary to conduct duties prescribed by this act.

(c) Members shall serve on the commission until their successors are appointed.

(d) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out their duties, and vacancies shall be filled in the same manner under paragraph (a).

(e)"

Page 6, line 3, after "water," insert "forests,"

Page 6, line 8, delete "and"

Page 6, line 11, delete the period and insert a semicolon

Page 6, after line 11, insert:

"(7) administrative and investment expenses incurred by the state board of investment in investing money in the trust fund; and

(8) administrative expenses of the commission and advisory committee, subject to the limits in section 10."

Page 8, line 18, after "water research," insert "forest research,"

With the recommendation that when so amended 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. 2227, A bill for an act relating to the environment; requiring notice of the release of genetically engineered organisms; creating a task force to study certain issues relating to genetic engineering; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 26

Page 2, delete lines 1 and 2

Page 2, line 30, delete "appointed by the governor"

Page 3, line 5, delete "as defined in section 1,"

Page 3, line 19, delete "2" and insert "1" and delete "3" and insert "2" and delete "January" and insert "July"

Page 3, line 21, delete "to 3" and insert "and 2" and delete "May 1, 1988" and insert "the day following final enactment"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "creating"

Page 1, line 5, delete everything after "engineering" and insert a period

Page 1, delete line 6

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

The report was adopted.

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

H. F. No. 2243, A bill for an act relating to employment; mandating a study on the effects of video display terminals; mandating a study on mandatory overtime.

Reported the same back with the following amendments:

Page 1, line 23, after the period insert "The commissioner shall report the results of the study to the legislature before January 1, 1989."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 2253, A bill for an act relating to corporations; making certain corrections to shareholder protection and corporate take-over legislation; eliminating restrictions on certain business combinations with an interested shareholder after five years; amending Minnesota Statutes 1986, sections 80B.03, subdivisions 1 and 6; and 302A.243; Minnesota Statutes 1987 Supplement, sections 302A.011, subdivisions 37, 41, 42, 46, 49, 50, and 51; 302A.553, subdivision 3; 302A.671, subdivisions 1, 2, 3, 4, and 4a; and 302A.673.

Reported the same back with the following amendments:

Page 26, line 20, strike "or August 1, 1989,"

Page 26, line 21, strike "whichever date is earlier,"

Page 27, line 16, delete "this" and insert "that"

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. 2254, A bill for an act relating to liquor; authorizing the city of Blaine to issue an on-sale intoxicating liquor license to the city of Blaine.

Reported the same back with the following amendments:

Amend the title as follows:

Page 1, line 4, delete "city of Blaine" and insert "Pheasant Ridge Music Center"

With the recommendation that when so amended 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. 2263, A bill for an act relating to libraries; excluding library services levies from certain levy limitations; requiring recommendations about regional public library districts; amending Minnesota Statutes 1986, section 134.34, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete lines 15 to 23

Amend the title as follows:

Page 1, line 3, delete "requiring"

Page 1, delete line 4

Page 1, line 5, delete "districts;"

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

The report was adopted.

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

H. F. No. 2285, A bill for an act relating to economic development; providing for the use of municipal resources for establishment of a local revolving loan fund; amending Minnesota Statutes 1987 Supplement, section 116N.08, subdivision 8.

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

The report was adopted.

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

H. F. No. 2291, A bill for an act relating to state agencies; amending, enacting and repealing certain laws administered by the department of administration; appropriating money; amending Minnesota Statutes 1986, sections 16A.41, subdivision 1; 16B.07, subdivisions 2 and 3; 16B.08, subdivision 4; 16B.09, subdivision 3; 16B.28; 16B.42, subdivision 1; 16B.48, subdivision 2; 16B.54, subdivision 8; 16B.55, subdivisions 3 and 6; 16B.65, subdivision 3; 16B.85; 94.12; 214.07, subdivision 1; and 382.153; Minnesota Statutes 1987 Supplement, sections 16B.09, subdivision 1; 16B.67; 115A.15, subdivision 6; and 168.012, subdivision 1; Laws 1987, chapters 365, section 24; and 404, section 16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1986, sections 15.38; 16B.29; and 214.07, subdivision 2.

Reported the same back with the following amendments:

Page 5, line 30, delete "or nonprofit organizations"

Page 20, delete lines 18 to 37

Page 21, delete lines 1 to 3

Page 21, line 4, delete "25" and insert "23"

Page 21, delete lines 7 and 8

Amend the title as follows:

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

Page 1, line 13, delete "chapters" and insert "chapter"

Page 1, line 14, delete everything before "proposing"

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2297, A bill for an act relating to agriculture; extending certain benefits under the family farm security act; amending Minnesota Statutes 1986, section 41.57, subdivision 4.

Reported the same back with the following amendments:

Page 3, after line 7, insert:

"Sec. 2. [41.63] [DATA PRIVACY.]

Financial information, including credit reports, financial statements, tax refund calculations, and net worth statements, received or prepared by the commissioner regarding any family farm security loan, and the name of each individual who is the recipient of a family farm security loan, and the name of each cooperating seller of a seller-sponsored loan are private data on individuals under chapter 13."

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

Amend the title as follows:

Page 1, line 4, before the period insert "; proposing coding for new law in Minnesota Statutes, chapter 41"

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

The report was adopted.

Simoneau from the Committee on Governmental Operations 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 Appropriations.

The report was adopted.

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

H. F. No. 2316, A bill for an act relating to health; requiring certification of certain environmental laboratories; establishing an environmental laboratory certification account in the state treasury; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

The report was adopted.

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

H. F. No. 2358, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

Reported the same back with the recommendation that 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. 2371, A bill for an act relating to agriculture; requiring a study on the feasibility of using ink with a soybean oil base for state printing.

