

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1988

EIGHTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 7, 1988

The House of Representatives convened at 1:00 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by Father Ed Flahaven, St. Stephen's Catholic Church, Minneapolis, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Quist was excused.

Simoneau was excused until 1:50 p.m. Jennings was excused until 2:30 p.m. Dawkins and Kinkel were excused until 2:45 p.m.

The Chief Clerk proceeded to read the Journal of the preceding

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2182, 2654 and 1000 and S. F. Nos. 1218, 1968, 1756, 765, 1297, 22, 2182, 1708, 1771, 2142, 2098, 1963, 2111, 1154, 1590, 1618, 1974, 1462, 1804, 1912 and 1388 have been placed in the members' files.

S. F. No. 1708 and H. F. No. 2010, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Scheid moved that the rules be so far suspended that S. F. No. 1708 be substituted for H. F. No. 2010 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1462 and H. F. No. 2019, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Clark moved that the rules be so far suspended that S. F. No. 1462 be substituted for H. F. No. 2019 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2098 and H. F. No. 1978, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Marsh moved that the rules be so far suspended that S. F. No. 2098 be substituted for H. F. No. 1978 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2111 and H. F. No. 2098, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Knuth moved that the rules be so far suspended that S. F. No. 2111

be substituted for H. F. No. 2098 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1804 and H. F. No. 1951, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Johnson, A., moved that the rules be so far suspended that S. F. No. 1804 be substituted for H. F. No. 1951 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1590 and H. F. No. 1954, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Lieder moved that the rules be so far suspended that S. F. No. 1590 be substituted for H. F. No. 1954 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2142 and H. F. No. 2504, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Simoneau moved that the rules be so far suspended that S. F. No. 2142 be substituted for H. F. No. 2504 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1963 and H. F. No. 2067, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rest moved that the rules be so far suspended that S. F. No. 1963 be substituted for H. F. No. 2067 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1228 and H. F. No. 2146, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kinkel moved that the rules be so far suspended that S. F. No. 1228 be substituted for H. F. No. 2146 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

April 4, 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. 1989, relating to education; creating a task force on child care in higher education.

H. F. No. 1784, relating to nurse-midwives; allowing a certified nurse-midwife to prescribe and administer drugs and therapeutic devices; allowing an appropriately certified and licensed health care professional to prescribe legend drugs and controlled substances.

H. F. No. 1853, relating to health; clarifying an existing statute that requires insurance plans to cover the services provided by a registered nurse engaged in advanced nursing practice to the same extent that the services would be covered if provided by a physician; including nurse practitioners and clinical specialists in psychiatric or mental health nursing among the roles specifically listed as examples of advanced nursing practice; requiring coverage for routine diagnostic procedures for cancer.

H. F. No. 1904, relating to liquor; defining the term "restaurant" for purposes of county liquor licenses.

H. F. No. 1940, relating to consumer protection; requiring certain disclosures regarding storage fees imposed by repair shops; amending Minnesota Statutes 1986, sections 325F.58, subdivision 3; and 325F.62, subdivision 3.

H. F. No. 1950, relating to watershed districts; setting the limit on certain borrowing authority.

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

H. F. No. 2419, relating to criminal procedure; defining "crime" in the law governing issuance of search warrants to include violations of municipal ordinances.

H. F. No. 2469, relating to agriculture; regulating sales of anhydrous ammonia.

H. F. No. 2529, relating to alcoholic beverages; defining importers as brewers in the beer wholesaling act.

Sincerely,

RUDY PERPICH
Governor

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

April 4, 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. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1988</i>	<i>Date Filed 1988</i>
2358		438	April 4	April 4
	1989	439	April 4	April 4
	1784	440	April 4	April 4
	1853	441	April 4	April 4
1223		442	April 4	April 4
	1904	443	April 4	April 4
	1940	444	April 4	April 4
	1950	445	April 4	April 4
	2045	446	April 4	April 4
	2419	447	April 4	April 4
	2469	448	April 4	April 4
	2529	449	April 4	April 4
852		450	April 4	April 4
2134		451	April 4	April 4

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1708, 1462, 2098, 2111, 1804, 1590, 2142, 1963 and 1228 were read for the second time.

