

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION — 1988

EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 6, 1988

The House of Representatives convened at 12:00 noon and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Gary Ritner, Central Park United Methodist Church, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

DeRaad and Quist were excused.

Anderson, R., was excused until 2:50 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McLaughlin 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. No. 2216 and S. F. Nos. 2107, 1815, 1937, 1783, 1799, 1672 and 1706 have been placed in the members' files.

S. F. No. 1672 and H. F. No. 2159, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gruenes moved that S. F. No. 1672 be substituted for H. F. No. 2159 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2107 and H. F. No. 2206, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that S. F. No. 2107 be substituted for H. F. No. 2206 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1815 and H. F. No. 1880, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kelly moved that the rules be so far suspended that S. F. No. 1815 be substituted for H. F. No. 1880 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1783 and H. F. No. 1803, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Nelson, D., moved that the rules be so far suspended that S. F. No.

1783 be substituted for H. F. No. 1803 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1937 and H. F. No. 2193, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jefferson moved that the rules be so far suspended that S. F. No. 1937 be substituted for H. F. No. 2193 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 30, 1988

The Honorable Robert Vanasek
Speaker of the House of Representatives
The State of Minnesota

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 320, relating to public rest rooms; eliminating provisions regulating public rest rooms maintained by statutory cities and cities of the fourth class.

H. F. No. 2083, relating to health; making technical modifications of the immunization law.

H. F. No. 2120, relating to public meetings; authorizing the governing board of a joint vocational technical district to establish

meeting sites.

H. F. No. 2270, relating to natural resources; authorizing a private sale of surplus state property to the Memorial Hospital Association of Cambridge.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

March 30, 1988

The Honorable Robert Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1988 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> <i>1988</i>	<i>Date Filed</i> <i>1988</i>
	320	429	March 30	March 30
	2083	430	March 30	March 30
	2120	431	March 30	March 30
	2270	432	March 30	March 30
1607		433	March 30	March 30
1861		434	March 30	March 30
1970		435	March 30	March 30

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

81st Day]

WEDNESDAY, APRIL 6, 1988

10719

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 1, 1988

The Honorable Robert Vanasek
Speaker of the House of Representatives
The State of Minnesota

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1858, relating to the environment; designating the Willard Munger Trail.

Sincerely,

RUDY PERPICH
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

April 1, 1988

The Honorable Robert Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1988 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> No.	<i>H.F.</i> No.	<i>Session Laws</i> <i>Chapter No.</i>	<i>Date Approved</i> 1988	<i>Date Filed</i> 1988
	1858	436	April 1	April 1
1575		437	April 1	April 1

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1672, 2107, 1815, 1783 and 1937 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Wenzel introduced:

H. F. No. 2796, A bill for an act relating to health; requiring licensed physicians to accept the Medicare payment as payment in full for services provided to Medicare patients; amending Minnesota Statutes 1986, section 147.091, by adding a subdivision.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Kalis; Dauner; Lieder; Carlson, D., and Steensma introduced:

H. A. No. 79, A proposal to study under-ride protection on farm trucks having dump boxes.

The advisory was referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1459, A bill for an act relating to the town of Irondale; removing a town levy limitation; repealing Laws 1971, chapter 336.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

H. F. No. 2306, A bill for an act relating to bonds; authorizing the Minnesota public facilities authority to issue revenue bonds and make loans to or purchase the bonds of municipalities for wastewater treatment and water supply systems; amending Minnesota Statutes 1987 Supplement, sections 446A.04, by adding subdivisions; 446A.05, subdivision 1; and proposing coding for new law in Minnesota Statutes, chapter 446A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 1831, A bill for an act relating to intoxicating liquor; authorizing issuance of one on-sale liquor license on an excursion and dinner boat on Detroit Lake, Becker county; authorizing issuance of an on-sale liquor license to Fort Snelling.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 85, A bill for an act relating to consumer protection; regulating sales of used motor vehicles under certain circumstances; regulating new and used motor vehicle dealer licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; providing for refund of certain taxes; providing penalties; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 8, 10, 11, and by adding subdivisions; and 325E.0951, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 297B.031; proposing coding for new law in Minnesota Statutes, chapters 168A and 325F.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such Committee:

Messrs. Cohen, Knutson and Peterson, R. W.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2049, A bill for an act relating to commerce; motor vehicles; clarifying the intent of the legislature regarding certain motor vehicle coverages; regulating motor vehicle franchises; clari-

fyng 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 60A.08, by adding a subdivision; 80E.06; 80E.07; 80E.08; 80E.09; 80E.13; Minnesota Statutes 1987 Supplement, sections 65B.49, subdivision 5a; and 72A.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 80E.

The Senate has appointed as such Committee:

Messrs. Dahl, Belanger and Luther.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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 Senate has appointed as such Committee:

Messrs. Berg; Moe, R. D.; Merriam; Frederickson, D. R., and Lessard.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2590, A bill for an act relating to the financing of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; changing the computation, administration, and payment of aids, credits, and refunds; limiting taxing powers; transferring and

imposing governmental powers and duties; making technical corrections and clarifications; providing bonding authority to Hennepin County; imposing penalties; appropriating money and reducing appropriations; amending Minnesota Statutes 1986, sections 69.031, subdivision 3; 168.011, subdivision 8; 168.012, subdivision 9; 237.075, subdivision 8; 240.01, by adding a subdivision; 240.13, subdivisions 4 and 6; 240.15, subdivisions 1, 3, and 6; 240.18; 270.075, subdivision 2; 270.41; 270.70, subdivision 1; 271.01, subdivision 5; 273.05, subdivision 1; 273.061, subdivision 2; 273.112, subdivisions 3 and 6; 273.121; 273.124, subdivisions 1 and 6; 273.13, by adding a subdivision; 273.40; 279.01, subdivision 3; 287.21, by adding a subdivision; 290.01, by adding a subdivision; 290.06, by adding subdivisions; 290.39, by adding a subdivision; 290.50, subdivision 3; 290.92, subdivisions 2a and 21; 290.931, subdivision 1; 290.934, subdivisions 1, 3, and by adding a subdivision; 290A.03, subdivision 7; 297.01, by adding a subdivision; 297.03, subdivision 12, and by adding a subdivision; 297.041, subdivision 1; 297.06, subdivisions 1, 2, 3, and by adding a subdivision; 297.08, subdivision 1; 297.12, subdivision 1; 297.35, by adding a subdivision; 297A.02, subdivision 4; 297A.15, subdivisions 1 and 5; 297A.16; 297A.17; 297A.21; 297A.25, subdivisions 5, 8, 27, and by adding subdivisions; 297A.256; 297C.02, subdivisions 3 and 4; 297C.03, by adding a subdivision; 297C.07; 297D.08; 298.223; 303.03; 329.11; 349.12, subdivision 18, and by adding subdivisions; 349.2121, subdivisions 1, 2, 5, and by adding a subdivision; 349.22, subdivision 1, and by adding subdivisions; 375.192, subdivision 1; 375.83; 473.167, subdivisions 2, 3, and by adding subdivisions; 473.249, subdivision 1, and by adding a subdivision; 473.446, subdivision 3, and by adding a subdivision; 473.711, subdivision 2, and by adding a subdivision; 473.843, subdivision 2; 477A.011, subdivision 11, and by adding a subdivision; and 477A.015; Minnesota Statutes 1987 Supplement, sections 16A.1541; 60A.15, subdivision 1; 60E.04, subdivision 4; 69.021, subdivision 5; 69.54; 124.155, subdivision 2; 124A.02, subdivisions 3a and 11; 240.13, subdivision 5; 270.485; 272.02, subdivision 1; 272.115, subdivision 4; 272.121; 273.061, subdivision 1; 273.1195; 273.123, subdivisions 4 and 5; 273.124, subdivisions 11 and 13; 273.13, subdivisions 23, 24, and 25; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1392; 273.1393; 273.1397, subdivision 2; 273.165, subdivision 2; 273.42, subdivision 2; 274.01, subdivision 1; 274.19, subdivisions 1, 2, 3, 4, 6, 7, and 8; 275.07, subdivision 1; 275.50, subdivision 2; 275.51, subdivision 3h; 276.04; 279.01, subdivision 1; 290.01, subdivisions 3a, 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 20; 290.015, subdivisions 1, 2, 3, and 4; 290.06, subdivisions 1, 2c, and 21; 290.081; 290.092, subdivisions 3, 4, 5, and by adding a subdivision; 290.095, subdivisions 1, 3, and by adding a subdivision; 290.10; 290.17, subdivision 2; 290.191, subdivisions 6 and 11; 290.21, subdivisions 3 and 4; 290.35, subdivision 2; 290.371, subdivisions 1, 3, 4, and 5; 290.38; 290.41, subdivision 2; 290.92, subdivisions 7 and 15; 290.934, subdivision 2; 290.9725; 290A.03, subdivisions 3, 13, 14, and 15; 290A.04, subdivision 2; 290A.06; 295.32; 295.34, subdivision 1; 297.01, subdivisions 7 and 14; 297.03, subdivision 6; 297.11, subdivision 5; 297A.01, subdivision 3;

297A.212; 297A.25, subdivisions 3 and 11; 297B.03; 297C.04; 298.2213, subdivision 3; 299.01, subdivision 1; 349.212, subdivisions 1 and 4; 349.2121, subdivisions 4a and 10; 349.2122; 349.2123; 469.174, subdivision 10; 469.175, subdivisions 1, 2, 3, 4, and by adding a subdivision; 469.176, subdivisions 1, 4, and 6; 469.177, subdivisions 1, 3, 4, and by adding subdivisions; 473.446, subdivision 1; 475.53, subdivision 4; 475.61, subdivision 3; 477A.012, subdivision 1; and 508.25; Laws 1987, chapter 268, article 6, sections 19, 53, and 54; and article 8, section 9; proposing coding for new law in Minnesota Statutes, chapters 270; 273; 275; 290; 290A; 297; 297C; 298; 349; and 424A; repealing Minnesota Statutes 1986, sections 272.64; 273.13, subdivisions 7a and 30; 275.035; 275.49; 290.07, subdivisions 3 and 6; 290.11; 290.12, as amended; 290.131, as amended; 290.132, as amended; 290.133, as amended; 290.134, as amended; 290.135, as amended; 290.136, as amended; 290.138, as amended; 290.934, subdivision 4; 297A.15; subdivision 2; 297C.03, subdivision 5; 298.401; and 299.013; Minnesota Statutes 1987 Supplement, sections 273.1195; 273.13, subdivision 15a; 273.1394; 273.1395; 273.1396; 273.1397; 275.081; 275.082; 275.125, subdivision 22; 290.06, subdivision 20; 290.077, subdivision 1; 290.14; 290.371, subdivision 2; 290A.04, subdivisions 2a and 2b; 296.02, subdivisions 2a and 2b; and 296.025, subdivisions 2a and 2b; Laws 1987, chapter 268, article 3, section 11; and article 5, section 4.

The Senate has appointed as such Committee:

Messrs. Johnson, D. J.; Brandl; Novak; Pogemiller and Bernhagen.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to

H. F. No. 1923 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

Statutes, chapter 373.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rest moved that the House concur in the Senate amendments to H. F. No. 1796 and that the bill be repassed as amended by the Senate.

McPherson moved that the House refuse to concur in the Senate amendments to H. F. No. 1796, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses.

A roll call was requested and properly seconded.

The question was taken on the McPherson motion and the roll was called. There were 41 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Bennett	Frerichs	Marsh	Redalen	Stanius
Blatz	Gruenes	McDonald	Richter	Sviggum
Boo	Gutknecht	McKasy	Rose	Swenson
Burger	Hartle	McPherson	Schafer	Thiede
Carlson, D.	Haukoos	Omann	Scheid	Tjornhom
Dempsey	Heap	Onnen	Schreiber	Tompkins
Forsythe	Himle	Osthoff	Seaberg	Uphus
Frederick	Hugoson	Pauly	Shaver	Valento
				Waltman

Those who voted in the negative were:

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

The motion did not prevail.

CONCURRENCE AND REPASSAGE

The question recurred on the Rest motion that the House concur in the Senate amendments to H. F. No. 1796 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 94 yeas and 32 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bennett	Heap	McPherson	Rose	Thiede
Blatz	Himle	Olsen, S.	Schafer	Tjornhom
Boo	Hugoson	Onnen	Scheid	Valento
Carlson, D.	Jennings	Osthoff	Schreiber	Waltman
Dempsey	Knickerbocker	Pauly	Shaver	
Gutknecht	Marsh	Redalen	Stanius	
Haukoos	McDonald	Richter	Sviggun	

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following

House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 1983 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1983, A bill for an act relating to sentencing; directing the sentencing guidelines commission to study certain sentencing issues; requiring the commission to report back to the legislature with proposed changes to respond to these issues.

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

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Swenson

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 521, A bill for an act relating to lake improvement districts; providing for notice of their annual meetings; amending Minnesota Statutes 1986, section 378.545, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 378.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jennings moved that the House concur in the Senate amendments to H. F. No. 521 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 521, A bill for an act relating to lake improvement districts; providing for notice of their annual meetings; amending Minnesota Statutes 1986, section 378.545, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 378.