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 129.121, subdivision 1, is amended to read:

Subdivision 1. The governing board of any high school may delegate the control, supervision and regulation of interscholastic athletics and other extracurricular activities referred to in section 123.38 to the Minnesota state high school league, a nonprofit incorporated voluntary association. Membership in said Minnesota state high school league shall be composed of such Minnesota high schools whose governing boards have certified in writing to the state commissioner of education that they have elected to delegate the control, supervision and regulation of their interscholastic athletic events and other extracurricular activities to said league. The Minnesota state high school league is hereby empowered to exercise the control, supervision and regulation of interscholastic athletics, musical, dramatic and other contests by and between pupils of the Minnesota high schools, delegated to it pursuant to this section, subject to the terms and conditions in this section and section 6. The Minnesota high school league may establish a policy or guidelines for the guidance of member high schools in the formation or alteration of athletic or other extracurricular conferences. Except as otherwise provided by subdivision 1a, the formation or alteration of conferences is voluntary.

The commissioner of education, or the commissioner's representative, shall be an ex officio nonvoting member of the governing body of the Minnesota state high school league, with the same rights and privileges as other members of its governing body. The governing board must include the following members: four members of the public, at least one of whom must be an American Indian, Asian, Black, or Hispanic, and all of whom must be parents, appointed by the governor under section 15.0597; two members elected by the Minnesota association of secondary school principals; and 14 members selected according to league bylaws. The board shall establish and adopt policies, make decisions on behalf of the league, and establish advisory committees necessary to carry out board functions. The terms, compensation, removal of members, and the filling

of membership vacancies are governed by section 15.0575. Members of advisory committees shall be reimbursed only for expenses in the same manner as board members. The rules of said league shall be exempt from the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62.

Employees of the league shall be reimbursed only for expenses as authorized by the commissioner's plan for state employees adopted under section 43A.18, subdivision 2. The league is specifically prohibited from having credit cards.

The executive director of the league shall have a department head expense account subject to the same limits and guidelines as that provided for the commissioner of education. The executive director shall expend money for entertainment or reimbursement of expenses of guests of the league only from this account.

The board shall establish a policy on the use of automobiles by league staff and shall show annually how league policy on the use of automobiles is the most cost-effective alternative available.

Sec. 2. Minnesota Statutes 1986, section 129.121, subdivision 2, is amended to read:

Subd. 2. Any school board is hereby authorized to expend moneys for and pay dues to the Minnesota state high school league and all moneys paid to such league, as well as moneys derived from any contest or other event sponsored by said league, shall be subject to an annual examination and audit by a certified public accountant or the state auditor legislative auditor's office.

Commencing September 1, 1988, and every year thereafter, the legislative auditor shall provide a financial and compliance audit to the legislature detailing the general financial condition and general status of the league as of July 31 of the year preceding the filing of the audit. Copies of the audit must be filed with the commissioner of education, the chairs of the house and senate education committees, and the director of the legislative reference library. The audit must include the aggregate totals for all revenues and expenditures for the three preceding years and the current year and the percent and dollar difference in each of these four years. The following items must be audited in each instance: revenues from student activities, membership dues, publications, registration of officials and judges, interest, automobile sales, and other revenues including medals, refunds, and reimbursements; and expenditures related to staff, the board of directors, student activities, capital outlay, office, and other expenditures including membership services. The league must pay the legislative auditor for the costs of the audit.

Sec. 3. Minnesota Statutes 1986, section 129.121, is amended by adding a subdivision to read:

Subd. 2a. [AFFIRMATIVE ACTION.] The league must adopt an affirmative action policy to ensure that employment positions within the league are equally accessible to all qualified persons and to eliminate the underutilization of protected groups as defined in section 43A.02, subdivision 33.

Sec. 4. Minnesota Statutes 1986, section 129.121, is amended by adding a subdivision to read:

Subd. 2b. [EQUITABLE COMPENSATION RELATIONSHIPS.] The league shall be treated as a political subdivision for purposes of sections 471.992 to 471.999, except that the league must report to the commissioner of employee relations by February 1, 1989, on its implementation plan. No cause of action against the league arises before August 1, 1989, for failure to comply with the requirements of sections 471.992 to 471.999.

Sec. 5. Minnesota Statutes 1986, section 129.121, is amended by adding a subdivision to read:

Subd. 2c. [DATA PRACTICES.] The collection, creation, receipt, maintenance, dissemination, or use of information by the league is subject to the provisions of chapter 13.

Sec. 6. [129.122] [SUBSTANTIAL HARM STANDARD.]

The league may not limit participation by a member school's individual competitors before or after the league's season for a particular extracurricular activity unless that participation causes or will cause substantial harm to the extracurricular activity or to the participants. The league must establish a procedure involving a neutral official to permit a student, parent, or guardian to appeal the league's determination that participation by an individual competitor causes or will cause substantial harm.

Sec. 7. [REPORT TO THE LEGISLATURE.]

The commissioner of employee relations shall report by January 15, 1989, to the chairs of the house and senate education committees and to the governing board of the league on the appropriate salary rate or range for the league director and the director's staff as if the positions were to be established in the state classified service.

Sec. 8. [APPOINTMENT.]

The governor shall make the initial appointments to the league's governing board before August 15, 1988. The governing board shall be fully constituted by August 30, 1988. The governor must begin the process of appointing four public members under Minnesota Statutes, section 15.0597, as soon as practicable after the effective

date of this section to ensure that the governor's initial appointees are appointed to the board before August 15, 1988.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 7 are effective August 1, 1988. Section 8 is effective the day following final enactment.