HOUSE ADVISORIES

The following House Advisories were introduced:

Rukavina, Simoneau, Minne and Pappas introduced:

H. A. No. 80, A proposal to study costs to public employers for maternity leave pension contributions.

The advisory was referred to the Committee on Governmental Operations.

Clark, Pappas, Vellenga, Gruenes and Blatz introduced:

H. A. No. 81, A proposal to study whether or not children are being exported to Minnesota from Guatemala for organ transplants.

The advisory was referred to the Committee on Health and Human Services.

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. 2224, A bill for an act relating to landlord tenant law; providing an action for damages for accepting rent on condemned property; proposing coding for new law in Minnesota Statutes, chapter 504.

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. 1836, A bill for an act relating to crimes; providing for proof of prior convictions at sentencing hearings and in certain criminal prosecutions; amending Minnesota Statutes 1986, section 244.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

PATRICK E. FLAHAVEN, Secretary of the Senate

Swenson moved that the House refuse to concur in the Senate amendments to H. F. No. 1836, 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. 2039, A bill for an act relating to corrections; making various housekeeping and technical changes; amending Minnesota

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Cooper moved that the House concur in the Senate amendments to H. F. No. 2039 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2039, A bill for an act relating to corrections; making various housekeeping and technical changes; amending Minnesota Statutes 1986, sections 260.311, subdivisions 1, 2, 3, and 5; 401.01, subdivision 2; and 401.04.

The bill was read for the 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 117 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Krueger	Olson, K.	Schafer
Battaglia	Frederick	Larsen	Omamm	Scheid
Bauerly	Frerichs	Lasley	Onnen	Schreiber
Beard	Greenfield	Lieder	Orenstein	Seaberg
Begich	Gruenes	Long	Osthoff	Segal
Bennett	Gutknecht	Marsh	Otis	Shaver
Bertram	Hartle	McDonald	Ozment	Skoglund
Bishop	Haukoos	McEachern	Pappas	Solberg
Blatz	Himle	McKasy	Pauly	Sparby
Boo	Hugoson	McPherson	Pelowski	Stanius
Burger	Jacobs	Milbert	Peterson	Steenma
Carlson, D.	Jefferson	Miller	Poppenhagen	Swenson
Carlson, L.	Jensen	Minne	Price	Tjornhom
Carruthers	Johnson, A.	Morrison	Quinn	Tompkins
Clark	Johnson, R.	Munger	Redalen	Trimble
Clausnitzer	Johnson, V.	Murphy	Reding	Tunheim
Cooper	Kalis	Nelson, C.	Rest	Uphus
Dauner	Kelly	Nelson, D.	Rice	Valento
DeBlieck	Kelso	Nelson, K.	Richter	Voss
Dempsey	Kludt	Neuenschwander	Rodosovich	Waltman
DeRaad	Knickerbocker	O'Connor	Rose	Welle
Dille	Knuth	Ogren	Rukavina	Wenzel
Dorn	Kostohryz	Olsen, S.	Sarna	Winter
				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. 2063, A bill for an act relating to housing; providing a definition; authorizing certain refinancing; providing for reservation of low-income housing credits; amending Minnesota Statutes 1986, sections 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.07, subdivisions 14 and 15; Minnesota Statutes 1987 Supplement, section 462A.222, subdivision 2.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jefferson moved that the House concur in the Senate amendments to H. F. No. 2063 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2063, A bill for an act relating to housing; providing a definition; authorizing certain refinancing; providing for grants for housing for low-income persons; providing for reservation of low-income housing credits; amending Minnesota Statutes 1986, sections 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.07, subdivisions 14 and 15; Minnesota Statutes 1987 Supplement, sections 462A.05, subdivision 28; and 462A.222, subdivision 2, proposing coding for new law in Minnesota Statutes, Chapter 469.