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

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Carlson, L.	Frerichs	Jensen	Krueger
Battaglia	Carruthers	Greenfield	Johnson, A.	Larsen
Bauerly	Clark	Gruenes	Johnson, E.	Lasley
Beard	Clausnitzer	Gutknecht	Johnson, V.	Lieder
Begich	Cooper	Hartle	Kahn	Long
Bennett	Dauner	Haukoos	Kalis	Marsh
Bertram	Dawkins	Heap	Kelly	McDonald
Bishop	DeBlicck	Himle	Kelso	McEachern
Blatz	Dempsey	Hugoson	Kinkel	McKasy
Boo	Dille	Jacobs	Kludt	McLaughlin
Brown	Dorn	Jaros	Knickerbocker	McPherson
Burger	Forsythe	Jefferson	Knuth	Milbert
Carlson, D.	Frederick	Jennings	Kostohryz	Miller

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2192, A bill for an act relating to transportation; providing for application of rules; providing for agreements with other states to administer special permits for vehicles exceeding weight and length restrictions; exempting limousines from motor carrier regulation; clarifying the filing of petitions for operating certificates and permits, carrying of cab cards, and requirements for private carriers; establishing insurance requirements; providing that investigative data on violations under chapter 221 may be given to transportation regulation board; amending Minnesota Statutes 1986, sections 169.86, by adding a subdivision; 221.025; 221.031, subdivisions 1, 2, 2a, and 3; 221.081; 221.121, subdivisions 1 and 5; 221.141, subdivision 1; 221.151, subdivision 1; 221.172, subdivision 2; 221.185, subdivision 9; 221.291, subdivisions 1 and 2; 221.296, subdivisions 4 and 8; and 221.81, subdivision 3a; Minnesota Statutes 1987 Supplement, sections 221.031, subdivision 7; 221.061; 221.291, subdivision 3; and 221.296, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 169 and 221; repealing Minnesota Statutes 1986, section 13.72, subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jensen moved that the House concur in the Senate amendments to H. F. No. 2192 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2192, A bill for an act relating to transportation; providing for application of rules; providing for agreements with

other states to administer special permits for vehicles exceeding weight and length restrictions; exempting limousines from motor carrier regulation; clarifying the filing of petitions for operating certificates and permits, carrying of cab cards, and requirements for private carriers; establishing insurance requirements; providing that investigative data on violations under chapter 221 may be given to transportation regulation board; amending Minnesota Statutes 1986, sections 169.81, subdivision 2; 169.86, by adding a subdivision; 221.025; 221.031, subdivisions 1, 2, 2a, and 3; 221.081; 221.121, subdivisions 1 and 5; 221.141, subdivision 1; 221.151, subdivision 1; 221.172, subdivision 2; 221.185, subdivision 9; 221.291, subdivisions 1 and 2; 221.296, subdivisions 4 and 8; and 221.81, subdivision 3a; Minnesota Statutes 1987 Supplement, sections 221.031, subdivision 7; 221.061; 221.291, subdivision 3; and 221.296, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 169 and 221; repealing Minnesota Statutes 1986, section 13.72, subdivision 3.

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

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2029, A bill for an act relating to education; modifying provisions related to general education revenue and foundation revenue; correcting erroneous and obsolete references and text; providing instructions to the revisor; making miscellaneous corrections to statutes and other laws; amending Minnesota Statutes 1986, sections 3.866; 120.17, subdivisions 6 and 7; 120.181; 120.80, subdivision 1; 121.151; 121.904, subdivision 5; 121.931, subdivision 5; 122.45, subdivision 3a; 122.531, subdivisions 1 and 6; 123.32, subdivision 29; 123.3514, subdivision 6; 123.933, subdivision 3; 124.15, subdivisions 5 and 6; 124.18, subdivision 2; 124.19, subdivisions 1, 3, and 6; 124.274, subdivision 1; 124.32, subdivisions 4 and 6; 124A.02, subdivision 21; 124A.03, subdivision 2; 124A.034, subdivisions 1 and 1b; 124A.035, subdivisions 2 and 4; 124A.036, subdivisions 1 and 2; 126.70, subdivision 2; 129B.40, subdivision 1; 273.138, subdivision 6; 275.125, subdivision 1; 275.128; 298.39; and 475.61, subdivision 4; Minnesota Statutes 1987 Supplement, sections 120.17, subdivisions 5a and 7a; 121.912, subdivision 1; 123.3515, subdivision 9; 124.01, subdivision 1; 124.14, subdivision 7; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.195, subdivisions 8 and 9; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 4b; 124.245, subdivision 3b; 124.271, subdivision 7; 124.2711, subdivision 1; 124.32, subdivisions 1c, 1d, and 5; 124A.02, subdivisions 8 and 16; 124A.032; 124A.035, subdivision 5; 124A.22, subdivision 1, and by adding subdivisions; 124A.23, subdivisions 2, 3, 4, and by adding a subdivision; 124A.24; 124A.26, subdivision 2; 124A.27; subdivisions 7 and 10; 124A.30; 126.23; 126.661, subdivision 1; 126.666, subdivision 1; 126.70, subdivision 2a; 129B.39; 129B.55, subdivision 2; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5e, 6e, 8c, 9, 9b, and 15; and 298.28, subdivision 4; Laws 1987, chapter 398, article 1, section 25, subdivision 3; article 1, section 26, subdivision 2; article 7, section 40, subdivision 4; article 8, section 39, subdivision 2; and article 8, section 44, subdivision 5; repealing Minnesota Statutes 1986, sections 121.904, subdivision 7; 122.531, subdivision 8; 124.245, subdivision 4; and 124A.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 121.904, subdivision 11b; 124A.02, subdivision 5a; 124A.03, subdivision 3a; and 124A.25.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Nelson, K., moved that the House concur in the Senate amend-

ments to H. F. No. 2029 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2029, A bill for an act relating to education; modifying provisions related to general education revenue and foundation revenue; correcting erroneous and obsolete references and text; providing instructions to the revisor; making miscellaneous corrections to statutes and other laws; amending Minnesota Statutes 1986, sections 3.866; 120.17, subdivisions 6 and 7; 120.181; 120.80, subdivision 1; 121.151; 121.904, subdivision 5; 121.931, subdivision 5; 122.45, subdivision 3a; 122.531, subdivisions 1 and 6; 123.32, subdivision 29; 123.3514, subdivision 6; 123.933, subdivision 3; 124.15, subdivisions 5 and 6; 124.18, subdivision 2, and by adding a subdivision; 124.19, subdivisions 1, 3, and 6; 124.274, subdivision 1; 124.32, subdivisions 4 and 6; 124A.02, subdivision 21; 124A.03, subdivision 2; 124A.034, subdivisions 1 and 1b; 124A.035, subdivisions 2 and 4; 124A.036, subdivisions 1 and 2; 126.70, subdivision 2; 129B.40, subdivision 1; 273.138, subdivision 6; 275.125, subdivision 1; 275.128; 298.39; and 475.61, subdivision 4; Minnesota Statutes 1987 Supplement, sections 120.17, subdivisions 5a and 7a; 121.912, subdivision 1; 123.3515, subdivision 9; 124.01, subdivision 1; 124.14, subdivision 7; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.195, subdivisions 8 and 9; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 4b; 124.245, subdivision 3b; 124.271, subdivision 7; 124.2711, subdivision 1; 124.32, subdivisions 1c, 1d, and 5; 124A.02, subdivisions 8 and 16; 124A.032; 124A.035, subdivision 5; 124A.22, subdivision 1, and by adding subdivisions; 124A.23, subdivisions 2, 3, 4, and by adding a subdivision; 124A.24; 124A.26, subdivision 2; 124A.27, subdivisions 7 and 10; 124A.30; 126.23; 126.661, subdivision 1; 126.666, subdivision 1; 126.70, subdivision 2a; 129B.11, subdivision 1; 129B.39; 129B.55, subdivisions 2; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5e, 6e, 8c, 9, 9b, and 15; and 298.28, subdivision 4; Laws 1987, chapter 398, article 1, section 25, subdivision 3; article 1, section 26, subdivision 2; article 7, section 40, subdivision 4; article 8, section 39, subdivision 2; and article 8, section 44, subdivision 5; repealing Minnesota Statutes 1986, sections 121.904, subdivision 7; 122.531, subdivision 8; 124.245, subdivision 4; and 124A.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 121.904, subdivision 11b; 124A.02, subdivision 5a; 124A.03, subdivision 3a; and 124A.25.

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

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.
Battaglia

Bauerly
Beard

Begich
Bennett

Bertram
Bishop

Blatz
Boo

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Ogren moved that the House refuse to concur in the Senate amendments to H. F. No. 1943, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2038, A bill for an act relating to employment; regulating youth employment programs; requiring that new jobs do not replace

existing jobs; providing for compensation at the state or federal minimum wage; regulating employment contracts; authorizing the department of jobs and training to buy real estate and locate offices in Minneapolis; amending Minnesota Statutes 1986, sections 268.31, 268.32, and 268.34; proposing coding for new law in Minnesota Statutes, chapter 268.

PATRICK E. FLAHAVEN, Secretary of the Senate

McLaughlin moved that the House refuse to concur in the Senate amendments to H. F. No. 2038, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1935, A bill for an act relating to insurance; accident and health; broadening the average for adopted children; requiring coverage for routine diagnostic procedures for cancer and services provided to ventilator-dependent persons; amending Minnesota Statutes 1987 Supplement, section 62A.27; and proposing coding for new law in Minnesota Statutes, chapter 62A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Minne moved that the House refuse to concur in the Senate amendments to H. F. No. 1935, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 232.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 232

A bill for an act relating to crimes; expanding the definition of crime for victims' rights provisions to include ordinance violations resulting in bodily harm; expanding crimes that entitle victim to notice of plea agreement; granting right to victim to submit an impact statement to the court; requiring officers to give victims a notice of their rights; requiring prosecutors to present to the court a written victim impact summary prepared by the victim; ensuring privacy of victim's request for notice of prisoner release; amending Minnesota Statutes 1986, sections 611A.01; 611A.02; and 611A.06; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, section 611A.03, subdivision 3.

March 11, 1988

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 232, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 232 be further amended as follows:

Page 4, delete section 6

We request adoption of this report and repassage of the bill.

Senate Conferees: RICHARD J. COHEN, LAWRENCE J. POGEMILLER AND GARY W. LAIDIG.

House Conferees: ARTHUR W. SEABERG, DAVID T. BISHOP AND RANDY C. KELLY.

Seaberg moved that the report of the Conference Committee on S. F. No. 232 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 232, A bill for an act relating to crimes; expanding the definition of crime for victims' rights provisions to include ordinance violations resulting in bodily harm; expanding crimes that entitle victim to notice of plea agreement; granting right to victim to submit an impact statement to the court; requiring officers to give

victims a notice of their rights; requiring prosecutors to present to the court a written victim impact summary prepared by the victim; ensuring privacy of victim's request for notice of prisoner release; amending Minnesota Statutes 1986, sections 611A.01; 611A.02; and 611A.06; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, section 611A.03, subdivision 3.

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

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

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

Mr. Speaker:

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

S. F. Nos. 1218, 1968 and 1756.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 765, 1297, 22 and 2182.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1708, 1771, 2142 and 2098.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1963 and 2111.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1154, 1590, 1618 and 1974.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1462, 1804 and 1912.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1218, A bill for an act relating to the office of the secretary of state; providing for the preservation of land surveys; establishing time for the permanent microfilming of the surveys;

appropriating money; amending Minnesota Statutes 1986, section 5.03.

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

S. F. No. 1968, 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.

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

S. F. No. 1756, A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

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

S. F. No. 765, A bill for an act relating to local government; granting the city of Cannon Falls the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

S. F. No. 1297, A bill for an act relating to local government; granting the city of Redwood Falls the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

S. F. No. 22, A bill for an act relating to local government; permitting certain counties to levy a tax for the county historical society; imposing a reverse referendum requirement.

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

S. F. No. 2182, A bill for an act relating to taxation; providing for payment of tax increments attributable to referendum levy increases to school districts; amending Minnesota Statutes 1987 Supplement, section 469.177, by adding a subdivision.

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

S. F. No. 1708, A bill for an act relating to credit unions; permitting managers to be directors; providing conditions for the expulsion of members; amending Minnesota Statutes 1986, sections 52.08; and 52.19.

The bill was read for the first time.

Scheid moved that S. F. No. 1708 and H. F. No. 2010, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1771, A bill for an act relating to taxation; retaining strict levy limits for cities and counties that do not comply with pay equity requirements; reducing 1992 local government aids of cities and counties that do not implement equitable compensation plans.

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

S. F. No. 2142, A bill for an act relating to workers' compensation; reassigning certain administrative duties; regulating reporting of injuries and information about injuries; regulating the payment of benefits; regulating the membership of the rehabilitation review panel; regulating rehabilitation services; changing certain administrative procedures; regulating dependent benefits; prohibiting excessive treatment or medical services; providing for data privacy; amending Minnesota Statutes 1986, sections 129A.05, subdivision 2; 175.171; 176.021, subdivision 3; 176.081, subdivision 1; 176.101, subdivision 3e; 176.104, subdivision 1; 176.111, subdivisions 7 and 8; 176.135, by adding a subdivision; 176.136, subdivision 5; 176.191, subdivision 3; 176.221, subdivision 9; 176.225, subdivision 5; 176.231, subdivisions 8 and 9; 176.451, subdivision 4; Minnesota

Statutes 1987 Supplement, sections 176.102, subdivisions 3, 3a, and 4; 176.103, subdivision 3; 176.106, subdivisions 7 and 9; 176.131, subdivision 1; 176.135, subdivisions 1 and 6; 176.155, subdivision 1; 176.238, subdivisions 1 and 9; 176.305, subdivisions 1 and 4; 176.521, subdivision 1; and 176B.01, subdivision 2; repealing Minnesota Statutes 1986, sections 176.021, subdivision 3a; 176.111, subdivision 8a; and 176.136, subdivision 3.

The bill was read for the first time.

Simoneau moved that S. F. No. 2142 and H. F. No. 2504, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2098, A bill for an act relating to game and fish; eliminating crows as an unprotected bird; authorizing a season on crows; prescribing when crows and certain other birds causing damage may be taken; removing statutory restrictions on the open season on private shooting preserves; requiring at least 500 pheasants to be released on certain shooting preserves and that harvested pheasants may not exceed 95 percent of the pheasants released; authorizing persons to hunt on a shooting preserve without a pheasant stamp; regulating the taking and possession of walleyed pike from the Rainy River; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; 97A.121, subdivision 2, and by adding a subdivision; 97B.715, subdivision 1; and 97B.731, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 97C.