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 27, after "meats," insert "fish,"

Page 3, lines 9, 15, 26, and 30, after "poultry," insert "fish,"

Page 4, lines 2 and 6, after "poultry," insert "fish,"

Page 4, lines 11 and 30, after "meat," insert "fish,"

Page 5, lines 5, 10, 23, 24, and 27, after "poultry," insert "fish,"

Page 5, line 35, delete "and (6) meats" and insert "(6) fish; and (7) meats"

Page 6, lines 13 and 21, after "poultry," insert "fish,"

With the recommendation that when so amended 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. 2388, A bill for an act relating to public employees; providing for assignment of University of Minnesota job classifications to appropriate units; amending Minnesota Statutes 1986, sections 179A.10, subdivision 4; and 179A.11, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2402, A bill for an act relating to economic development; permitting certain development authorities to hold certain licenses; amending Minnesota Statutes 1987 Supplement, section 469.155, subdivision 13.

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. 2435, A bill for an act relating to animals; preserving the Minnesota humane society as a nonprofit corporation; providing the society with certain statutory powers to protect animals and to provide assistance in the enforcement of laws prohibiting animal abuse; amending Minnesota Statutes 1987 Supplement, sections 343.01; 343.06; 343.10; 343.12; and 343.29, subdivision 1; repealing Laws 1987, chapter 394, section 13.

Reported the same back with the following amendments:

Page 2, line 16, after "the" insert "society or the"

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. 2436, A bill for an act relating to game and fish; requiring a permit to possess dangerous non-domesticated wild animals; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2441, A bill for an act relating to education; modifying certain requirements relating to school health services; amending Minnesota Statutes 1986, section 123.35, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, sections 123.35, subdivision 16; and 126.201.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 123.35, is amended by adding a subdivision to read:

Subd. 17. [SCHOOL HEALTH SERVICES.] (a) Every school board must provide services to promote the health of its pupils.

(b) The board of a district with 1,000 pupils or more in average daily membership in early childhood family education, preschool handicapped, elementary, and secondary programs must comply with the requirements of this paragraph. It may use one or a combination of the following methods:

(1) employ personnel, including at least one full-time equivalent licensed school nurse or to continue to employ a registered nurse not yet certified as a public health nurse who is enrolled in a program which would lead to certification within four years of the effective date of this section;

(2) contract with a public or private health or health-related organization or other public agency for services during the regular school year, determined appropriate by the board, that are provided

by personnel who are currently licensed under chapter 148 and who are certified public health nurses; or

(3) enter into another arrangement approved by the state board of education.

Sec. 2. [126.202] [ADMINISTRATION OF DRUGS AND MEDICINE.]

Subdivision 1. [APPLICABILITY.] This section applies only:

(1) when the parent of a pupil requests school personnel to administer drugs or medicine to the pupil; or

(2) when administration is allowed by the individual education plan of a handicapped child.

The request of a parent may be oral or in writing. An oral request must be reduced to writing within two school days, provided that the district may rely on an oral request until a written request is received.

Subd. 2. [EXCLUSIONS.] In addition, this section does not apply to drugs or medicine:

(1) that can be purchased without a prescription;

(2) that are used by a pupil who is 18 years old or older;

(3) that are used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;

(4) that are used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;

(5) that are used off the school grounds;

(6) that are used in connection with athletics or extra-curricular activities;

(7) that are used in connection with activities that occur before or after the regular school day; or

(8) that are provided or administered by a public health agency in order to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12.

Subd. 3. [LABELING.] Drugs or medicine subject to this section must be in a container with a label prepared by a pharmacist according to section 151.212 and applicable rules.

Subd. 4. [ADMINISTRATION.] Drugs and medicine subject to this section must be administered in a manner consistent with instructions on the label. Drugs and medicine subject to this section must be administered, to the extent possible, according to school board procedures that must be developed in consultation:

- (1) with a school nurse, in a district that employs a school nurse;
- (2) with a licensed school nurse, in a district that employs a licensed school nurse;
- (3) with a public or private health or health-related organization, in a district that contracts with a public or private health or health-related organization, according to section 1; or
- (4) with the appropriate party, in a district that has an arrangement approved by the state board of education, according to section 1.

Subd. 5. [HANDICAPPED CHILDREN.] For drugs and medicine used by handicapped children, administration may be as provided in the individual education plan.

Subd. 6. [HEALTH TREATMENTS.] For the purpose of this section, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrotomy feedings, do not constitute administration of drugs or medicine.

Sec. 3. [REPEALER.]

Minnesota Statutes 1987 Supplement, section 126.201, is repealed the day following final enactment. Minnesota Statutes 1987 Supplement, section 123.35, subdivision 16, is repealed August 1, 1988."

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

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.

Reported the same back with the following amendments:

Page 1, line 7, delete "ATTORNEY GENERAL" and insert "COMMISSIONER OF AGRICULTURE"

Page 1, line 8, delete "attorney general" and insert "commissioner of agriculture"

Page 1, line 8, delete "investigate and"

Amend the title as follows:

Page 1, line 2, delete "attorney" and insert "commissioner of agriculture"

Page 1, line 3, delete "general"

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. 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.

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

The report was adopted.

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

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.

Reported the same back with the recommendation that 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. 2469, A bill for an act relating to agriculture; regulating sales of anhydrous ammonia; proposing coding for new law in Minnesota Statutes, chapter 239.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [239.81] [ANHYDROUS AMMONIA.]

Anhydrous amonia may be sold at the retail level to any buyer using a temperature correctable liquid meter.”

With the recommendation that when so amended 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. 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.

Reported the same back with the following amendments:

Page 1, line 12, before the period insert “, but otherwise in accordance with Minnesota Statutes, chapter 282”

Page 1, delete lines 13 to 17

Page 2, line 5, delete “the” and insert “each” and delete “through”

Page 2, delete line 6, and insert “for ten years following the sale of each parcel.”