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 118 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Reding	Schafer	Sparby	Trimble	Welle
Rest	Scheid	Steensma	Tunheim	Wenzel
Rice	Schreiber	Sviggum	Uphus	Winter
Richter	Segal	Swenson	Valento	Wynia
Rodosovich	Shaver	Thiede	Vellenga	Spk. Vanasek
Rose	Skoglund	Tjornhom	Voss	
Rukavina	Solberg	Tompkins	Waltman	

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. 2246, A bill for an act relating to economic development; extending various development programs to nonprofit organizations.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Clark moved that the House concur in the Senate amendments to H. F. No. 2246 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2246, A bill for an act relating to economic development; including labor organizations and community groups in the organizations that are eligible for assistance from various entities.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Carruthers	Gruenes	Kalis	McEachern
Battaglia	Clark	Gutknecht	Kelly	McKasy
Bauerly	Clausnitzer	Hartle	Kelso	McLaughlin
Beard	Cooper	Haukoos	Kludt	McPherson
Begich	Dauner	Heap	Knickerbocker	Milbert
Bennett	DeBlieck	Himle	Knuth	Miller
Bertram	Dempsey	Hugoson	Kostohryz	Mirne
Bishop	DeRaad	Jacobs	Krueger	Morrison
Blatz	Dille	Jaros	Larsen	Munger
Boo	Dorn	Jefferson	Lasley	Murphy
Brown	Forsythe	Jensen	Lieder	Nelson, C.
Burger	Frederick	Johnson, A.	Long	Nelson, D.
Carlson, D.	Frerichs	Johnson, R.	Marsh	Nelson, K.
Carlson, L.	Greenfield	Johnson, V.	McDonald	Neuenschwander

Ogren	Pauly	Rodosovich	Solberg	Uphus
Olsen, S.	Pelowski	Rose	Sparby	Valento
Olson, E.	Peterson	Rukavina	Stanius	Vellenga
Olson, K.	Poppenhagen	Sarna	Steensma	Voss
Omman	Price	Schafer	Sviggum	Wagenius
Onnen	Quinn	Scheid	Swenson	Waltman
Orenstein	Redalen	Schreiber	Thiede	Welle
Osthoff	Reding	Seaberg	Tjornhom	Wenzel
Otis	Rest	Segal	Tompkins	Winter
Ozment	Rice	Shaver	Trimble	Wynia
Pappas	Richter	Skoglund	Tunheim	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. 1754, A bill for an act relating to crime victims; authorizing the crime victims reparations board to pay the costs of returning an abducted child home; authorizing the board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime; permitting an offender's minor dependents to receive some proceeds of a commercial exploitation of a crime; clarifying certain duties of the crime victim ombudsman; prescribing penalties; amending Minnesota Statutes 1986, sections 611A.56; 611A.67; 611A.68, subdivisions 1, 4, 6, 8, and by adding subdivisions; and 611A.74, subdivision 3; and Minnesota Statutes 1987 Supplement, section 611A.52, subdivision 8; repealing Minnesota Statutes 1986, section 611A.68, subdivisions 2 and 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 1754 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1754, A bill for an act relating to crime victims; providing that revenue recapture provisions apply to restitution ordered in a juvenile delinquency proceeding; requiring prosecutors to attempt to notify domestic assault victims of decisions not to prosecute; authorizing the crime victims reparations board to pay the costs of returning an abducted child home; authorizing the board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime; permitting an offender's minor dependents to receive some proceeds of a commercial exploitation of a crime; clarifying certain duties of the crime

victim ombudsman; prescribing penalties; amending Minnesota Statutes 1986, sections 518B.01, by adding a subdivision; 611A.56; 611A.67; 611A.68, subdivisions 1, 4, 6, 8, and by adding subdivisions; and 611A.74, subdivision 3; and Minnesota Statutes 1987 Supplement, sections 270A.03, subdivisions 2 and 8; and 611A.52, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1986, section 611A.68, subdivisions 2 and 5:

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 2470, A bill for an act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$200; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Beard moved that the House concur in the Senate amendments to H. F. No. 2470 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2470, A bill for an act relating to crimes; increasing the penalties for issuing dishonored checks with aggregate value greater than \$250; specifying the appropriate prosecutor for certain violations; amending Minnesota Statutes 1986, section 609.535, subdivision 2, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 487.25, subdivision 10.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Larsen	Omann	Segal
Anderson, R.	Frederick	Lasley	Onnen	Shaver
Battaglia	Frerichs	Lieder	Orenstein	Skoglund
Bauerly	Greenfield	Long	Osthoff	Solberg
Beard	Gruenes	Marsh	Otis	Sparby
Begich	Gutknecht	McDonald	Ozment	Stanis
Bennett	Hartle	McEachern	Pappas	Steensma
Bertram	Haukoos	McKasy	Pauly	Sviggum
Bishop	Heap	McLaughlin	Pelowski	Swenson
Blatz	Himle	McPherson	Peterson	Thiede
Boo	Hugoson	Milbert	Poppenhagen	Tjornhom
Brown	Jacobs	Miller	Price	Tompkins
Burger	Jefferson	Minne	Quinn	Trimble
Carlson, D.	Jensen	Morrison	Redalen	Tunheim
Carlson, L.	Johnson, A.	Munger	Reding	Uphus
Carruthers	Johnson, R.	Murphy	Rest	Valento
Clark	Johnson, V.	Nelson, C.	Rice	Vellenga
Clausnitzer	Kalis	Nelson, D.	Richter	Voss
Cooper	Kelly	Nelson, K.	Rodosovich	Wagenius
Dauner	Kelso	Neuenschwander	Rose	Waltman
DeBleeck	Kludt	O'Connor	Rukavina	Welle
Dempsey	Knickerbocker	Ogren	Sarna	Wenzel
DeRaad	Knuth	Olsen, S.	Schafer	Winter
Dille	Kostohryz	Olson, E.	Scheid	Wynia
Dorn	Krueger	Olson, K.	Schreiber	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. 1302, A bill for an act relating to Itasca county;

permitting the county to levy a tax for economic development.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Solberg moved that the House concur in the Senate amendments to H. F. No. 1302 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1302, A bill for an act relating to Itasca county; permitting the county to levy a tax for economic development; providing for a reverse referendum.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Krueger	Olson, K.	Schreiber
Anderson, R.	Frederick	Larsen	Omnn	Segal
Battaglia	Frerichs	Lasley	Onnen	Shaver
Bauerly	Greenfield	Lieder	Orenstein	Skoglund
Beard	Gruenes	Long	Osthoff	Solberg
Begich	Gutknecht	Marsh	Otis	Sparby
Bennett	Hartle	McDonald	Ozment	Stanius
Bertram	Haukoos	McEachern	Pappas	Steensma
Bishop	Heap	McKasy	Pauly	Sviggum
Blatz	Himle	McLaughlin	Pelowski	Swenson
Boo	Hugoson	McPherson	Peterson	Thiede
Brown	Jacobs	Milbert	Poppenhagen	Tjornhom
Burger	Jefferson	Miller	Price	Tompkins
Carlson, D.	Jensen	Minne	Quinn	Trimble
Carlson, L.	Johnson, A.	Morrison	Redalen	Tunheim
Carruthers	Johnson, R.	Munger	Reding	Uphus
Clark	Johnson, V.	Murphy	Rest	Valento
Clausnitzer	Kahn	Nelson, C.	Rice	Vellenga
Cooper	Kalis	Nelson, D.	Richter	Voss
Dauner	Kelly	Nelson, K.	Rodosovich	Wagenius
DeBleck	Kelso	Neuenschwander	Rose	Waltman
Dempsey	Kludt	O'Connor	Rukavina	Welle
DeRaad	Knickerbocker	Ogren	Sarna	Wenzel
Dille	Knuth	Olsen, S.	Schafer	Winter
Dorn	Kostohryz	Olson, E.	Scheid	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. 2481, A bill for an act relating to local government; the city of Cook, the city of Orr, and Koochiching and St. Louis counties; providing for the establishment of a hospital district in portions of those counties.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 2481 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Krueger	Olson, K.	Schreiber
Anderson, R.	Frederick	Larsen	Omann	Seaberg
Battaglia	Frerichs	Lasley	Onnen	Segal
Bauerly	Greenfield	Lieder	Orenstein	Shaver
Beard	Gruenes	Long	Osthoff	Skoglund
Begich	Gutknecht	Marsh	Otis	Solberg
Bennett	Hartle	McDonald	Ozment	Sparby
Bertram	Haukoos	McEachern	Pappas	Stanius
Bishop	Heap	McKasy	Pauly	Steensma
Blatz	Himle	McLaughlin	Pelowski	Sviggum
Boo	Hugoson	McPherson	Peterson	Swenson
Brown	Jacobs	Milbert	Poppenhagen	Thiede
Burger	Jefferson	Miller	Price	Tjornhom
Carlson, D.	Jensen	Minne	Quinn	Tompkins
Carlson, L.	Johnson, A.	Morrison	Redalen	Trimble
Carruthers	Johnson, R.	Munger	Reding	Tunheim
Clark	Johnson, V.	Murphy	Rest	Uphus
Clausnitzer	Kahn	Nelson, C.	Rice	Valento
Cooper	Kalis	Nelson, D.	Richter	Vellenga
Dauner	Kelly	Nelson, K.	Rodosovich	Voss
DeBlieck	Kelso	Neuenschwander	Rose	Wagenist
Dempsey	Kludt	O'Connor	Rukavina	Waltman
DeRaad	Knickerbocker	Ogren	Sarna	Welle
Dille	Knuth	Olsen, S.	Schafer	Wenzel
Dorn	Kostohryz	Olson, E.	Scheid	Winter
				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. 289, A bill for an act relating to the city of St. Paul; setting the maximum amounts and other conditions for the issuance of capital improvement bonds; amending Laws 1971, chapter 773, section 1, subdivision 2, as amended; and section 2, as amended; repealing Laws 1963, chapter 881, as amended.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 289 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 289, A bill for an act relating to the city of St. Paul; setting the maximum amounts and other conditions for the issuance of capital improvement bonds; amending Laws 1971, chapter 773, section 1, subdivision 2, as amended; and section 2, as amended; repealing Laws 1963, chapter 881, as amended.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Otis	Reding	Seaberg	Thiede	Waltman
Ozment	Rest	Segal	Tjornhom	Welle
Pappas	Rice	Shaver	Tompkins	Wenzel
Pauly	Richter	Skoglund	Trimble	Winter
Pelowski	Rodosovich	Solberg	Tunheim	Wynia
Peterson	Rose	Sparby	Uphus	Spk. Vanasek
Poppenhagen	Rukavina	Stanis	Valento	
Price	Schafer	Steensma	Vellenga	
Quinn	Scheid	Sviggum	Voss	
Redalen	Schreiber	Swenson	Wagenius	