The bill was read for the first time.

Marsh moved that S. F. No. 2098 and H. F. No. 1978, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1963, A bill for an act relating to public finance; providing requirements for the issuance and use of public debt; amending Minnesota Statutes 1986, sections 123.35, by adding a subdivision; 375.83; 410.32; 475.54, by adding a subdivision; 475.67, subdivision 13; Minnesota Statutes 1987 Supplement, sections 469.012, subdivision 1; 469.015, subdivision 4; 469.071, by adding a subdivision; 469.155, subdivision 12; 475.60, subdivision 2; and 475.66, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Laws 1987, chapter 358, section 31.

The bill was read for the first time.

Rest moved that S. F. No. 1963 and H. F. No. 2067, now on Special

Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2111, 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; removing the depth limitation for the one call excavation notice system; 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; 216D.01, subdivision 5; 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.

The bill was read for the first time.

Knuth moved that S. F. No. 2111 and H. F. No. 2098, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1154, A bill for an act relating to motor vehicles; taxation; imposing a \$90 sales tax on certain collector motor vehicles; amending Minnesota Statutes 1986, sections 297B.02, subdivision 2, and by adding a subdivision; and 297B.025.

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

S. F. No. 1590, A bill for an act relating to transportation; providing that uniform relocation assistance standards comply with recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel; repealing conflicting provision related to charges for users of air transportation services provided by the commissioner of transportation; amending Minnesota Statutes 1986, section 161.20, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 117.52, subdivision 1; 272.01, subdivision 3; and 272.121; repealing Minnesota Statutes 1986, section 360.015, subdivision 20.

The bill was read for the first time.

Lieder moved that S. F. No. 1590 and H. F. No. 1954, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1618, A bill for an act relating to armories; increasing the limit on bonded indebtedness; amending Minnesota Statutes 1986, section 193.143.

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

S. F. No. 1974, A bill for an act relating to the Ramsey-Washington metro watershed district; authorizing a tax for the district's administrative fund.

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

S. F. No. 1462, A bill for an act relating to housing; creating a low-income housing trust account; providing for the uses of the account; placing certain requirements on real estate trust accounts; appropriating money; amending Minnesota Statutes 1986, sections 82.24, by adding a subdivision; and 82.34, subdivisions 6 and 15; Minnesota Statutes 1987 Supplement, section 82.17, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 462A.

The bill was read for the first time.

Clark moved that S. F. No. 1462 and H. F. No. 2019, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1804, A bill for an act relating to motor vehicles; providing for registration of motor vehicles by long-term lessees; imposing a fee; amending Minnesota Statutes 1986, sections 168.011, by adding a subdivision; 168.013, subdivisions 2 and 7; 168.041, subdivision 7; 168.10, subdivision 1; 168.11, subdivision 1; 168.13; 168.33, subdivision 3; and 168A.10, by adding a subdivision; repealing Minnesota Statutes 1986, section 168.30.

The bill was read for the first time.

Johnson, A., moved that S. F. No. 1804 and H. F. No. 1951, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1912, 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; amending Minnesota Statutes 1986, section 145.894; proposing coding for new law in Minnesota Statutes, chapters 144, 256, and 268.

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

Wynia moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Wynia, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bill as Special Orders to be acted upon immediately preceding Special Orders pending for today, Wednesday, April 6, 1988:

H. F. No. 2182.

SPECIAL ORDERS

H. F. No. 2182 was reported to the House.

Munger moved to amend H. F. No. 2182, the fourth engrossment, as follows:

Page 3, delete lines 3 to 21

Page 11, after line 18, insert:

"Subd. 2. [LIAISON OFFICERS.] The commission shall request each department or agency head of all state agencies with a direct interest and responsibility in any phase of environment and natural resources to appoint, and the latter shall appoint for the agency, a liaison officer who shall work closely with the commission and its staff."

Subd. 3. [APPRAISAL AND EVALUATION.] The commission shall obtain and appraise all information available through private organizations and groups, utilizing to the fullest extent possible studies, data and reports previously prepared or currently in progress by public agencies, private organizations, groups, and others, concerning future trends in the protection, conservation, preservation, and enhancement of the state's air, water, land, forests, fish, wildlife, native vegetation, and other natural and recreational resources. Any data compiled by the commission shall be made available to any standing or interim committee of the legislature upon the request of the chair of the respective committee."

Subd. 4. [PERSONNEL.] (a) All unclassified positions associated with the responsibilities of the legislative commission on Minnesota resources are transferred with their incumbents to the Minnesota future resources commission."

(b) Persons employed by a state agency and paid from an appropriation under this act may not be deemed to be part of an agency's approved complement. The continued employment of these persons is contingent upon the availability of funding. Part-time employment of persons is authorized."

Renumber subsequent subdivisions

Page 12, line 15, after "fund" insert "and natural resources acceleration account"

Page 12, line 21, after "fund" insert "and natural resources acceleration account"

Page 12, line 27, after the semicolon insert:

"(8) any findings or recommendations that are deemed proper to assist the legislature in formulating legislation;"

Renumber subsequent clauses

Page 14, line 31, after "of" insert "natural resources acceleration and"

Page 17, line 32, after "acceleration" insert "and outdoor recreation"

Page 18, line 27, after the period insert:

"Sec. 23. [REPEALER.]

Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; 86.08; 86.10; 86.11; 86.12; 86.31; 86.32; 86.33, subdivision 1; 86.34; 86.35; 86.41; 86.42; 86.51; 86.53; 86.61; and 86.75 are repealed."

Re number the sections in sequence

Correct internal cross references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bishop and Krueger moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 2, delete lines 25 to 36, and insert:

"Shall the Minnesota Constitution be amended to allow a state-operated lottery with the proceeds being distributed:

- (1) one-third to the general fund budget reserve;
- (2) one-third to a trust fund for environment and natural resources; and
- (3) one-third to a trust fund for state-wide economic development and job growth.

This distribution can be changed by a two-thirds vote of each house of the legislature?"

The motion prevailed and the amendment was adopted.

Olsen, S.; Bennett; Knickerbocker; McKasy and Kelly moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 1, line 24, delete "in a manner prescribed" and insert "or by a nonprofit organization for charitable purposes as those terms are defined"

Page 1, line 24, delete everything after the period

Page 1, delete lines 25 to 30

Page 2, delete lines 1 to 21

Page 2, line 25, delete "a"

Page 2, delete lines 26 to 36 and insert "the legislature to authorize lotteries operated by the state or by a nonprofit organization for charitable purposes as defined by law?"

Page 5, line 15, delete "under,"

Page 5, delete line 16

Page 5, line 17, delete everything before "is"

Page 5, line 18, delete everything after the period

Page 5, delete lines 19 to 30

Page 5, line 31, delete "3" and insert "2"

Page 6, line 8, delete "4" and insert "3"

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon and after "lotteries" insert "and lotteries run by nonprofit organizations"

Page 1, line 5, delete "proceeds;"

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

Anderson, G.	Brown	DeBlick	Hartle	Johnson, V.
Anderson, R.	Burger	Dempsey	Haukoos	Kahn
Battaglia	Carlson, D.	Dille	Heap	Kelso
Beard	Carlson, L.	Dorn	Himle	Kludt
Begich	Carruthers	Forsythe	Hugoson	Knickerbocker
Bennett	Clark	Frederick	Jaros	Knuth
Bertram	Clausnitzer	Frerichs	Jefferson	Kostohryz
Bishop	Cooper	Greenfield	Jennings	Larsen
Blatz	Dauner	Gruenes	Johnson, A.	Lasley
Boo	Dawkins	Gutknecht	Johnson, R.	Lieder

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

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

The question recurred on the Olsen, S., et al amendment and the roll was called.

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

There were 53 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Bennett	Frerichs	Kelso	Omann	Sviggum
Blatz	Greenfield	Knickerbocker	Onnen	Swenson
Boo	Gutknecht	Kostohryz	Ozment	Thiede
Burger	Hartle	Marsh	Pauly	Tjornhom
Carlson, D.	Haukoos	McDonald	Poppenhagen	Tompkins
Carruthers	Himle	McKasy	Redalen	Uphus
Clausnitzer	Hugoson	McLaughlin	Richter	Valento
Dempsey	Jacobs	McPherson	Schafer	Vellenga
Dille	Jennings	Miller	Schreiber	Waltman
Forsythe	Johnson, V.	Morrison	Shaver	
Frederick	Kahn	Olsen, S.	Stanius	

Those who voted in the negative were:

Anderson, G.	Dawkins	Knuth	Olson, K.	Scheid
Anderson, R.	DeBlicck	Larsen	Orenstein	Segal
Battaglia	Dorn	Lasley	Osthoff	Skoglund
Bauerly	Gruenes	Long	Otis	Solberg
Beard	Heap	McEachern	Pappas	Sparby
Begich	Jaros	Milbert	Pelowski	Steensma
Bertram	Jefferson	Minne	Price	Trimble
Bishop	Jensen	Munger	Quinn	Tunheim
Brown	Johnson, A.	Murphy	Reding	Voss
Carlson, L.	Johnson, R.	Nelson, C.	Rest	Wagenius
Clark	Kalis	Neuenschwander	Rodosovich	Wenzel
Cooper	Kinkel	O'Connor	Rukavina	Winter
Dauner	Kludt	Olson, E.	Sarna	Wynia
				Spk. Vanasek

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

Rose; Seaberg; Nelson, D.; Carlson, D.; Bennett and McKasy moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 1, delete lines 18 to 30 and insert:

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

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

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

"Shall the Minnesota Constitution be amended to establish a Minnesota environment and natural resources trust fund that shall receive, upon determination by the legislature, up to twelve cents per pack cigarette tax until the fund reaches \$1,000,000,000?"

Yes
No

Page 2, delete lines 1 to 36

Page 3, delete lines 1 and 2

Page 5, line 16, delete "XIII, section 5" and insert "XI, section 14"

Page 6, line 7, after the period insert:

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

Page 6, line 8, delete "4" and insert "5"

Page 14, delete section 19

Page 17, line 28, strike "one mill" and insert "six mills"

Page 17, line 30, strike "two mills" and insert "twelve mills"

Page 17, line 31, after "Minnesota" strike "resources" and insert "environment and natural resources trust"

Page 17, line 32, strike "for purposes of natural resources acceleration"

Page 17, line 33, delete "section 19" and insert "chapter 115C"

Renumber sections in sequence

Correct internal cross references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Rose et al amendment and the roll was called.

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

There were 59 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Bennett	Greenfield	Knickerbocker	Pappas	Stanius
Blatz	Gruenes	Marsh	Pauly	Sviggum
Boo	Gutknecht	McDonald	Poppenhagen	Swenson
Burger	Hartle	McKasy	Redalen	Thiede
Carlson, D.	Haukoos	McPherson	Richter	Tjornhom
Clark	Heap	Miller	Rose	Tompkins
Clausnitzer	Himle	Morrison	Schafer	Uphus
Dempsey	Hugoson	Nelson, D.	Schreiber	Valento
Dille	Jennings	Olsen, S.	Seaberg	Voss
Forsythe	Johnson, V.	Omann	Shaver	Wagenius
Frederick	Kahn	Onnen	Simoneau	Waltman
Frerichs	Kelly	Ozment	Skoglund	

Those who voted in the negative were:

Anderson, G.	DeBlicck	Kostohryz	Ogren	Rodosovich
Anderson, R.	Dorn	Krueger	Olson, E.	Rukavina
Battaglia	Jacobs	Larsen	Olson, K.	Sarna
Bauerly	Jaros	Lasley	Orenstein	Scheid
Beard	Jefferson	Long	Osthoff	Solberg
Begich	Jensen	McEachern	Otis	Sparby
Bertram	Johnson, A.	Milbert	Pelowski	Steensma
Bishop	Johnson, R.	Minne	Peterson	Trimble
Brown	Kalis	Munger	Price	Tunheim
Carlson, L.	Kelso	Murphy	Quinn	Welle
Cooper	Kinkel	Nelson, C.	Reding	Wenzel
Dauner	Kludt	Neuenschwander	Rest	Winter
Dawkins	Knuth	O'Connor	Riveness	Wynia
				Spk. Vanasek

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

Kahn; Carlson, D., and Rose moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Pages 1 and 2, delete section 1, and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT PROPOSED.]

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

Sec. 14. [ENVIRONMENT AND NATURAL RESOURCES TRUST FUND.]

A Minnesota environment and natural resources trust fund is established that annually shall receive general sales tax revenue of one-quarter of one percent until the year 2015 or until the state contribution to the fund reaches \$1,000,000,000, at which time state appropriations to the fund must cease."

Pages 2 and 3, delete section 2, and insert:

"Sec. 2. [SUBMISSION TO VOTERS.]

The proposed amendment must be submitted to the people at the 1988 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to establish a Minnesota environment and natural resources trust fund which will receive annual appropriations derived from a one-quarter of one percent excise tax on the state's general sales tax until the year 2015, or until the state's contribution to the fund reaches \$1,000,000,000?"

Yes " "
No

Page 5, line 16, delete "article XIII, section 5" and insert "article XI, section 14"

Page 18, after line 27, insert:

"Sec. 23. Minnesota Statutes 1986, section 297A.02, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] Except as otherwise provided in this chapter, there is imposed an excise tax of six and one-quarter percent of the gross receipts from sales at retail made by any person

in this state. One-quarter of one percent is for the purposes under article XI, section 14, of the Minnesota Constitution, and shall expire as provided therein."