Page 2, after line 11, insert:

“Subd. 5. [TAX-FORFEITED SHORELAND SALE PLAN.] St. Louis county shall prepare a tax-forfeited shoreland sale plan to be approved by the commissioner of natural resources prior to sale of the tax-forfeited shorelands. The plan must include an economic and environmental evaluation of the shorelands to be sold. The environmental evaluation must include a detailed description of the land; a suitability analysis of the land using state and county shoreland regulations and ordinances as the basis for lot suitability; the

proximity of land to existing state or federal management units; a determination of the adequacy of public access to the lake or river; the distribution of public and private lands on the lakes and rivers; a minerals potential assessment; accessibility of lands to public roads; and potential for lands to be sold as residential or commercial planned unit developments. The economic analyses must include an analysis of the supply and demand for shorelands; a marketing evaluation considering regional and local shoreland development trends and shoreland pricing; and the impact of public shoreland sales pricing and financing on private shoreland sales."

Page 2, delete lines 12 to 15

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

The report was adopted.

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

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.

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

The report was adopted.

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

H. F. No. 2509, 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.

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

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.

Reported the same back with the following amendments:

Page 3, line 29, after "4." insert "[268A.01]"

Page 4, line 9, after "5." insert "[268A.02]"

Page 4, line 24, after "person" insert "during the previous three calendar years"

Page 5, delete lines 6 to 9

Page 5, delete lines 14 to 18

Renumber the subdivisions in sequence

Page 6, line 3, after "6." insert "[268A.03]"

Page 6, delete lines 12 to 36

Page 7, delete lines 1 to 12

Page 7, line 13, after "7." insert "[268A.04]"

Page 7, line 34, after "8." insert "[268A.05]"

Page 8, line 14, after "9." insert "[268A.06]"

Page 9, line 23, after "10." insert "[268A.07]"

Page 10, line 32, after "11." insert "[268A.08]"

Page 12, line 18, after "12." insert "[268A.09]"

Page 13, line 14, after "13." insert "[268A.10]"

Page 13, line 34, after "14." insert "[268A.11]"

Page 15, line 23, after "15." insert "[268A.12]"

Page 15, line 26, after "made" insert "from the jobs 2000 fund"

Page 16, line 7, delete from "The" through page 16, line 14 to "greater."

Page 16, line 17, delete "commissioner of jobs and training" and insert "jobs 2000 fund"

Page 16, after line 21, insert:

"Laws 1983, chapter 334, section 7, as amended by Laws 1987, chapter 386, article 10, section 8, is repealed."

Correct all internal cross references

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "employers and employees;"

Page 1, line 11, after the semicolon insert "proposing coding for new law as Minnesota Statutes, chapter 268A,"

Page 1, line 14, before the period insert "; and Laws 1983, chapter 334, section 7, as amended"

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

The report was adopted.

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

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.

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

The report was adopted.

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

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.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, line 13, after the comma insert "the chancellor of the state community college system, or the chancellor's designee,"

Page 1, line 13, after "member" insert "of the house of representatives"

Page 1, line 14, after the comma insert "one member of the house of representatives appointed by the minority leader of the house,"

Page 1, line 14, after "member" insert "of the state senate"

Page 1, line 15, after the comma insert "one member of the state senate appointed by the minority leader of the senate,"

Page 1, line 25, delete "hire" and insert "utilize"

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 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.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 987, 1731, 1732, 1767, 1779, 1822, 1831, 1864, 1904, 2022, 2038, 2041, 2049, 2091, 2106, 2112, 2115, 2155, 2243, 2253, 2254, 2358, 2373, 2388, 2402, 2435, 2441, 2449, 2463, 2469, 2509, 2524 and 2529 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1715, 1711 and 1710 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Segal introduced:

H. F. No. 2662, A bill for an act relating to human services; requiring a study of post-secondary educational opportunities for people with mental illness; requiring a report to the legislature; appropriating money.

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

Jennings, Vanasek, Battaglia and Carlson, D., introduced:

H. F. No. 2663, A bill for an act relating to local government; enacting an equalization grants program for wastewater treatment facilities; appropriating money; 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.

Jacobs introduced:

H. F. No. 2664, A bill for an act relating to agriculture; appropriating money for bluegrass seed and turf production.

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

Bauerly introduced:

H. F. No. 2665, A bill for an act relating to commerce; requiring tax return preparers to be licensed; establishing a board of tax return preparation services; providing for regulation of tax preparers; providing penalties; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 214.01, subdivision 3; and 214.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Waltman introduced:

H. F. No. 2666, A bill for an act relating to game and fish; authorizing nighttime hunting of coyote and fox; amending Minnesota Statutes 1987 Supplement, section 97B.081, subdivision 1, and by adding a subdivision.

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

Dawkins, Trimble and Otis introduced:

H. F. No. 2667, A bill for an act relating to energy; creating a legislative advisory task force on energy policies for low-income persons and providing for the duties of the task force.

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

Peterson and Omann introduced:

H. F. No. 2668, A bill for an act relating to education; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; 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.

Forsythe and Long introduced:

H. F. No. 2669, A bill for an act relating to child support; providing that a court shall stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance; authorizing parties to waive automatic income withholding when there is a child support or maintenance order; amending Minnesota Statutes 1987 Supplement, section 518.613, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Nelson, K.; McLaughlin; Dawkins; Segal and Osthoff introduced:

H. F. No. 2670, A bill for an act relating to education; appropriating money to the Minnesota Hispanic Education Program, Inc.

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

Morrison, Valento, Tjornhom, Seaberg and Clausnitzer introduced:

H. F. No. 2671, A bill for an act relating to metropolitan government; regulating the finances of the metropolitan council; amending Minnesota Statutes 1986, sections 473.13, subdivisions 1 and 4; and 473.249, subdivision 1.

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

Poppenhagen, Omann, Frederick and Hugoson introduced:

H. F. No. 2672, A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance companies; amending Minnesota Statutes 1986, section 69.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 60A.15, subdivision 1; and 69.021, subdivision 5.