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. 1224, A bill for an act relating to local government; permitting the establishment of a joint economic development authority in Cook county; authorizing a lodging tax in certain towns.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 1224 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1224, A bill for an act relating to local government; permitting the establishment of a joint economic development authority in Cook county.

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 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Anderson, G.	Bertram	Clark	Dille	Gutknecht
Anderson, R.	Blatz	Clausnitzer	Dorn	Hartle
Battaglia	Boo	Cooper	Forsythe	Haukoos
Bauerly	Brown	Dauner	Frederick	Heap
Beard	Carlson, D.	DeBlicke	Frerichs	Himle
Begich	Carlson, L.	Dempsey	Greenfield	Hugoson
Bennett	Carruthers	DeRaad	Gruenes	Jacobs

Jaros	McDonald	Olson, E.	Richter	Swenson
Jefferson	McEachern	Olson, K.	Riveness	Thiede
Jensen	McKasy	Omann	Rodosovich	Tjornhom
Johnson, A.	McLaughlin	Onnen	Rose	Tompkins
Johnson, R.	McPherson	Orenstein	Rukavina	Trimble
Johnson, V.	Milbert	Osthoff	Sarna	Tunheim
Kalis	Miller	Otis	Schafer	Uphus
Kelly	Minne	Ozment	Scheid	Valento
Kelso	Morrison	Pappas	Schreiber	Vellenga
Kludt	Munger	Pauly	Seaberg	Voss
Knickerbocker	Murphy	Pelowski	Segal	Wagenius
Knuth	Nelson, C.	Peterson	Shaver	Waltman
Kostohryz	Nelson, D.	Poppenhagen	Skoglund	Welle
Krueger	Nelson, K.	Price	Solberg	Wenzel
Larsen	Neuenschwander	Redalen	Sparby	Winter
Lasley	O'Connor	Reding	Stanius	Wynia
Lieder	Ogren	Rest	Steenasma	Spk. Vanasek
Marsh	Olsen, S.	Rice	Sviggun	