Page 18, line 31, delete "Section 22 is" and insert "Sections 22 and 23 are"

Renumber the remaining section

Amend the title as follows:

Page 1, line 3, delete "XIII, section 5" and insert "XI"

Page 1, line 11, delete "and" and before the semicolon insert "and 297A.02, subdivision 1"

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called.

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

There were 54 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Bennett	Greenfield	Marsh	Ozment	Stanius
Boo	Gutknecht	McDonald	Pappas	Sviggum
Burger	Hartle	McKasy	Pauly	Swenson
Carlson, D.	Himle	McLaughlin	Poppenhagen	Thiede
Clark	Hugoson	McPherson	Redalen	Tompkins
Clausnitzer	Jennings	Miller	Richter	Uphus
Dempsey	Johnson, V.	Morrison	Rose	Valento
Dille	Kahn	Nelson, D.	Schafer	Vellenga
Forsythe	Knickerbocker	Olsen, S.	Schreiber	Wagenius
Frederick	Kostohryz	Omann	Seaberg	Waltman
Frerichs	Long	Onnen	Shaver	

Those who voted in the negative were:

Anderson, G.	Dauner	Kalis	Murphy	Quinn
Anderson, R.	Dawkins	Kelly	Nelson, C.	Reding
Battaglia	DeBlicke	Kelso	Nelson, K.	Rest
Bauerly	Dorn	Kinkel	Neuenschwander	Rodosovich
Beard	Gruenes	Khudt	O'Connor	Rukavina
Begich	Haukoos	Knuth	Ogren	Sarna
Bertram	Heap	Larsen	Olson, E.	Scheid
Bishop	Jacobs	Lasley	Olson, K.	Segal
Blatz	Jaros	Lieder	Orenstein	Simoneau
Brown	Jefferson	McEachern	Osthoff	Skoglund
Carlson, L.	Jensen	Milbert	Otis	Solberg
Carruthers	Johnson, A.	Minne	Pelowski	Sparby
Cooper	Johnson, R.	Munger	Price	Steenasma

Tjornhom
TrimbleTunheim
VossWelle
WenzelWinter
Wynia

Spk. Vanasek

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

Bennett moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 6, line 27, delete "two members" and insert "three members"

Page 6, line 27, delete "and two" and insert "and three"

The motion prevailed and the amendment was adopted.

Gutknecht, Greenfield, Voss, Frederick, Kahn, Clark, Long, Valento, Waltman, Steensma, Forsythe, Richter, Schafer, Dempsey, Clausnitzer, Rice and Pauly moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 3, after line 2, insert:

"Sec. 3. [10A.151.] [CERTAIN CONTRIBUTIONS AND EXPENDITURES PROHIBITED.]

Notwithstanding any other law to the contrary, no corporation, other than a corporation incorporated in Minnesota, may directly or indirectly give, pay, expend or contribute any money or thing of value for the purpose of influencing or affecting the popular vote on any ballot question which would amend the Minnesota constitution. No political committee may receive from a corporation not incorporated in Minnesota any direct or indirect contribution in money or other thing of value for the purpose of influencing the popular vote on any ballot question which would amend the Minnesota constitution. Violation of this section is a gross misdemeanor."

Renumber the remaining sections

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gutknecht et al amendment and the roll was called.

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

There were 77 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Larsen	Ozment	Sviggum
Bauerly	Frerichs	Lasley	Pappas	Swenson
Bennett	Greenfield	Long	Pauly	Thiede
Bertram	Gruenes	Marsh	Pelowski	Tjornhom
Blatz	Gutknecht	McDonald	Poppenhagen	Tompkins
Boo	Hartle	McKasy	Price	Uphus
Burger	Haukoos	McPherson	Redalen	Valento
Carlson, D.	Heap	Milbert	Rice	Vellenga
Clark	Hugoson	Miller	Richter	Voss
Clausnitzer	Jennings	Nelson, D.	Rose	Wagenius
Dauner	Johnson, R.	Nelson, K.	Schafer	Waltman
DeBleeck	Johnson, V.	Ogren	Schreiber	Wenzel
Dempsey	Kahn	Olsen, S.	Segal	Winter
Dille	Kelly	Omann	Skoglund	
Dorn	Knickerbocker	Onnen	Stanus	
Forsythe	Knuth	Orenstein	Steensma	

Those who voted in the negative were:

Anderson, G.	Himle	Kostohryz	Osthoff	Simoneau
Battaglia	Jacobs	McLaughlin	Otis	Solberg
Beard	Jaros	Mimne	Quinn	Sparby
Begich	Jefferson	Munger	Reding	Trimble
Bishop	Jensen	Murphy	Rest	Tunheim
Brown	Johnson, A.	Nelson, C.	Rodosovich	Wynia
Carlson, L.	Kalis	Neuenschwander	Rukavina	Spk. Vanasek
Carruthers	Kelso	O'Connor	Sarna	
Cooper	Kinkel	Olson, E.	Scheid	
Dawkins	Kludt	Olson, K.	Shaver	

The motion prevailed and the amendment was adopted.

Richter, Burger, Redalen and Forsythe moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 1, line 25, after "expenses" insert "including a deduction of not less than five percent of the entire proceeds which must be allocated to programs for diagnosis, assistance, treatment and counseling of compulsive gamblers and their families."

Page 2, line 26, after "for" insert "at least five percent of gross proceeds from the lottery to be used for programs for compulsive gamblers and their families and"

A roll call was requested and properly seconded.

The question was taken on the Richter et al amendment and the roll was called.

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

There were 64 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Bennett	Gutknecht	McDonald	Pauly	Skoglund
Blatz	Hartle	McKasy	Pelowski	Stanius
Boo	Haukoos	McPherson	Poppenhagen	Sviggum
Burger	Heap	Miller	Price	Swenson
Carlson, D.	Himle	Morrison	Redalen	Thiede
Clark	Hugoson	Nelson, D.	Rice	Tjornhom
Clausnitzer	Jennings	Nelson, K.	Richter	Tompkins
Dempsey	Johnson, A.	O'Connor	Rose	Uphus
Dille	Johnson, R.	Olsen, S.	Schafer	Valento
Forsythe	Johnson, V.	Omann	Schreiber	Vellenga
Frederick	Kelly	Omnen	Seaberg	Wagenius
Frerichs	Knickerbocker	Ozment	Shaver	Waltman
Gruenes	Marsh	Pappas	Simoneau	

Those who voted in the negative were:

Anderson, G.	DeBlicke	Krueger	Olson, E.	Solberg
Anderson, R.	Dorn	Larsen	Olson, K.	Sparby
Battaglia	Greenfield	Lasley	Orenstein	Steensma
Bauerly	Jacobs	Lieder	Osthoff	Trimble
Beard	Jaros	Long	Otis	Tunheim
Begich	Jefferson	McEachern	Quinn	Voss
Bertram	Jensen	McLaughlin	Reding	Welle
Bishop	Kahn	Milbert	Rest	Wenzel
Brown	Kalis	Minne	Riveness	Winter
Carlson, L.	Kelso	Munger	Rodosovich	Wynia
Carruthers	Kinkel	Murphy	Rukavina	Spk. Vanasek
Cooper	Kludt	Nelson, C.	Sarna	
Dauner	Knuth	Neuenschwander	Scheid	
Dawkins	Kostohryz	Ogren	Segal	

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

Schreiber; Valento; McDonald; Himle; Tjornhom; Heap; Haukoos; Redalen; McKasy; Richter; Burger; Thiede; Dille; Hartle; Frederick; Dempsey; Hugoson; Swenson; Schafer; Knickerbocker; Sviggum; Tompkins; Poppenhagen; Frerichs; Blatz; McPherson; Johnson, V.; Forsythe; Rose; Waltman; Morrison; Pauly and Miller moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 1, line 26, delete "first" and delete "as follows:" and insert "to homestead property tax relief as provided in section 23."

Page 1, delete lines 27 to 30

Page 2, delete lines 1 to 18

Page 2, line 19, delete everything before the period

Page 2, line 26, delete "one-third of"

Page 2, delete lines 28 to 33

Page 2, line 34, delete "state" and insert "to be used for homestead property tax relief"

Page 4, line 18, delete everything after the period

Page 4, delete lines 19 and 20

Page 5, line 15, delete "under"

Page 5, delete line 16

Page 5, line 17, delete everything before "is"

Page 5, line 19, delete everything after "shall"

Page 5, line 20, delete everything before "ensure"

Page 5, line 27, delete everything after the headnote

Page 5, delete line 28

Page 11, line 19, delete everything after the headnote

Page 11, line 20, delete "years of operation,"

Page 11, delete lines 26 to 29

Page 11, line 30, delete "(c)"

Page 13, delete lines 11 to 31

Page 16, after line 15, insert:

"Sec. 21. Minnesota Statutes 1987 Supplement, section 273.13, subdivision 22, is amended to read:

Subd. 22. [CLASS 1.] (a) Except as provided in subdivision 23, real estate which is residential and used for homestead purposes is class 1. The market value of class 1a property must be determined based upon the value of the house, garage, and land.

The first \$68,000 of market value of class 1a property must be assessed at 17 percent of its market value. The homestead value of class 1a property that exceeds \$68,000 must be assessed at 27 percent of its value.

(b) Class 1b property includes real estate or manufactured homes used for the purposes of a homestead by

(1) any blind person, if the blind person is the owner thereof or if the blind person and the blind person's spouse are the sole owners thereof; or

(2) any person, hereinafter referred to as "veteran," who:

(i) served in the active military or naval service of the United States; and

(ii) is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheelchair; and

(iii) with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, or the surviving spouse of the deceased veteran for as long as the surviving spouse retains the special housing unit as a homestead; or

(3) any person who:

(i) is permanently and totally disabled and

(ii) receives 90 percent or more of total income from

(A) aid from any state as a result of that disability; or

(B) supplemental security income for the disabled; or

(C) workers' compensation based on a finding of total and permanent disability; or

(D) social security disability, including the amount of a disability insurance benefit which is converted to an old age insurance benefit and any subsequent cost of living increases; or

(E) aid under the Federal Railroad Retirement Act of 1937, United States Code Annotated, title 45, section 228b(a)5; or

(F) a pension from any local government retirement fund located in the state of Minnesota as a result of that disability.

Property is classified and assessed pursuant to clause (1) only if the commissioner of jobs and training certifies to the assessor that the owner of the property satisfies the requirements of this subdivision. The commissioner of jobs and training shall provide a copy of the certification to the commissioner of revenue.

Class 1b property is valued and assessed as follows: in the case of agricultural land, including a manufactured home, used for a homestead, the first \$33,000 of market value shall be valued and assessed at five percent, the next \$33,000 of market value shall be valued and assessed at 14 percent, and the remaining market value shall be valued and assessed at 18 percent; and in the case of all other real estate and manufactured homes, the first \$34,000 of market value shall be valued and assessed at five percent, the next \$34,000 of market value shall be valued and assessed at 17 percent, and the remaining market value shall be valued and assessed at 27 percent. In the case of agricultural land including a manufactured home used for purposes of a homestead, the commissioner of revenue shall adjust, as provided in section 273.1311, the maximum amount of the market value of the homestead brackets subject to the five percent and 18 percent rates; and for all other real estate and manufactured homes, the commissioner of revenue shall adjust, as provided in section 273.1311, the maximum amount of the market value of the homestead brackets subject to the five percent and 17 percent rates. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings the person an income.

(c) Class 1c property is commercial use real property that abuts a lakeshore line and is devoted to temporary and seasonal residential occupancy for recreational purposes but not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, and that includes a portion used as a homestead by the owner. It must be assessed at 12 percent of market value with the following limitation: the area of the property must not exceed 100 feet of lakeshore footage for each cabin or campsite located on the property up to a total of 800 feet and 500 feet in depth, measured away from the lakeshore.

(d) The tax to be paid on class 1a or class 1b property, less any reduction received pursuant to sections 273.123 and 473H.10, shall be reduced by 54 percent of the tax imposed on the first \$68,000 of market value. The amount of the reduction shall not exceed \$700. The amount of the homestead credit percentage, the homestead credit maximum, and the homestead base market value shall be adjusted by the commissioner of revenue under section 23.

Sec. 22. Minnesota Statutes 1987 Supplement, section 273.13, subdivision 23, is amended to read:

Subd. 23. [CLASS 2.] (a) Class 2a property is agricultural land that is homesteaded, together with the house and garage. The first \$66,000 of market value of an agricultural homestead is valued at 30 percent. The remaining value of class 2a property is assessed at 40 percent of market value.

Noncontiguous land shall constitute class 2a only if the homestead is classified as class 2a and the detached land is located in the same township or city or not farther than two townships or cities or combination thereof from the homestead.

Agricultural land used for purposes of a homestead and actively farmed by a person holding a vested remainder interest in it must be classified class 2a. If agricultural land is classified class 2a, any other dwellings on the land used for purposes of a homestead by persons holding vested remainder interests who are actively engaged in farming the property, and up to one acre of the land surrounding each homestead and reasonably necessary for the use of the dwelling as a home, must also be assessed class 2a and is entitled to the homestead credit.

The tax to be paid on class 2a property, less any reduction received pursuant to sections 273.123 and 473H.10 shall be reduced by 52 percent of the tax. The amount of the reduction shall not exceed \$700. The amount of the homestead credit percentage, the homestead credit maximum, and the homestead base market value shall be adjusted by the commissioner of revenue under section 23.

(b) Class 2b property is (1) real estate, rural in character and used exclusively for growing trees for timber, lumber, and wood and wood products; and (2) real estate that is nonhomestead agricultural land. Class 2b property is assessed at 40 percent of market value.

Agricultural land as used in this section shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

The assessor shall determine and list separately on the records the market value of the homestead dwelling and the one acre of land on which that dwelling is located. If any farm buildings or structures are located on this homesteaded acre of land, their market value shall not be included in this separate determination.