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

Neuenschwander; Carlson, D.; Begich; Jennings and Marsh introduced:

H. F. No. 2673, A bill for an act relating to game and fish; authorizing possession of handguns while hunting bear by archery; amending Minnesota Statutes 1986, section 97B.211, subdivision 1.

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

Frerichs and Ogren introduced:

H. F. No. 2674, A bill for an act relating to human services; limiting certain sliding fee child care services to 12 months; establishing a loan program for child care services; appropriating money; amending Minnesota Statutes 1986, section 268.91, subdivision 10, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 268.91, subdivisions 3, 8, 11, and 12.

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

Rice, O'Connor, Valento, Dille and Simoneau introduced:

H. F. No. 2675, A bill for an act relating to workers' compensation; allowing group self-insurers to pay benefits and administrative expenses in the same manner as corporate self-insurers; amending Minnesota Statutes 1986, section 176.181, subdivision 2.

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

Kalis and Reding introduced:

H. F. No. 2676, A bill for an act relating to state government; eliminating the compensation council; repealing Minnesota Statutes 1986, section 15A.082.

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

Kalis introduced:

H. F. No. 2677, A bill for an act relating to taxation; sales; repealing the accelerated payment of June sales tax liability; amending Minnesota Statutes 1987 Supplement, section 297A.27,

subdivision 1; repealing Minnesota Statutes 1987 Supplement, section 297A.275.

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

Heap introduced:

H. F. No. 2678, A bill for an act relating to retirement; excluding volunteer firefighters in the city of Minnetonka from membership in the public employees retirement association and police and fire fund.

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

Olson, K.; McEachern; Nelson, K.; Winter and Steensma introduced:

H. F. No. 2679, A bill for an act relating to education; providing for regional program access revenue; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Beard and Kostohryz introduced:

H. F. No. 2680, A bill for an act relating to veterans; requiring cities and towns to fly the POW-MIA flag; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Redalen and Johnson, V., introduced:

H. F. No. 2681, A bill for an act relating to libraries; removing mandatory county financial support for public libraries; repealing Minnesota Statutes 1987 Supplement, section 134.341.

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

Redalen introduced:

H. F. No. 2682, A bill for an act relating to retirement; Fillmore county; authorizing service credit in the public employees retirement association based on certain omitted deductions and contributions.

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

Kahn introduced:

H. F. No. 2683, A bill for an act relating to finance; providing for the establishment of fees; amending Minnesota Statutes 1986, section 16A.128, subdivisions 1, and 1a.

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

Segal introduced:

H. F. No. 2684, A bill for an act relating to health; dedicating revenue from a lottery to certain health and welfare programs for children.

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

Greenfield introduced:

H. F. No. 2685, A bill for an act relating to human services; clarifying the administration of human services programs; establishing a compliance system for certain public assistance programs; establishing a public assistance incentive fund; appropriating money; amending Minnesota Statutes 1986, sections 256.72; 256.81; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041, subdivisions 5 and 7; 256B.05, subdivision 1; 256B.19, subdivision 2; 256D.03, subdivision 6; 256D.04; 256D.36, subdivision 1; and 393.07, subdivision 2; Minnesota Statutes 1987 Supplement, sections 256.01, subdivision 2; 256B.091, subdivision 8; 256B.19, subdivision 1; 256D.03, subdivision 2; 393.07, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1987 Supplement, sections 245.775; and 256D.22.

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

Jaros and Munger introduced:

H. F. No. 2686, A bill for an act relating to education; appropriating money for an optical fiber telecommunications system and related interconnections.

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

Osthoff introduced:

H. F. No. 2687, A bill for an act relating to metropolitan affairs; authorizing the sale of state bonds to provide funds for the acquisition and betterment of metropolitan regional recreation open space land; appropriating money.

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

Simoneau introduced:

H. F. No. 2688, A bill for an act relating to workers' compensation; regulating self-insurance; establishing a self-insurer guaranty fund; proposing coding for new law as Minnesota Statutes, chapter 176C.

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

Rukavina introduced:

H. F. No. 2689, A bill for an act relating to city of Buhl; providing for lease agreement with department of natural resources.

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

Schreiber, McKasy, Hartle, Sarna and McEachern introduced:

H. F. No. 2690, A bill for an act relating to drivers' licenses; providing that person must discharge bad checks before driver's license or permit is issued, renewed, or reinstated; authorizing department of public safety to maintain records of bad checks submitted; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 171.

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

Voss; Rukavina; Anderson, G.; Kahn and Bishop introduced:

H. F. No. 2691, A bill for an act relating to state agencies; amending the authority of the Minnesota amateur sports commission; correcting references; exempting rulemaking from chapter 14; authorizing the commission to establish nonprofit corporations and charitable foundations; amending Minnesota Statutes 1987 Supplement, sections 16A.661, subdivision 3; 240A.02, subdivision 2; 240A.03, subdivisions 10, 12, and by adding a subdivision; and 297A.44, subdivision 1; and Laws 1987, chapter 400, section 13.

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

Redalen and DeRaad introduced:

H. F. No. 2692, A bill for an act relating to claims against the state; appropriating funds for the payment of certain claims.

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

Minne, Voss, Milbert and Rodosovich introduced:

H. F. No. 2693, A bill for an act relating to insurance; accident and health; authorizing the commissioner to hold a hearing on certain rate increases to determine if they are excessive; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Larsen and Rukavina introduced:

H. F. No. 2694, A bill for an act relating to education; increasing the general education formula allowance; increasing supplemental revenue; amending Minnesota Statutes 1987 Supplement, sections 124A.22, subdivision 2; 124A.23, subdivisions 2, 3, and by adding subdivisions; 124A.25, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Stanius introduced:

H. F. No. 2695, A bill for an act relating to taxation; individual

income; exempting certain scholarship income from taxation; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

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

Wenzel introduced:

H. F. No. 2696, A resolution memorializing the President and Congress of the United States to design farm legislation designed to protect the family farm system.