Those who voted in the negative were:

Quinn

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. 1865, A bill for an act relating to the town of White Bear; authorizing the town of White Bear to establish an economic development authority; giving the town of White Bear the powers of a city with respect to the authority.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stanius moved that the House concur in the Senate amendments to H. F. No. 1865 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1865, A bill for an act relating to the town of White Bear; authorizing the town of White Bear to establish an economic development authority and economic development districts, and to exercise tax increment financing powers; giving the town of White Bear the powers of a city with respect to the authority.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Krueger	Olson, K.	Seaberg
Anderson, R.	Frederick	Larsen	Onnen	Shaver
Battaglia	Frerichs	Lasley	Orenstein	Simoneau
Bauerly	Greenfield	Lieder	Osthoff	Skoglund
Beard	Gruenes	Long	Otis	Solberg
Begich	Gutknecht	Marsh	Ozment	Sparby
Bennett	Hartle	McDonald	Pappas	Stanius
Bertram	Haukoos	McEachern	Pauly	Steensma
Bishop	Heap	McKasy	Pelowski	Svigum
Blatz	Himle	McLaughlin	Peterson	Swenson
Boo	Hugoson	McPherson	Poppenhagen	Thiede
Brown	Jacobs	Milbert	Price	Tompkins
Burger	Jaros	Miller	Quinn	Trimble
Carlson, D.	Jensen	Minne	Redalen	Tunheim
Carlson, L.	Johnson, A.	Morrison	Reding	Uphus
Carruthers	Johnson, R.	Munger	Rest	Valento
Clark	Johnson, V.	Murphy	Rice	Vellenga
Clausnitzer	Kahn	Nelson, C.	Richter	Voss
Cooper	Kalis	Nelson, D.	Riveness	Wagenius
Dauner	Kelly	Nelson, K.	Rodosovich	Waltman
DeBlieck	Kelso	Neuenschwander	Rose	Welle
Dempsey	Kludt	O'Connor	Rukavina	Wenzel
DeRaad	Knickerbocker	Ogren	Sarna	Winter
Dille	Knuth	Olsen, S.	Schafer	Wynia
Dorn	Kostohryz	Olson, E.	Scheid	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. 1111, A bill for an act relating to crimes; providing that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed an aggravated felony against the person as a member of an organized gang; making it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from lawful custody; amending Minnesota Statutes 1986, sections 260.125, subdivision 3; and 609.485, subdivisions 2 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Otis moved that the House concur in the Senate amendments to H. F. No. 1111 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1111, A bill for an act relating to crimes; providing that it is a prima facie case for reference for prosecution as an adult if a child is alleged to have committed an aggravated felony against the person as a member of an organized gang; making it a crime for an alleged or adjudicated juvenile delinquent who is 18 years old to escape from lawful custody; providing for custody of minors; amending Minnesota Statutes 1986, sections 260.125, subdivision 3; and 609.485, subdivisions 2 and 4; and 636.07; and Minnesota Statutes 1987 Supplement, section 641.14.

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 0 nays as follows:

Those who voted in the affirmative were:

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

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. 421, A bill for an act relating to health; authorizing the commissioner of health to issue subpoenas in certain instances; proposing coding for new law in Minnesota Statutes, chapter 144.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ogren moved that the House refuse to concur in the Senate amendments to H. F. No. 421, 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.

Anderson, R., was excused while in conference.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rest moved that the House concur in the Senate amendments to H. F. No. 577 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 577, A bill for an act relating to termination of parental rights; clarifying the purposes of the laws on termination of parental rights; altering certain grounds and procedures for termination of parental rights; providing for a study of placement prevention and family reunification services; amending Minnesota Statutes 1986, sections 257.071, subdivisions 3 and 4; 260.011, subdivision 2; 260.012; 260.015, subdivision 10; and 260.155, subdivisions 4a and 7; and Minnesota Statutes 1987 Supplement, section 260.221.