Sec. 23. [273.1316] [HOMESTEAD PROPERTY TAX RELIEF ADJUSTMENT.]

(a) Beginning July 1, 1990, and on July 1 of each year thereafter, the commissioner of revenue shall estimate the proceeds for the preceding calendar year from a lottery authorized under section 1 after deduction of prizes and expenses but including any interest earnings.

(b) The commissioner shall proportionately increase the homestead credit percentage, the homestead credit maximum, and the homestead credit base market value so that the amount of the additional homestead credit under this paragraph equals the amount in paragraph (a).

(c) On or before October 1, 1990, and each year thereafter, the commissioner shall notify the county auditors of the homestead credit percentage, the homestead credit maximum, and the homestead credit base market value to be used in determining homestead credit for taxes payable in the following year.

(d) Payment from the general fund shall be made to taxing jurisdictions to replace revenues lost as a result of the reduction in property taxes under this section at the times and in the manner provided in sections 273.13, subdivision 15a, and 273.1392. This amount is in addition to any amounts appropriated under any other law to fund homestead benefits.

(e) There is annually appropriated from the general fund to the commissioner of revenue the amounts necessary to make the payments required in this section."

Page 18, line 29, delete "to 21" and insert "and 2"

Page 18, line 31, delete "Section 22 is" and insert "Sections 3 to 22 are"

Page 18, line 31, after the period insert "Sections 21 to 23 are effective for taxes levied in 1990 and thereafter, payable in 1991 and thereafter."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 12, after the semicolon insert "273.13, subdivisions 22 and 23;"

Page 1, line 14, delete "chapter 115C" and insert "chapters 115C and 273"

A roll call was requested and properly seconded.

The question was taken on the Schreiber et al amendment and the roll was called.

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

There were 52 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Bertram	Hartle	McKasy	Poppenhagen	Swenson
Blatz	Haukoos	McPherson	Redalen	Thiede
Boo	Heap	Milbert	Richter	Tjornhom
Burger	Himle	Miller	Rose	Tompkins
Carruthers	Hugoson	Morrison	Schafer	Uphus
Clausnitzer	Johnson, R.	Olsen, S.	Schreiber	Valento
Dempsey	Johnson, V.	Olson, K.	Seaberg	Waltman
Frederick	Kelso	Onnen	Shaver	Wenzel
Frerichs	Knickerbocker	Orenstein	Skoglund	
Gruenes	Marsh	Pauly	Stanius	
Gutknecht	McDonald	Pelowski	Sviggum	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lieder	Olson, E.	Scheid
Battaglia	Jacobs	Long	Omann	Simoneau
Bauerly	Jaros	McEachern	Osthoff	Solberg
Beard	Jefferson	McLaughlin	Otis	Sparby
Begich	Jensen	Minne	Pappas	Steensma
Bishop	Johnson, A.	Munger	Price	Trimble
Carlson, L.	Kalis	Murphy	Quinn	Tunheim
Clark	Kelly	Nelson, C.	Reding	Vellenga
Cooper	Kinkel	Nelson, D.	Rest	Voss
Dauner	Kludt	Nelson, K.	Rice	Wagenius
Dawkins	Knuth	Neuenschwander	Rodosovich	Winter
DeBlicek	Larsen	O'Connor	Rukavina	Wynia
Dorn	Lasley	Ogren	Sarna	Spk. Vanasek

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

Sviggum, McDonald and Seaberg moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [AMENDMENT PROPOSED.]

The following amendment to the Minnesota Constitution, article

XIII, section 5, is proposed to the people. If the amendment is adopted, the section will read as follows:

Sec. 5.

The legislature shall not authorize any lottery on the sale of lottery tickets except that the legislature may authorize a state-operated lottery with all receipts, after deductions for administrative costs, used exclusively for prizes.

Sec. 2. [SUBMISSION TO VOTERS.]

The proposed amendment must be submitted to the people at the 1988 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to authorize a state-operated lottery with all proceeds, after deductions for administrative costs, used exclusively for prizes?"

Yes
No

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, section 5; providing for a state-operated lottery with all proceeds, after deductions for administrative costs, used exclusively for prizes."

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

Kahn moved to amend H. F. No. 2182, the fourth engrossment, as amended, as follows:

Page 8, delete lines 35 and 36

Page 9, line 1, delete "overflow under section 116.162,"

Page 9, line 2, delete "(3)" and insert "(2)"

A roll call was requested and properly seconded.

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

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

There were 96 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Bauerly	Forsythe	Knickerbocker	Ogren	Seaberg
Beard	Frederick	Knuth	Olsen, S.	Segal
Begich	Frerichs	Krueger	Olson, K.	Shaver
Bennett	Greenfield	Lasley	Omahn	Simoneau
Bertram	Gruenes	Long	Onnen	Skoglund
Blatz	Gutknecht	Marsh	Orenstein	Stanius
Brown	Hartle	McDonald	Ozment	Steensma
Burger	Haukoos	McEachern	Pappas	Sviggum
Carlson, D.	Heap	McKasy	Pauly	Swenson
Carlson, L.	Himle	McLaughlin	Pelowski	Thiede
Carruthers	Hugoson	McPherson	Poppenhagen	Tjornhom
Clark	Jefferson	Milbert	Price	Tompkins
Clausnitzer	Jennings	Miller	Redalen	Uphus
Cooper	Johnson, A.	Morrison	Rice	Valento
Dauner	Johnson, V.	Murphy	Richter	Vellenga
DeBlieck	Kahn	Nelson, C.	Rose	Voss
Dempsey	Kelly	Nelson, K.	Sarna	Wagenius
Dille	Kelso	Neuenschwander	Schafer	Waltman
Dorn	Kinkel	O'Connor	Schreiber	Wenzel
				Winter

Those who voted in the negative were:

Anderson, G.	Jaros	Lieder	Quinn	Sparby
Anderson, R.	Jensen	Minne	Reding	Trimble
Battaglia	Johnson, R.	Munger	Riveness	Tunheim
Bishop	Kalis	Olson, E.	Rodosovich	Welle
Boo	Kludt	Osthoff	Rukavina	Wynia
Dawkins	Kostohryz	Otis	Scheid	Spk. Vanasek
Jacobs	Larsen	Peterson	Solberg	

The motion prevailed and the amendment was adopted.

Thiede offered an amendment to H. F. No. 2182, the fourth engrossment, as amended.

POINT OF ORDER

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

H. F. No. 2182, as amended, was read for the third time.

MOTION FOR RECONSIDERATION

McDonald moved that the action whereby H. F. No. 2182, as amended, was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The Speaker called Long to the Chair.

The question was taken on the McDonald motion and the roll was called.

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

There were 44 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Bennett	Frerichs	Knickerbocker	Pauly	Swiggum
Blatz	Gruenes	Marsh	Poppenhagen	Swenson
Boo	Gutknecht	McDonald	Redalen	Thiede
Burger	Hartle	McKasy	Richter	Tornhom
Carlson, D.	Haukoos	McPherson	Rose	Tompkins
Clausnitzer	Heap	Miller	Schafer	Uphus
Dempsey	Himle	Olson, K.	Seaberg	Valento
Forsythe	Hugoson	Omann	Shaver	Waltman
Frederick	Johnson, V.	Onnen	Stanius	

Those who voted in the negative were:

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

The motion did not prevail.

The Speaker resumed the Chair.

H. F. No. 2182, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; permitting state-run lotteries; providing for the distribution of their proceeds; 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, sections 86.72, subdivisions 2 and 3; and 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; and 86.75.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	DeBlicek	Krueger	Olson, K.	Sarna
Anderson, R.	Dorn	Larsen	Omann	Scheid
Battaglia	Jacobs	Lasley	Orenstein	Segal
Bauerly	Jaros	Lieder	Osthoff	Simoneau
Beard	Jefferson	McEachern	Pelowski	Solberg
Begich	Jennings	McLaughlin	Peterson	Sparby
Bertram	Jensen	Milbert	Price	Trimble
Bishop	Johnson, A.	Minne	Quinn	Tunheim
Brown	Johnson, R.	Munger	Reding	Welle
Carlson, L.	Kalis	Murphy	Rest	Wenzel
Carruthers	Kinkel	Nelson, C.	Riveness	Winter
Clark	Kludt	Neuenschwander	Rodosovich	Wynia
Cooper	Knuth	O'Connor	Rose	Spk. Vanasek
Dawkins	Kostohryz	Ogren	Rukavina	

Those who voted in the negative were:

Bennett	Gruenes	Marsh	Pappas	Sviggum
Blatz	Gutknecht	McDonald	Pauly	Swenson
Boo	Hartle	McKasy	Poppenhagen	Thiede
Burger	Haukoos	McPherson	Redalen	Tjornhom
Carlson, D.	Heap	Miller	Rice	Tompkins
Clausnitzer	Himle	Morrison	Richter	Uphus
Dauner	Hugoson	Nelson, D.	Schafer	Valento
Dempsey	Johnson, V.	Nelson, K.	Schreiber	Vellenga
Dille	Kahn	Olsen, S.	Seaberg	Voss
Forsythe	Kelly	Olson, E.	Shaver	Wagenius
Frederick	Kelso	Onnen	Skoglund	Waltman
Frerichs	Knickerbocker	Otis	Stanius	
Greenfield	Long	Ozment	Steensma	

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

H. F. No. 704 was reported to the House.

Rest moved that H. F. No. 704 be continued on Special Orders for one day. The motion prevailed.

Beard was excused between the hours of 8:05 p.m. and 10:00 p.m.

McKasy was excused between the hours of 8:05 p.m. and 9:15 p.m.

S. F. No. 1018, A bill for an act relating to crimes; criminal sexual

conduct; creating a crime of fifth degree criminal sexual conduct; amending Minnesota Statutes 1986, section 388.051, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill and the roll was called.

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

There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

Kelly moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The Speaker called Carlson, L., to the Chair.

S. F. No. 1643 was reported to the House.

Quinn and Quist moved to amend S. F. No. 1643, as follows:

Page 2, line 5, after "circumstances" insert "except that physical discipline does not by itself constitute unreasonable force or cruel discipline"

The motion prevailed and the amendment was adopted.

S. F. No. 1643, A bill for an act relating to crimes; child abuse; eliminating the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child; amending Minnesota Statutes 1986, sections 609.255, subdivision 3; and 609.377.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1717, A bill for an act relating to natural resources; adding certain land to Jay Cooke State Park in Carlton county.

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

The bill was passed and its title agreed to.

H. F. No. 2654 was reported to the House.

Simoneau moved to amend H. F. No. 2654, the first engrossment, as follows:

Page 3, line 30, delete "but not to" and insert "provided the employer contribution does not"

Page 3, line 31, after "year" insert "for any employee"

The motion prevailed and the amendment was adopted.

Segal moved to amend H. F. No. 2654, the first engrossment, as amended, as follows:

Page 3, after line 35, insert:

"Sec. 5. [REPAYMENT OF REFUND.]

Notwithstanding any contrary provision of section 353.35, a person employed by the St. Paul school district from January, 1983

to October, 1987 may repay a refund received from the public employees retirement association for service between October 1, 1954 and March 31, 1955. The amount of the repayment must be determined under section 353.35. The repayment must be made within 90 days of the effective date of this section.

Re-number subsequent sections

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "permitting repayment of a refund;"

The motion prevailed and the amendment was adopted.

Skoglund moved to amend H. F. No. 2654, the first engrossment, as amended, as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 61A.092, subdivision 3, is amended to read:

Subd. 3. [NOTICE OF OPTIONS.] Upon termination of or layoff from employment of a covered employee, the employer shall inform the employee of:

- (1) the employee's right to elect to continue the coverage;
- (2) the amount the employee must pay monthly to the employer to retain the coverage;
- (3) the manner in which and the office of the employer to which the payment to the employer must be made; and
- (4) the time by which the payments to the employer must be made to retain coverage.

The employee has 60 days within which to elect coverage. The 60-day period shall begin to run on the date coverage would otherwise terminate or on the date upon which notice of the right to coverage is received, whichever is later.

Notice must be in writing and sent by first class certified mail to the employee's last known address which the employee has provided to the employer.

A notice in substantially the following form is sufficient: "As a terminated or laid off employee, the law authorizes you to maintain

your group insurance benefits for a period of up to 18 months. To do so, you must notify your former employer within 60 days of your receipt of this notice that you intend to retain this coverage and must make a monthly payment of \$ at by the of each month.” ”

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2654, A bill for an act relating to retirement; public employees; authorizing employer deferred compensation plan contributions in certain instances; permitting repayment of a refund; changing notice requirement for continuation of life insurance coverage; amending Minnesota Statutes 1986, sections 179A.03, subdivision 19; 179A.07, subdivision 2; and 356.24; Minnesota Statutes 1987 Supplement, sections 61A.092, subdivision 3; and 352.96, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1608, A bill for an act relating to the city of Minneapolis; updating references in its development laws; amending Laws 1980, chapter 595, section 3, subdivisions 1, as amended, 3, 6, and 7; and section 4.

The bill was read for the 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 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bennett Blatz Dempsey Haukoos

The bill was passed and its title agreed to.

H. F. No. 1890 was reported to the House.

Greenfield moved that H. F. No. 1890 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1561 was reported to the House.

Carlson, D., moved to amend S. F. No. 1561, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 97B.425, is amended to read:

97B.425 [BAITING BEARS.]

A person placing bait to take bear must display a tag at each site where bait is placed and register the sites. The commissioner shall prescribe the method of tagging and registering the sites. ~~A person may not use solid waste containing bottles, cans, plastic, paper, metal, or other materials that are not readily biodegradable as a bait to attract bear.~~ To attract bear a person may not use a bait with:

- (1) meat from mammals;
- (2) bones of mammals;
- (3) solid waste containing bottles, cans, plastic, paper, or metal;
- (4) materials that are not readily biodegradable; or
- (5) any part of a swine."