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

Wenzel introduced:

H. F. No. 2697, A bill for an act relating to health; authorizing the commissioner of commerce to regulate the financial affairs of health maintenance organizations; requiring conversion coverages in certain circumstances; regulating marketing practices and premiums; providing a complaint system; restricting certain prior authorization requirements; providing rulemaking; appropriating money; amending Minnesota Statutes 1986, sections 62D.03; 62D.04, as amended; 62D.07, subdivision 3; 62D.08, as amended; 62D.09, by adding a subdivision; 62D.11; 62D.12, subdivision 2, and by adding subdivisions; 62D.13; 62D.14; 62D.15, subdivision 1, and by adding a subdivision; 62D.16; 62D.17; 62D.20; 62D.21; 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.

McLaughlin introduced:

H. F. No. 2698, A bill for an act relating to consumer protection; regulating lay away sales to consumers; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Carruthers and Blatz introduced:

H. F. No. 2699, A bill for an act relating to creditors' remedies; regulating executions, redemptions, exemptions, and garnishments;

revising, clarifying, and standardizing procedures; providing certain sanctions; updating certain forms; lengthening the period of effectiveness of summary executions; modifying an employer's obligations with regard to a garnishment summons; proposing coding for new law in Minnesota Statutes, chapters 550 and 571; repealing Minnesota Statutes 1986, sections 550.041; 550.05; 550.14; 550.141; and 571.41 to 571.69.

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

Beigich introduced:

H. F. No. 2700, A bill for an act relating to labor; providing for conformity with federal minimum wage; amending Minnesota Statutes 1987 Supplement, section 177.24, subdivision 1.

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

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 File, herewith transmitted:

S. F. No. 1772.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1772, A bill for an act relating to North Suburban Hospital District; authorizing renovation and use of the Fridley Assembly of God Church property for health or social services.

The bill was read for the first time.

Johnson, A., moved that S. F. No. 1772 and H. F. No. 1863, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

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.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1743, A bill for an act relating to the city of Eveleth; authorizing benefit increases for certain retired police officers, firefighters, and their surviving spouses.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1941, A bill for an act relating to charitable gambling; increasing the time period allowed for cities and counties to review license applications; amending Minnesota Statutes 1986, section 349.213, subdivision 2.

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

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

Those who voted in the affirmative were:

Anderson, G.	DeBlieck	Jennings	McEachern	Orenstein
Anderson, R.	Dempsey	Jensen	McKasy	Osthoff
Battaglia	DeRaad	Johnson, A.	McLaughlin	Otis
Bauerly	Dille	Johnson, R.	Milbert	Ozment
Beard	Dorn	Kahn	Miller	Pappas
Begich	Forsythe	Kelly	Minne	Pauly
Bennett	Frederick	Kelso	Morrison	Pelowski
Bertram	Frerichs	Kinkel	Murphy	Peterson
Boo	Greenfield	Kludt	Nelson, C.	Poppenhagen
Brown	Gruenes	Knickerbocker	Nelson, D.	Price
Burger	Gutknecht	Knuth	Nelson, K.	Quinn
Carlson, D.	Hartle	Kostohryz	Neuenschwander	Quist
Carlson, L.	Haukoos	Krueger	O'Connor	Redalen
Carruthers	Heap	Larsen	Ogren	Reding
Clark	Himle	Lasley	Olsen, S.	Rice
Clausnitzer	Hugoson	Lieder	Olson, E.	Richter
Cooper	Jacobs	Long	Olson, K.	Riveness
Dauner	Jaros	Marsh	Omann	Rodosovich
Dawkins	Jefferson	McDonald	Onnen	Rose

Rukavina	Shaver	Sviggum	Uphus	Winter
Sarna	Simoneau	Swenson	Valento	Wynia
Schafer	Skoglund	Thiede	Voss	Spk. Vanasek
Scheid	Solberg	Tjornhom	Wagenius	
Schreiber	Sparby	Tompkins	Waltman	
Seaberg	Stanius	Trimble	Welle	
Segal	Steensma	Tunheim	Wenzel	

The bill was passed and its title agreed to.

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

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2055, A bill for an act relating to education; making changes in the budget law relating to special school district No. 1,

Minneapolis; amending Laws 1959, chapter 462, section 3, subdivision 4, as amended.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2265, A bill for an act relating to natural resources; correcting certain provisions for net size for the taking of ciscoes; amending Minnesota Statutes 1986, section 97C.805, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bishop	Burger	Clausnitzer
Anderson, R.	Begich	Blatz	Carlson, D.	Cooper
Battaglia	Bennett	Boo	Carlson, L.	Dauner
Bauerly	Bertram	Brown	Clark	Dawkins

DeBlieck	Kahn	Munger	Price	Stanius
Dempsey	Kalis	Murphy	Quinn	Steensma
DeRaad	Kelly	Nelson, C.	Quist	Sviggum
Dorn	Kelso	Nelson, D.	Redalen	Swenson
Forsythe	Kinkel	Nelson, K.	Reding	Thiede
Frederick	Kludt	Neuenschwander	Rice	Tjornhom
Frerichs	Knickerbocker	O'Connor	Richter	Tompkins
Greenfield	Knuth	Ogren	Riveness	Trimble
Gruenes	Kostohryz	Olsen, S.	Rodosovich	Tunheim
Gutknecht	Krueger	Olson, E.	Rose	Uphus
Hartle	Larsen	Olson, K.	Rukavina	Valento
Haukoos	Lasley	Omann	Sarna	Vellenga
Heap	Lieder	Onnen	Schafer	Wagenius
Himle	Long	Orenstein	Scheid	Waltman
Hugoson	Marsh	Osthoff	Schreiber	Welle
Jacobs	McDonald	Otis	Seaberg	Wenzel
Jaros	McEachern	Ozment	Segal	Winter
Jennings	McKasy	Pappas	Shaver	Wynia
Jensen	McLaughlin	Pauly	Shimoneau	Spk. Vanasek
Johnson, A.	Milbert	Pelowski	Skoglund	
Johnson, R.	Minne	Peterson	Solberg	
Johnson, V.	Morrison	Poppenhagen	Sparby	

The bill was passed and its title agreed to.