Delete the title and insert:

"A bill for an act relating to game and fish; prohibiting the use of certain meat in baiting bears; amending Minnesota Statutes 1986, section 97B.425."

Stanius moved to amend the Carlson, D., amendment to S. F. No. 1561, as follows:

Page 1, delete lines 17 and 18

Page 1, line 21, delete "; or" and insert a period

Page 1, delete line 22

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

Sparby moved to amend the Carlson, D., amendment to S. F. No. 1561, as follows:

Page 1, line 17, after "mammals" insert ", if the meat contains bones"

The motion prevailed and the amendment to the amendment was adopted.

Marsh moved to amend the Carlson, D., amendment, as amended, to S. F. No. 1561, as follows:

Page 1, delete line 17

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

The question recurred on the Carlson, D., amendment, as amended, to S. F. No. 1561. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1561, A bill for an act relating to game and fish; prohibiting the use of certain meat in baiting bears; authorizing electric landing nets; regulating possession limits, size, and season for walleyed pike in the Rainy River; amending Minnesota Statutes 1986, section 97B.425; proposing coding for new law in Minnesota Statutes, chapter 97C; repealing Minnesota Statutes 1987 Supplement, section 97C.402.

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

The question was taken on the passage of the bill and the roll was called. There were 92 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Knuth	Otis	Steensma
Bauerly	Greenfield	Kostohryz	Ozment	Sviggum
Bennett	Gruenes	Krueger	Pappas	Tjornhom
Bertram	Hartle	Lasley	Pauly	Tompkins
Bishop	Haukoos	Lieder	Pelowski	Trimble
Blatz	Heap	Long	Peterson	Tunheim
Burger	Himle	McDonald	Price	Uphus
Carlson, D.	Hugoson	McEachern	Redalen	Valento
Carlson, L.	Jacobs	McKasy	Reding	Wagenius
Carruthers	Jaros	McPherson	Rest	Waltman
Clark	Jefferson	Miller	Riveness	Winter
Clausnitzer	Jennings	Morrison	Rodosovich	Spk. Vanasek
Cooper	Jensen	Munger	Rose	
Dauner	Johnson, A.	Murphy	Sarna	
Dawkins	Johnson, V.	Nelson, K.	Schafer	
DeBlicck	Kahn	O'Connor	Scheid	
Dempsey	Kalis	Olsen, S.	Schreiber	
Dille	Kelly	Onnen	Seaberg	
Dorn	Kelso	Orenstein	Shaver	
Forsythe	Knickerbocker	Osthoff	Skoglund	

Those who voted in the negative were:

Anderson, G.	Johnson, R.	Milbert	Olson, K.	Sparby
Battaglia	Kinkel	Minne	Omann	Stanius
Begich	Kludt	Nelson, C.	Poppenhagen	Swenson
Brown	Larsen	Nelson, D.	Quinn	Thiede
Frerichs	Marsh	Neuenschwander	Rukavina	Wenzel
Gutknecht	McLaughlin	Olson, E.	Solberg	

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

H. F. No. 1630 was reported to the House.

Blatz moved that H. F. No. 1630 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1958 was reported to the House.

Trimble moved to amend S. F. No. 1958, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [177.253] [MANDATORY WORK BREAKS.]

Subdivision 1. [REST BREAKS.] An employer must provide each employee with a break from work of at least ten minutes during every period of four consecutive hours of work. Breaks must be scheduled at least one hour after the start of the four-hour period and at least one hour before the end of the period.

Subd. 2. [LUNCH BREAKS.] In addition to any break provided under subdivision 1, an employer must provide each employee a 30-minute break from work during the workday if the employee is working for six or more consecutive hours.

Subd. 3. [PAYMENT NOT REQUIRED.] Nothing in this section requires the employer to pay the employee during the rest or lunch break.

Subd. 4. [EMPLOYER/EMPLOYEE AGREEMENTS.] Nothing in this section prohibits employers and employees from establishing lunch or rest periods different from those provided in this section pursuant to a collective bargaining agreement or by mutual agreement, provided that an employer may not terminate or otherwise discipline an employee or fail to hire an applicant for refusing to waive a right under this section.

Sec. 2. Minnesota Statutes 1986, section 177.32, subdivision 1, is amended to read:

Subdivision 1. [MISDEMEANORS.] An employer who does any of the following is guilty of a misdemeanor:

(1) hinders or delays the commissioner in the performance of duties required under sections 177.21 to 177.35;

(2) refuses to admit the commissioner to the place of business or employment of the employer, as required by section 177.27, subdivision 1;

(3) repeatedly fails to make, keep, and preserve records as required by section 177.30;

(4) falsifies any record;

(5) refuses to make any record available, or to furnish a sworn statement of the record or any other information as required by section 177.27;

(6) repeatedly fails to post a summary of sections 177.21 to 177.35 or a copy or summary of the applicable rules as required by section 177.31;

(7) pays or agrees to pay wages at a rate less than the rate required under sections 177.21 to 177.35; ~~or~~

(8) refuses to provide rest or lunch breaks as required by section 1; or

(9) otherwise violates any provision of sections 177.21 to 177.35.

Sec. 3. Minnesota Statutes 1986, section 177.33, is amended to read:

177.33 [EMPLOYEES' REMEDIES.]

Subdivision 1. An employer who pays an employee less than the wages and overtime compensation to which the employee is entitled under sections 177.21 to 177.35 is liable to the employee for the full amount of the wages and overtime compensation, less any amount actually paid to the employee by the employer, for an additional equal amount as liquidated damages and for costs and reasonable attorney's fees allowed by the court. An agreement between the employee and the employer to work for less than the applicable wage rate is not a defense to the action. The action may be maintained in any court of competent jurisdiction by one or more employees.

Subd. 2. Any person injured by a violation of section 1 may bring a civil action to recover damages, together with costs and reasonable

attorney's fees, and may receive such equitable relief as determined by the court."

Delete the title and insert:

"A bill for an act relating to employment; requiring breaks during the work day; amending Minnesota Statutes 1986, sections 177.32, subdivision 1; and 177.33; proposing coding for new law in Minnesota Statutes, chapter 177."

A roll call was requested and properly seconded.

The question was taken on the Trimble amendment and the roll was called. There were 40 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Battaglia	Kahn	Minne	Otis	Simoneau
Begich	Kelly	Munger	Pappas	Skoglund
Carlson, L.	Kludt	Murphy	Price	Trimble
Clark	Kostohryz	Nelson, D.	Reding	Vellenga
Dawkins	Larsen	O'Connor	Rice	Wagenius
Greenfield	Long	Ogren	Rukavina	Winter
Jaros	McEachern	Orenstein	Sarna	Wynia
Jefferson	McLaughlin	Osthoff	Segal	Spk. Vanasek

Those who voted in the negative were:

Anderson, R.	Dille	Johnson, R.	Olsen, S.	Seaberg
Bauerly	Dorn	Johnson, V.	Olson, E.	Shaver
Bennett	Forsythe	Kalis	Olson, K.	Sparby
Bertram	Frederick	Kelso	Omann	Stanius
Bishop	Frerichs	Kinkel	Onnen	Steensma
Blatz	Gruenes	Knickerbocker	Pauly	Svigum
Boo	Gutknecht	Krueger	Pelowski	Swenson
Brown	Hartle	Lasley	Poppenhagen	Thiede
Burger	Haukoos	Lieder	Quinn	Tjornhom
Carlson, D.	Heap	Marsh	Redalen	Tompkins
Carruthers	Himle	McDonald	Richter	Tunheim
Clausnitzer	Hugoson	McKasy	Rodosovich	Uphus
Cooper	Jacobs	McPherson	Rose	Valento
Dauner	Jennings	Miller	Schafer	Waltman
DeBlieck	Jensen	Morrison	Scheid	
Dempsey	Johnson, A.	Nelson, C.	Schreiber	

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

S. F. No. 1958, A bill for an act relating to employment; requiring rest breaks during the work day; amending Minnesota Statutes 1986, section 177.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 177.

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 94 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dempsey	Krueger	Omann	Segal
Anderson, R.	Dorn	Larsen	Orenstein	Simoneau
Battaglia	Greenfield	Long	Osthoff	Skoglund
Bauerly	Gruenes	Marsh	Otis	Solberg
Beard	Himle	McEachern	Pappas	Stanius
Begich	Jacobs	McLaughlin	Pauly	Steensma
Bennett	Jaros	Milbert	Pelowski	Tjornhom
Bishop	Jefferson	Minne	Price	Trimble
Blatz	Jennings	Morrison	Quinn	Tunheim
Brown	Jensen	Munger	Reding	Uphus
Burger	Johnson, A.	Murphy	Rest	Vellenga
Carlson, D.	Johnson, R.	Nelson, C.	Rice	Voss
Carlson, L.	Johnson, V.	Nelson, D.	Rodosovich	Wagenius
Carruthers	Kahn	Nelson, K.	Rose	Welle
Clark	Kelly	Neuenschwander	Rukavina	Wenzel
Cooper	Kinkel	O'Connor	Sarna	Winter
Dauner	Kludt	Ogren	Scheid	Wynia
Dawkins	Knuth	Olsen, S.	Schreiber	Spk. Vanasek
DeBleeck	Kostohryz	Olson, K.	Seaberg	

Those who voted in the negative were:

Bertram	Hartle	Lieder	Redalen	Thiede
Boo	Haukoos	McDonald	Richter	Tompkins
Clausnitzer	Heap	McKasy	Schafer	Valento
Dille	Hugoson	McPherson	Shaver	Waltman
Forsythe	Kalis	Miller	Sparby	
Frederick	Kelso	Olson, E.	Sviggun	
Frerichs	Knickerbocker	Poppenhagen	Swenson	

The bill was passed and its title agreed to.

S. F. No. 2117 was reported to the House.

Rose and Pappas moved to amend S. F. No. 2117, as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 181.951, subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS ON TESTING.] (a) An employer may not request or require an employee or job applicant to undergo drug and alcohol testing except as authorized in this section.

(b) An employer may not request or require an employee or job applicant to undergo drug or alcohol testing unless the testing is done pursuant to a written drug and alcohol testing policy that contains the minimum information required in section 181.952; and, is conducted by a testing laboratory licensed under section 181.953, subdivision 1, except as otherwise permitted under that subdivision, or by a nonlicensed laboratory as transitionally allowed under

section 181.953, subdivision 2.

(c) An employer may not request or require an employee or job applicant to undergo drug and alcohol testing on an arbitrary and capricious basis."

Page 1, line 14, before the period, insert "except that, a breath test as an initial screening test for alcohol may be performed by a medical clinic, hospital, or other medical facility not owned or operated by the employer that does not meet the licensing requirements of this section, provided that the breath test meets the standards or requirements adopted by rule under paragraph (b), except clause (1), and any confirmatory test is performed according to the requirements of sections 181.950 to 181.957 and the rules adopted thereunder"

Page 3, line 27, before the period, insert "A breath test may be performed by a laboratory that does not meet the requirements of this subdivision, as allowed under subdivision 1"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 181.951, subdivision 1;"

The motion prevailed and the amendment was adopted.

Frederick offered an amendment to S. F. No. 2117, as amended.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 3.9 that the Frederick amendment was not in order. Speaker pro tempore Carlson, L., ruled the point of order well taken and the amendment out of order.

S. F. No. 2117, A bill for an act relating to employment; allowing certain nonlicensed facilities to perform breath tests for alcohol; amending Minnesota Statutes 1987 Supplement, section 181.953, subdivisions 1 and 2.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1822, 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.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Cooper	Hugoson	Larsen	Nelson, K.
Anderson, R.	Dauner	Jacobs	Lasley	Neuenschwander
Battaglia	Dawkins	Jaros	Lieder	O'Connor
Bauerly	DeBlicck	Jefferson	Long	Olsen, S.
Beard	Dempsey	Jennings	McDonald	Olson, E.
Begich	Dille	Jensen	McEachern	Olson, K.
Bennett	Dorn	Johnson, A.	McKasy	Omann
Bertram	Forsythe	Johnson, R.	McLaughlin	Onnen
Bishop	Frederick	Johnson, V.	McPherson	Orenstein
Blatz	Frerichs	Kahn	Milbert	Osthoff
Brown	Greenfield	Kalis	Miller	Otis
Burger	Gruenes	Kelso	Minne	Ozment
Carlson, D.	Gutknecht	Kinkel	Morrison	Pappas
Carlson, L.	Hartle	Kludt	Munger	Pauly
Carruthers	Haukoos	Knickerbocker	Murphy	Pelowski
Clark	Heap	Knuth	Nelson, C.	Poppenhagen
Clausnitzer	Himle	Kostohryz	Nelson, D.	Price

Quinn	Rose	Shaver	Thiede	Waltman
Redalen	Rukavina	Simoneau	Tjornhom	Welle
Reding	Sarna	Solberg	Tompkins	Wenzel
Rest	Schafer	Sparby	Trimble	Winter
Rice	Scheid	Stanius	Tunheim	Wynia
Richter	Schreiber	Steensma	Uphus	Spk. Vanasek
Riveness	Seaberg	Sviggum	Valento	
Rodosovich	Segal	Swenson	Wagenius	

The bill was passed and its title agreed to.

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

S. F. No. 1948, A bill for an act relating to drivers' licenses; allowing stepparent married to custodial parent of minor to approve minor's driver's license application; amending Minnesota Statutes 1986, section 171.04.

The bill was read for the 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1749 was reported to the House.

Sarna moved to amend S. F. No. 1749, as follows:

Page 2, after line 10, insert:

"Sec. 3. Laws 1949, chapter 406, section 5, is amended by adding a subdivision to read:

Subd. 7. [INVESTMENT RELATED POSTRETIREMENT PAYMENTS.] (a) For the purpose of this subdivision, these terms have the following meaning:

(1) "Excess investment income" means the amount by which the time weighted total rate of return earned by the fund in the most recent fiscal year has exceeded the actual percentage increase in the current monthly salary of a top grade patrol officer in the most recent fiscal year plus 1.5 percent. The excess investment income must be expressed as a dollar amount; excess investment income shall not exceed 1.5 percent of the total assets of the fund and does not exist unless the time weighted total rate of return of the fund exceeds five percent.

(2) "Time weighted total rate of return" means the percentage amount determined by using the formula or formulas established by the state board of investment under Minnesota Statutes, section 11A.04, clause (11), and in effect on January 1, 1987.

(3) "Eligible member" means any person, including service pensioners, disability pensioners, their survivors, or dependents, who received an annuity during the 12 months prior to the determination date. Members who received an annuity for the entire 12 months prior to the determination date are eligible for a full annual postretirement payment. Members who received an annuity for less than 12 months prior to the determination date are eligible for prorated annual postretirement payments.

(4) "Determination date" means December 31 of each year.

(5) "Annual postretirement payment" means the payment of a lump sum postretirement benefit to eligible members on June 1 following the determination date in any year.

(b) The board of trustees of the relief association shall determine by May 1 of each year whether the relief association has excess investment income. The amount of excess investment income, if any, must be stated as a dollar amount and reported by the relief association to the governing body of the municipality, the state auditor, the commissioner of finance, and the legislative commission on pensions and retirement. The dollar amount of excess investment income up to 1.5 percent of the assets of the fund must be applied for the purposes specified in paragraphs (c) and (d). Excess investment

income must not be considered for actuarial valuations of the fund for that year under sections 69.77, 356.215, and 356.216. Additional investment income must be included in the actuarial valuations performed under sections 69.77, 356.215, and 356.216.

(c) The amount determined by paragraph (b) must be applied as follows:

(1) one-third of the excess investment income must be paid as a benefit to eligible members under paragraph (d) in an amount not to exceed .5 percent of the assets of the fund or an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan, whichever is less;

(2) the state amortization state aid or supplementary amortization state aid payments otherwise due to the relief association under section 423A.02 for the current calendar year must be reduced by one-third of the amount of the excess investment income; and

(3) the minimum obligation of the municipality otherwise due to the relief association for the following calendar year must be reduced by one-third of the amount of excess investment income.

(d) The relief association shall pay an annual postretirement payment to all eligible members in an amount not to exceed .5 percent of the assets of the fund. Payment of the annual postretirement payment shall be in a lump sum amount on June 1 following the determination date in any year. Payment of the annual postretirement payment shall be made only if the time weighted total rate of return exceeds five percent in any year. The total amount of all payments to members shall not exceed the amount determined under paragraph (b) of this subdivision. Payment to each eligible member shall be calculated by dividing the total number of pension units to which eligible members are entitled into the excess investment income available for distribution to members, and then multiplying that result by the number of units to which each eligible member is entitled to determine each eligible member's annual postretirement payment. Payment to each eligible member shall not exceed an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan.

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

(f) The relief association shall submit a report on the amount of all post-retirement payments made pursuant to this section and the manner in which those payments were determined to the state

auditor, the executive secretary of the legislative commission on pensions and retirement, and the Minneapolis city clerk.

Sec. 4. [MINNEAPOLIS FIRE; POSTRETIREMENT PAYMENTS.]

Subdivision 1. [AUTHORIZED.] Notwithstanding the provisions of Minnesota Statutes, chapter 69, or any other law to the contrary, the Minneapolis fire department relief association shall provide postretirement payments to eligible members under subdivision 2.

Subd. 2. [DEFINITIONS; CALCULATION.] (a) For the purpose of this subdivision these terms have the following meaning:

(1) "Excess investment income" means the amount by which the time weighted total rate of return earned by the fund in the most recent fiscal year has exceeded the actual percentage increase in the current monthly salary of a top grade firefighter in the most recent fiscal year plus 1.5 percent. The excess investment income must be expressed as a dollar amount; excess investment income shall not exceed 1.5 percent of the total assets of the fund and does not exist unless the time weighted total rate of return of the fund exceeds five percent.

(2) "Time weighted total rate of return" means the percentage amount determined by using the formula or formulas established by the state board of investment under Minnesota Statutes, section 11A.04, clause (11), and in effect on January 1, 1987.

(3) "Eligible member" means any person, including service pensioners, disability pensioners, their survivors, or dependents, who received an annuity during the 12 months prior to the determination date. Members who received an annuity for the entire 12 months prior to the determination date are eligible for a full annual postretirement payment. Members who received an annuity for less than 12 months prior to the determination date are eligible for prorated annual postretirement payments.

(4) "Determination date" means December 31 of each year.

(5) "Annual postretirement payment" means the payment of a lump sum postretirement benefit to eligible members on June 1 following the determination date in any year.

(b) The board of trustees of the relief association shall determine by May 1 of each year whether the relief association has excess investment income. The amount of excess investment income, if any, must be stated as a dollar amount and reported by the relief association to the governing body of the municipality, the state auditor, the commissioner of finance, and the legislative commission

on pensions and retirement. The dollar amount of excess investment income up to 1.5 percent of the assets of the fund must be applied for the purposes specified in paragraphs (c) and (d). Excess investment income must not be considered for actuarial valuations of the fund for that year under sections 69.77, 356.215, and 356.216. Additional investment income must be included in the actuarial valuations performed under sections 69.77, 356.215, and 356.216.

(c) The amount determined by paragraph (b) must be applied as follows:

(1) one-third of the excess investment income must be paid as a benefit to eligible members under paragraph (d) in an amount not to exceed .5 percent of the assets of the fund or an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan, whichever is less;

(2) the state amortization state aid or supplementary amortization state aid payments otherwise due to the relief association under section 423A.02 for the current calendar year must be reduced by one-third of the amount of the excess investment income; and

(3) the minimum obligation of the municipality otherwise due to the relief association for the following calendar year must be reduced by one-third of the amount of excess investment income.

(d) The relief association shall pay an annual postretirement payment to all eligible members in an amount not to exceed .5 percent of the assets of the fund. Payment of the annual postretirement payment shall be in a lump sum amount on June 1 following the determination date in any year. Payment of the annual postretirement payment shall be made only if the time weighted total rate of return exceeds five percent in any year. The total amount of all payments to members shall not exceed the amount determined under paragraph (b) of this subdivision. Payment to each eligible member shall be calculated by dividing the total number of pension units to which eligible members are entitled into the excess investment income available for distribution to members, and then multiplying that result by the number of units to which each eligible member is entitled to determine each eligible members annual postretirement payment. Payment to each eligible member shall not exceed an amount equal to the total monthly benefit that the eligible member was entitled to in the prior year under the terms of the pension plan.

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

(f) The relief association shall submit a report on the amount of all

post-retirement payments made pursuant to this section and the manner in which those payments were determined to the state auditor, the executive secretary of the legislative commission on pensions and retirement, and the Minneapolis city clerk.

Sec. 5. [NONENTITLEMENT OF ANNUAL POSTRETIREMENT PAYMENT.]

No provision of, or payment made under, sections 1 or 2 shall be interpreted or relied upon by any member of either the Minneapolis police relief association or the Minneapolis fire department relief association to guarantee or entitle a member to annual postretirement benefits for a period when no excess investment income is earned by either fund."

Page 2, line 11, delete "3" and insert "6"

Page 2, after line 14, insert:

"Sections 3, 4, and 5 are effective the day after approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021 and applies to calendar year 1987 investment performance."

Amend the title as follows:

Page 1, line 3, delete "amending" and insert "providing for postretirement payments for Minneapolis police officers and Minneapolis firefighters, their surviving spouses and dependents; amending Laws 1949, chapter 406, section 5, by adding a subdivision; and"

The motion prevailed and the amendment was adopted.

S. F. No. 1749, A bill for an act relating to the city of Minneapolis; providing conditions for contractors bonds; amending Laws 1980, chapter 595, section 3, by adding a subdivision.

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

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

Those who voted in the affirmative were:

Anderson, G.	Begich	Boo	Carruthers	Dempsey
Anderson, R.	Bennett	Brown	Clark	Dille
Battaglia	Bertram	Burger	Cooper	Dorn
Bauerly	Bishop	Carlson, D.	Dawkins	Forsythe
Beard	Blatz	Carlson, L.	DeBlicek	Frederick

Frerichs	Kinkel	Murphy	Price	Sparby
Greenfield	Kludt	Nelson, C.	Quinn	Stanius
Gruenes	Knickerbocker	Nelson, D.	Redalen	Steensma
Gutknecht	Knuth	Nelson, K.	Reding	Sviggum
Hartle	Kostohryz	Neuenschwander	Rest	Swenson
Haukoos	Krueger	O'Connor	Rice	Thiede
Heap	Larsen	Ogren	Richter	Tjornhom
Himle	Lasley	Olsen, S.	Riveness	Tompkins
Hugoson	Lieder	Olson, E.	Rodosovich	Trimble
Jacobs	Long	Olson, K.	Rose	Tunheim
Jaros	McDonald	Omamm	Rukavina	Uphus
Jefferson	McEachern	Onnen	Schafer	Valento
Jensen	McKasy	Orenstein	Scheid	Vellenga
Johnson, A.	McLaughlin	Osthoff	Schreiber	Voss
Johnson, R.	McPherson	Otis	Seaberg	Wagenius
Johnson, V.	Milbert	Pappas	Segal	Waltman
Kahn	Miller	Pauly	Shaver	Welle
Kalis	Minne	Pelowski	Simoneau	Wenzel
Kelly	Morrison	Peterson	Skoglund	Winter
Kelso	Munger	Poppenhagen	Solberg	Wynia
				Spk. Vanasek

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

S. F. No. 2165 was reported to the House.

Milbert moved to amend S. F. No. 2165, as follows:

Page 2, line 9, delete "routine or"

The motion prevailed and the amendment was adopted.

S. F. No. 2165, A bill for an act relating to environment; requiring persons to notify the pollution control agency of and take steps to avoid air pollution; proposing coding for new law in Minnesota Statutes, chapter 116.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

S. F. No. 2097, A bill for an act relating to the board of the arts; regulating distribution of funds to regional arts councils; regulating conflict of interest; amending Minnesota Statutes 1986, section 139.10.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2138, A bill for an act relating to human services; revising and clarifying the duties and powers of the ombudsman for mental health and mental retardation; transferring money; amending Minnesota Statutes 1987 Supplement, sections 245.91, subdivisions 2, 3, and 4; 245.92; 245.94, subdivisions 1, 2, 3, and 4; 245.95, subdivision 1; 245.97, subdivision 1; 626.556, subdivisions 9 and 10; and 626.557, subdivision 9.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1885 was reported to the House.

Solberg moved that S. F. No. 1885 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 1000 was reported to the House.

Anderson, G., and DeBlieck moved to amend H. F. No. 1000, the second engrossment, as follows:

Page 38, after line 15, insert:

"ARTICLE 10

ETHANOL DEVELOPMENT

Section 1. Minnesota Statutes 1986, section 41A.09, is amended by adding a subdivision to read:

Subd. 6. [CONTINUED PAYMENTS.] A plant in production or under construction by January 1, 1990, shall continue to receive uninterrupted payments under subdivision 3 of at least 20 cents per gallon of ethanol produced until July 1, 2000."

Renumber the articles in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Cooper moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 37, after line 27, insert:

"Section 1. [325E.045] [SALE OF CERTAIN POLYETHYLENE MATERIAL PROHIBITED.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to sections 1 and 2.

(a) "Nondegradable" means not capable of being decomposed by natural biological processes, including exposure to the sun's ultraviolet rays, within five years from the date of disposal.

(b) "Person" means an individual partnership, corporation, sole proprietorship, association, or other for profit or not for profit organization, including the state and its political subdivisions.

(c) "Polyethylene beverage ring" means a device made of polyethylene that is used or intended to be used to hold beverage bottles or other beverage containers together.

(d) "Polyethylene disposal bag" means a bag made of polyethylene that is used or intended to be used for disposal of mixed municipal solid waste, as defined by section 115A.03.

(e) "Public agency" means any office, agency, or institution of the

state or any county, statutory or home rule charter city, town, school district, or other special taxing district.

Subd. 2. [REGULATION OF CERTAIN POLYETHELENE PRODUCTS.] (a) No person shall, on and after January 1, 1989, use, sell, or offer for sale any nondegradable polyethylene beverage ring. A person who violates this subdivision is guilty of a misdemeanor.

(b) No public agency shall, on and after January 1, 1990, purchase any polyethylene disposal bag that is nondegradable.

(c) No public agency shall on and after January 1, 1991, purchase or use a polyethylene disposal bag that is nondegradable.

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Wenzel moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 41, line 8, delete "\$175,000 is"

Page 41, line 9, delete "appropriated to match" and insert "Sixty percent of"

Page 41, line 10, after "programs" insert "shall be allocated"

Page 41, line 12, after "administration" insert "and operation"

Page 41, line 12, after the period insert "These federal funds are matched by equal appropriations from the general fund not to exceed \$300,000."