H. F. No. 2431 was reported to the House.

There being no objection, H. F. No. 2431 was continued on the Consent Calendar until Thursday, March 17, 1988.

CALENDAR

H. F. No. 1784, A bill for an act relating to nurse-midwives; allowing a certified nurse-midwife to prescribe and administer drugs and therapeutic devices; allowing an appropriately certified and licensed health care professional to prescribe legend drugs and controlled substances; amending Minnesota Statutes 1986, sections 148.171; 151.37, subdivision 2; and 152.12, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bishop	Clark	Dille	Haukoos
Anderson, R.	Blatz	Clausnitzer	Dorn	Heap
Battaglia	Boo	Cooper	Forsythe	Himle
Bauerly	Brown	Dauner	Frederick	Hugoson
Beard	Burger	Dawkins	Frerichs	Jacobs
Begich	Carlson, D.	DeBlieck	Greenfield	Jaros
Bennett	Carlson, L.	Dempsey	Gruenes	Jefferson
Bertram	Carruthers	DeRaad	Hartle	Jennings

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

The bill was passed and its title agreed to.

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. 1806, 1709, 1817 and 1940 were recommended to pass.

S. F. No. 1715 was recommended to pass.

H. F. Nos. 718 and 1979 were recommended for progress.

H. F. Nos. 297 and 1705 were recommended for progress retaining their places on General Orders.

H. F. No. 577, the first engrossment, which it recommended to pass with the following amendment offered by Rest:

Page 1, line 15, strike "subdivision" and insert "subdivisions 3 and"

Page 1, after line 26, insert:

"Sec. 2. Minnesota Statutes 1986, section 257.071, subdivision 4, is amended to read:

Subd. 4. [REVIEW OF DEVELOPMENTALLY DISABLED AND EMOTIONALLY HANDICAPPED CHILD PLACEMENTS.] If a developmentally disabled child, as that term is defined in United States Code, title 42, section 6001 (7), as amended through December 31, 1979, or a child diagnosed with an emotional handicap as defined in section 257.27, subdivision 1, has been placed in a residential facility pursuant to a voluntary release by the child's parent or parents because of the child's handicapping conditions or need for long-term residential treatment or supervision, the social service agency responsible for the placement shall bring a petition for review of the child's foster care status, pursuant to section 260.131, subdivision 1a, rather than a petition as required by subdivision 3, clause (b) of this section, after the child has been in foster care for 18 months or, in the case of a child with an emotional handicap, after the child has been in a residential facility for six months. Whenever a petition for review is brought pursuant to this subdivision, a guardian ad litem shall be appointed for the child."

Renumber the remaining sections accordingly

Page 2, line 26, after the period, insert "In proceedings involving an American Indian child, as defined in section 257.351, subdivision 6, the best interests of the child must be determined consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, et. seq."

Page 5, line 25, delete the new language

Page 5, line 26, delete the new language

Page 6, line 31, after "able" insert ", and reasonable efforts by the social service agency have failed to correct the conditions that formed the basis of the petition"

Page 7, line 20, after "care" insert ", and an order for disposition under section 260.191, including adoption of the written case plan required by section 257.071"

Page 8, line 15, after the period, insert "In proceedings involving an American Indian child, as defined in section 257.351, subdivision 6, the best interests of the child must be determined consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, et. seq."

Page 8, after line 15, insert:

"Sec. 9. [STUDY.]

By January 1, 1989, the commissioner of human services shall study and make recommendations to the legislature on what con-

stitutes reasonable efforts by the social service agency to provide families with placement prevention and family reunification services and under what circumstances information and notice should be provided to parents. The commissioner shall consult with community-based family advocacy organizations, representatives of minority communities, groups representing mentally or physically disabled children and their families, representatives of public and private social service agencies, members of the judiciary, and attorneys who represent all parties in juvenile protection proceedings."

Renumber the remaining section

Page 8, line 17, delete "7" and insert "9"

Amend the title as follows:

Page 1, line 6, delete "subdivision 3" and insert "subdivisions 3 and 4"

Anderson, G., offered an amendment to H. F. No. 1705, the first engrossment.

POINT OF ORDER

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

Anderson, G., offered an amendment to H. F. No. 1705, the first engrossment.

POINT OF ORDER

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

POINT OF ORDER

Kahn raised a point of order pursuant to rule 5.7 that H. F. No. 1705 be re-referred to the Committee on Appropriations. The Speaker ruled the point of order not in order.