Page 41, delete lines 13 to 17

Renumber the subsequent subdivision

Page 41, line 18, delete "\$200,000 is"

Page 41, line 19, delete "appropriated to match" and insert "Forty percent of the"

Page 41, line 19, delete "by" and insert "from"

Page 41, line 20, after "programs" insert "shall be allocated"

Page 41, line 21, after "to" delete the remainder of the line

Page 41, line 22, delete "programs" and insert "use for the participation of farm advocates in the operation of the mediation program. These federal funds are matched by equal appropriations from the general fund not to exceed \$200,000"

McDonald moved to amend the Wenzel amendment to H. F. No. 1000, the second engrossment, as amended, as follows:

Delete page 1, line 14 to page 2, line 2, and insert:

"Page 41, delete lines 18 to 22 and insert:

"Subd. 2. [BOARD OF TECHNICAL VOCATIONAL EDUCATION.] Forty percent of the money received from the federal government for state mediation programs shall be allocated to the board of technical vocational education for purposes of providing assistance in operation of the mediation program. These federal funds are matched by equal appropriations from the general fund not to exceed \$200,000."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 48 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Bennett	Gruenes	McDonald	Pauly	Sviggum
Bishop	Gutknecht	McKasy	Poppenhagen	Swenson
Blatz	Hartle	McPherson	Redalen	Thiede
Boo	Haukoos	Morrison	Richter	Tjornhom
Burger	Heap	Olsen, S.	Rose	Tompkins
Carlson, D.	Hugoson	Olsen, E.	Schafer	Uphus
Dempsey	Jennings	Omann	Schreiber	Valento
Forsythe	Knickerbocker	Onnen	Seaberg	Waltman
Frederick	Lieder	Osthoff	Shaver	
Frerichs	Marsh	Ozment	Stanius	

Those who voted in the negative were:

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

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

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

The question recurred on the Wenzel amendment to H. F. No. 1000, as amended. The motion prevailed and the amendment was adopted.

Hugoson moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 38, after line 32, insert:

“Section 1. [AGRICULTURAL COMMODITY CONTRACT TASK FORCE.]

The commissioner of agriculture shall form an advisory task force to determine the feasibility of changing existing programs or developing a new program to provide economic protection for farmers producing agricultural commodities under contract. The economic protection would be provided when businesses have filed bankruptcy and are unable to make payments under the contract or are otherwise financially unable to make payments under the contract.

The advisory task force membership must include farmers, canning processors, contract seed businesses, livestock and poultry contractors, other agricultural processors, farm organizations, and bonding and financial institutions.

The commissioner shall coordinate meetings of the advisory task force, provide staff support, and participate in the advisory task force meetings.

The commissioner shall prepare a report of recommendations of the task force including recommendations for the legislature. The report must be presented to the chairs of the agriculture committees in the legislature by January 15, 1989.

ARTICLE 12”

Amend the title as follows:

Page 1, line 4, after the first semicolon insert "establishing a commodity contract task force;"

The motion prevailed and the amendment was adopted.

Krueger moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 25, line 34, delete "ADMINISTRATION" and insert "AUTHORITY"

Page 31, line 9, delete "administration" and insert "authority"

Page 40, line 32, delete "legislative advisory commission" and insert "commissioner of agriculture"

Page 40, line 33, delete "to make a grant to an organization" and insert "for the Minnesota agriculture of the classroom program"

Page 40, line 33, before "collect" insert "locate,"

Page 40, line 33, after "collect" insert ", index, organize,"

Page 40, line 34, delete "disseminate" and insert "produce"

Page 40, line 34, after "materials" insert "with a primary focus"

Page 40, line 34, delete "designated"

Page 40, delete lines 35 and 36

Page 41, delete line 1

Page 41, line 2, delete everything except the final "for"

Page 41, line 4, delete everything after the period

Page 41, delete lines 5 and 6

The motion prevailed and the amendment was adopted.

Hugoson and Uphus moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 38, line 34, delete "CANCELLATION" and insert "TRANSFER"

Page 39, line 4, after "4," delete everything up to the period and insert "less an amount equal to the amount appropriated for the purposes of sections 2 through 16 of this article, is hereby transferred to the agricultural products utilization fund in Minnesota Statutes, section 116O.13, for use by the agricultural utilization research institute. The amount not transferred is canceled and returned to the general fund. The amount transferred to the agricultural products utilization fund must not cancel but remains available until expended"

A roll call was requested and properly seconded.

The question was taken on the Hugoson and Uphus amendment and the roll was called. There were 48 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frerichs	McDonald	Redalen	Swenson
Bennett	Gutknecht	McKasy	Richter	Thiede
Blatz	Hartle	McPherson	Rose	Tjornhom
Boo	Haukoos	Morrison	Schafer	Tompkins
Burger	Heap	Olson, K.	Schreiber	Uphus
Carlson, D.	Himle	Omann	Seaberg	Valento
Cooper	Hugoson	Onnen	Shaver	Waltman
Dempsey	Johnson, V.	Ozment	Stenius	Winter
Forsythe	Kludt	Pauly	Steensma	
Frederick	Marsh	Poppenhagen	Sviggum	

Those who voted in the negative were:

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

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

Jennings; Solberg; Carlson, D., and Krueger moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 25, after line 7, insert:

"Sec. 6. [EXEMPTION.]

Sections 1 to 5 do not apply to industrial by-product soil buffering material produced at a facility if the University of Minnesota, North Central Experimental Station, has conducted a study of the material at that facility."

Page 25, line 9, delete "5" and insert "6"

Renumber the sections in article 4 in sequence

The motion prevailed and the amendment was adopted.

Richter moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 39, line 34, delete "agriculture" and insert "health"

Page 40, line 4, after "commissioner" insert "of agriculture"

Page 40, line 5, after "commissioner" insert "of health"

The motion prevailed and the amendment was adopted.

Dille moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 38, after line 32, insert:

"LIVESTOCK REPORT DEADLINE

Section 1. Laws 1987, chapter 396, article 9, section 1, subdivision 4, is amended to read:

Subd. 4. [REPORT.] The interdisciplinary study team shall prepare and deliver to the commissioner of agriculture a report on the results of the study. If feasible, the study team shall also submit the results of the study in a form appropriate for publication in one or more recognized scientific journals. The commissioner shall report results of the study to the house and senate committees on agriculture not later than February 1, ~~1989~~ 1990.

ARTICLE 12"

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Dille, Wenzel, Cooper and Uphus moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 38, after line 32, insert:

“FARM SAFETY

Section 1. [MINNESOTA SAFETY COUNCIL.]

The Minnesota safety council is encouraged to establish a position with responsibility for developing and implementing a comprehensive program for farm safety.

ARTICLE 12”

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Uphus and Winter moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 28, line 10, delete “\$35,000” and insert “\$50,000”

The motion prevailed and the amendment was adopted.

Olson, E., moved to amend H. F. No. 1000, the second engrossment, as amended, as follows:

Page 2 of the Wenzel amendment, line 1, after “program” insert “and the farm business program operated by the technical institute system”

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

H. F. No. 1000, A bill for an act relating to agriculture; making changes in various agriculture programs; establishing agriculture programs; establishing a commodity contract task force; appropri-

ating money; providing penalties; amending Minnesota Statutes 1986, sections 41A.09, by adding a subdivision; 41B.02, by adding a subdivision; and 65A.33, subdivision 3; Minnesota Statutes 1987 Supplement, sections 17.102, subdivision 1; 41B.01, subdivision 2; 41B.03, subdivision 3; 41B.039, subdivisions 1, 2, 4, and by adding a subdivision; 41B.05; Laws 1987, chapter 396, article 9, section 1, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 17; 31; 124; and 325E; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05; 32A.07; 32A.08; and 32A.09; and Laws 1987, chapter 358, section 31.

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

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Knickerbocker Osthoff Scheid

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

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

S. F. No. 1587, A bill for an act relating to transportation; authorizing vending machines in certain highway rest areas, weigh stations, and tourist information centers; amending Minnesota Statutes 1986, section 160.28, subdivision 2.

The bill was read for the 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 124 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Frederick Thiede Waltman

The bill was passed and its title agreed to.

S. F. No. 2191 was reported to the House.

O'Connor moved that S. F. No. 2191 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1727 was reported to the House.

Clark moved to amend S. F. No. 1727, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 13.43, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION.] As used in this section, "personnel data" means data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a state agency, statewide system or political subdivision or is a member of an advisory board or commission. ~~"Personnel data" includes data on individuals who apply for or are enrolled in employment and training programs funded with federal, state, or local resources unless the data are welfare data under section 13.46.~~

Sec. 2. [13.47] [EMPLOYMENT AND TRAINING DATA.]

Subdivision 1. [DEFINITION.] (a) "Employment and training data" means data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources.

(b) "Employment and training service provider" means an administrative entity certified by the commissioner of jobs and training to deliver employment and training services under Minnesota Statutes, section 268.0122, subdivision 3, or an organization that contracts with a certified administrative entity or the department of jobs and training to deliver employment and training services.

(c) "Employment and training services" means programs, activities, and services related to job training and job placement under state or federal law or under local government authority including job service, job training partnership, remedial and secondary education, postsecondary education, vocational or technical education, work incentive, work readiness, community work experience, displaced homemaker, self-employment employment experience, youth employment, community investment, supported work, refugee employment and training programs, and counseling and support activities, wage subsidies, employment search, and grant diversion.

Subd. 2. [CLASSIFICATION.] Employment and training data are private data on individuals under Minnesota Statutes, section 13.02, subdivision 12:

(a) unless the data are summary data under Minnesota Statutes, section 13.02, subdivision 19, or

(b) unless the data are specifically provided a different classification by statute or federal law.

Subd. 3. [DISSEMINATION.] Employment and training data may be disseminated:

(a) to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs;

(b) to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies, whether alone, in combination with another welfare agency, or in conjunction with an employment and training service provider;

(c) to personnel of the employment and training service provider who need the information to do their jobs;

(d) under section 13.05;

(e) under a court order;

(f) under a statute or federal law specifically authorizing access to the private data; and

(g) to appropriate parties in connection with a health or safety emergency.

Nothing in this subdivision prohibits an employment and training agency from disseminating data under statutory authority unique to that agency.

Sec. 3. [13.792] [JOBS AND TRAINING DEPARTMENT; RELEASE OF CERTAIN VENDOR DATA.]

Notwithstanding any other law, the commissioner of jobs and training may release the name, business address, and business telephone number of any individual licensed pursuant to section 248.07, subdivision 8.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective June 1, 1988."

Delete the title and insert:

"A bill for an act relating to government data practices; defining employment and training data as private data on individuals; defining employment and training service providers; defining employment and training services; providing for the dissemination of employment and training data; amending Minnesota Statutes 1987

Supplement, section 13.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13.”

The motion prevailed and the amendment was adopted.

S. F. No. 1727, A bill for an act relating to government data practices; defining employment and training data as private data on individuals; providing for the dissemination of certain data; amending Minnesota Statutes 1986, section 13.46, subdivision 2; Minnesota Statutes 1987 Supplement, section 13.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 2395, A bill for an act relating to nonprofit corporations; requiring a notice of meetings or elections to inform members whether proxy voting is permitted and the manner of doing so; providing that proxies are prohibited unless authorized by the

articles or bylaws; amending Minnesota Statutes 1986, sections 317.22, subdivisions 4 and 6; and 317.28.

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 55 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	DeBlicek	Krueger	Orenstein	Seaberg
Anderson, R.	Dorn	Larsen	Otis	Simoneau
Battaglia	Forsythe	Lasley	Ozment	Skoglund
Begich	Greenfield	Long	Pappas	Solberg
Brown	Jefferson	Milbert	Pauly	Swenson
Carlson, D.	Johnson, A.	Minne	Peterson	Trimble
Carlson, L.	Kahn	Nelson, C.	Reding	Tunheim
Carruthers	Kalis	Nelson, D.	Rest	Vellenga
Clark	Kelly	Nelson, K.	Riveness	Wagenius
Cooper	Kelso	Ogren	Rose	Welle
Dawkins	Kludt	Olson, K.	Rukavina	Spk. Vanasek

Those who voted in the negative were:

Bauerly	Hartle	Marsh	Osthoff	Stanius
Beard	Haukoos	McDonald	Pelowski	Steensma
Bennett	Heap	McEachern	Poppenhagen	Sviggum
Bertram	Himle	McLaughlin	Price	Thiede
Blatz	Hugoson	McPherson	Quinn	Tjornhom
Boo	Jacobs	Miller	Redalen	Tompkins
Burger	Jennings	Morrison	Richter	Uphus
Dauner	Johnson, R.	Munger	Sarna	Valento
Dempsey	Johnson, V.	Murphy	Schafer	Voss
Dille	Kinkel	O'Connor	Scheid	Waltman
Frederick	Knickerbocker	Olsen, S.	Schreiber	Wenzel
Frerichs	Knuth	Olson, E.	Segal	Winter
Gruenes	Kostohryz	Omann	Shaver	Wynia
Gutknecht	Lieder	Onnen	Sparby	

The bill was not passed.

Wynia moved that the remaining bills on Special Orders for today be continued one day. The motion prevailed.

GENERAL ORDERS

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2038:

McLaughlin, Sparby and Himle.

MOTIONS AND RESOLUTIONS

Krueger moved that the name of Schoenfeld be stricken and the name of Winter be added as an author on H. F. No. 1000. The motion prevailed.

Milbert moved that his name be stricken as an author on H. F. No. 2036. The motion prevailed.

Ozment moved that the name of Orenstein be added as an author on H. F. No. 2527. The motion prevailed.

Wenzel moved that the name of Omann be added as an author on H. F. No. 2776. The motion prevailed.

Kinkel moved that S. F. No. 1228 be recalled from the Committee on Appropriations and together with H. F. No. 2146, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Miller moved that H. F. No. 1413 be returned to its author. The motion prevailed.

Rest moved that H. F. No. 1701 be returned to its author. The motion prevailed.

Rest moved that H. F. No. 1702 be returned to its author. The motion prevailed.

Rest moved that H. F. No. 1859 be returned to its author. The motion prevailed.

Wenzel moved that H. F. No. 2796 be returned to its author. The motion prevailed.

Wagenius moved that H. F. No. 2105 be returned to its author. The motion prevailed.

Wagenius moved that H. F. No. 2104 be returned to its author. The motion prevailed.

Frederick moved that H. F. No. 1346 be returned to its author. The motion prevailed.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 1:00 p.m., Thursday, April 7, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Thursday, April 7, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