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 call was taken in the Committee of the Whole:

Marsh moved to amend H. F. No. 1806, as follows:

Page 5, line 27, to page 6, line 26, delete section 8

Renumber the sections accordingly

Amend the title accordingly

The question was taken on the Marsh amendment and the roll was called. There were 44 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Bennett	Dille	Kinkel	Orenstein	Seaberg
Blatz	Dorn	Marsh	Ozment	Stanius
Boo	Forsythe	McDonald	Pauly	Steensma
Carlson, D.	Frerichs	McKasy	Redalen	Swenson
Clark	Gutknecht	McLaughlin	Richter	Tjornhom
Clausnitzer	Haukoos	Milbert	Rose	Tompkins
Dauner	Himle	Miller	Schafer	Valento
DeBlicck	Hugoson	Olsen, S.	Scheid	Waltman
DeRaad	Johnson, V.	Omann	Schreiber	

Those who voted in the negative were:

Anderson, G.	Jaros	Larsen	Onnen	Segal
Battaglia	Jefferson	Lasley	Otis	Shaver
Baucrly	Jennings	Lieder	Pappas	Simoneau
Beard	Jensen	Long	Pelowski	Skoglund
Begich	Johnson, R.	McEachern	Peterson	Sviggum
Bertram	Kahn	Minne	Poppenhagen	Thiede
Brown	Kalis	Morrison	Quinn	Trimble
Burger	Kelly	Munger	Quist	Uphus
Carlson, L.	Kelso	Nelson, C.	Reding	Voss
Carruthers	Kludt	Nelson, D.	Rest	Wagenius
Greenfield	Knickerbocker	O'Connor	Riveness	Welle
Gruenes	Knuth	Ogren	Rodosovich	Wenzel
Hartle	Kostohryz	Olson, E.	Rukavina	Winter
Jacobs	Krueger	Olson, K.	Sarna	Wynia
				Spk. Vanasek

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

MOTIONS AND RESOLUTIONS

Lasley moved that the name of Cooper be added as an author on H. F. No. 1736. The motion prevailed.

Carlson, D., moved that the name of Tjornhom be added as an author on H. F. No. 1748. The motion prevailed.

Price moved that the name of Osthoff be added as an author on H. F. No. 1857. The motion prevailed.

Skoglund moved that the name of Riveness be added as an author on H. F. No. 1914. The motion prevailed.

Kalis moved that the name of Bishop be added as an author on H. F. No. 1980. The motion prevailed.

Redalen moved that his name be stricken as an author on H. F. No. 2088. The motion prevailed.

Dille moved that the name of Uphus be added as an author on H. F. No. 2145. The motion prevailed.

Segal moved that the names of Riveness and Trimble be added as authors on H. F. No. 2408. The motion prevailed.

Quist moved that the name of Sparby be added as an author on H. F. No. 2517. The motion prevailed.

Beard moved that the name of Bauerly be added as an author on H. F. No. 2559. The motion prevailed.

Lasley moved that the names of Johnson, R., and Beard be added as authors on H. F. No. 2571. The motion prevailed.

Segal moved that the name of Clark be added as an author on H. F. No. 2628. The motion prevailed.

Jefferson moved that the name of Osthoff be added as an author on H. F. No. 2642. The motion prevailed.

Pappas moved that the name of Wynia be added as an author on H. F. No. 2656. The motion prevailed.

Knuth moved that H. F. No. 2375 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Appropriations. The motion prevailed.

Kahn moved that H. F. No. 2521 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Appropriations. The motion prevailed.

Cooper moved that H. F. No. 2165 be recalled from the Committee on Appropriations and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Riveness moved that the name of Johnson, A., be added as an author on H. F. No. 1902. The motion prevailed.

Trimble moved that H. F. No. 2243, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Carruthers moved that H. F. No. 2095, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Lasley, Valento, Forsythe and Long introduced:

House Concurrent Resolution No. 23, A House concurrent resolution deploring acts of violence, threats of violence, and other criminal acts against reproductive health care facilities, and exhorting law enforcement agencies to investigate such acts and apprehend and prosecute those responsible for their perpetration.

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

McDonald, Gutknecht, Thiede, Miller and Valento moved pursuant to House Rule 1.15 that H. F. No. 75 be recalled from the Committee on Judiciary, be given a second reading and advanced to General Orders.

A roll call was requested and properly seconded.

POINT OF ORDER

Wynia raised a point of order pursuant to page 1789 of the House Permanent Journal for Thursday, April 9, 1987, that the McDonald et al motion was not in order. The Speaker ruled the point of order well taken and the McDonald et al motion out of order.

MOTION TO TAKE FROM THE TABLE

McDonald moved that the McDonald motion recalling H. F. No. 75 from the Committee on Judiciary pursuant to House Rule 1.15, be

given a second reading and advanced to General Orders and which was laid on the table on April 9, 1987, be now taken from the table.

A roll call was requested and properly seconded.

The question was taken on the McDonald motion and the roll was called. There were 46 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Bennett	Gruenes	McKasy	Redalen	Thiede
Blatz	Gutknecht	Miller	Richter	Tjornhom
Boo	Hartle	Morrison	Rose	Tompkins
Burger	Haukoos	Olsen, S.	Schafer	Uphus
Clausnitzer	Heap	Omann	Schreiber	Valento
Dempsey	Himle	Onnen	Seaberg	Waltman
Dille	Hugoson	Ozment	Shaver	
Forsythe	Johnson, V.	Pauly	Stanisus	
Frederick	Marsh	Poppenhagen	Sviggum	
Frerichs	McDonald	Quist	Swenson	

Those who voted in the negative were:

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

The motion did not prevail.

Thiede moved that H. F. No. 1284 be recalled from the Committee on General Legislation, Veterans Affairs and Gaming and be referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Thiede motion and the roll was called. There were 50 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Bennett	Frederick	Johnson, V.	Ozment	Shaver
Bishop	Frerichs	Knickerbocker	Pauly	Stanius
Blatz	Gruenes	Marsh	Poppenhagen	Sviggum
Burger	Gutknecht	McDonald	Quist	Swenson
Carlson, D.	Hartle	McKasy	Redalen	Thiede
Clausnitzer	Haukoos	Miller	Richter	Tjornhom
Dempsey	Heap	Morrison	Rose	Tompkins
DeRaad	Himle	Olsen, S.	Schafer	Uphus
Dille	Hugoson	Omam	Schreiber	Valento
Forsythe	Jennings	Onnen	Seaberg	Waltman

Those who voted in the negative were:

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

The motion did not prevail.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:00 p.m., Thursday, March 10, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, March 10, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