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 118 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Beard	Bertram	Boo	Carlson, D.
Battaglia	Begich	Bishop	Brown	Carlson, L.
Bauerly	Bennett	Blatz	Burger	Carruthers

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

Those who voted in the negative were:

Dempsey	McPherson	Schafer
McDonald	Onnen	Thiede

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Wenzel moved that the House refuse to concur in the Senate amendments to H. F. No. 10, 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. 2185, A bill for an act relating to game and fish; adjusting the height of deer stands; regulating placing decoys in public waters or on public lands; amending Minnesota Statutes 1986, sections 97B.325; and 97B.811.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sparby moved that the House refuse to concur in the Senate amendments to H. F. No. 2185, 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. 2568, A bill for an act relating to agriculture; providing for terms and compensation for members of the Minnesota agricultural and economic development board; changing and clarifying the small business development loan portion of the agricultural resource loan guarantee program; establishing requirements for revenues that can be used in a local revolving fund; amending Minnesota Statutes 1987 Supplement, sections 41A.02, subdivisions 3 and 16; 41A.036, by adding subdivisions; and 116N.08, subdivision 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

Olson, K., moved that the House refuse to concur in the Senate amendments to H. F. No. 2568, 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. 1526, A bill for an act relating to transportation; defining motor vehicle; providing for brakes on motor vehicles manufactured after June 30, 1988; amending Minnesota Statutes 1986, sections

168.011, subdivision 4; and 169.67, subdivisions 3 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bauerly moved that the House refuse to concur in the Senate amendments to H. F. No. 1526, 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. 1851, A bill for an act relating to local government; regulating duties of town officers; setting town powers; amending Minnesota Statutes 1986, sections 18.272; 465.71; and 471.653; and Minnesota Statutes 1987 Supplement, section 115A.921; and repealing Minnesota Statutes 1986, section 365.03.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bauerly moved that the House refuse to concur in the Senate amendments to H. F. No. 1851, 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 refuses to concur in the House amendments to Senate File No. 2137:

S. F. No. 2137, A bill for an act relating to education; modifying certain requirements relating to school health services; amending Minnesota Statutes 1986, section 123.35, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, sections 123.35, subdivision 16; and 126.201.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Mr. Pehler; Mses. Peterson, D. C., and Reichgott.

Said Senate File is herewith transmitted to the House with the

request that the House appoint a like committee.

PATRICK E. FLAHAVER, Secretary of the Senate

Kelso moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2137. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2491:

S. F. No. 2491, A bill for an act relating to metropolitan government; establishing various requirements on agency organization, work programs, budgets, and reports; amending Minnesota Statutes 1986, sections 473.13, subdivision 1, and by adding a subdivision; 473.146, subdivision 3; 473.173, subdivision 6; 473.38, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 473.1623, subdivisions 4 and 6.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Luther, Freeman and Ramstad.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVER, Secretary of the Senate

Carruthers moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2491. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1769:

S. F. No. 1769, A bill for an act relating to human rights; clarifying marital status discrimination and housing discrimination; enforcing comparable worth and affirmative action requirements; making procedural and administrative changes; amending Minnesota Stat-

utes 1986, sections 363.01, by adding a subdivision; 363.02, subdivision 2a, and by adding a subdivision; 363.03, subdivision 2; 363.06, subdivision 3; 363.073, subdivisions 1 and 3; 363.091; 363.121; and 363.14, subdivisions 1 and 3; Minnesota Statutes 1987 Supplement, sections 363.06, subdivision 1; and 363.071, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 363.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Ms. Reichgott; Mr. Storm and Ms. Peterson, D. C.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Solberg moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1769. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1646:

S. F. No. 1646, A bill for an act relating to insurance; accident and health; clarifying certain coverages for newborn infants; amending Minnesota Statutes 1986, section 62A.042.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. DeCramer, Belanger, Cohen, Solon and Pehler.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

DeBlicek moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1646. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2071:

S. F. No. 2071, A bill for an act relating to crimes; requiring a neighborhood impact statement to be submitted as part of the presentence investigation report for controlled substance offenses; amending Minnesota Statutes 1987 Supplement, section 609.115, subdivision 1.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Mr. Pogemiller; Ms. Peterson, D. C., and Mr. Belanger.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jefferson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2071. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 412, 1904 and 2451.

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. 2272, 2546 and 1809.

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. 392 and 2025.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 412, A bill for an act relating to real property; creating a lien against real property where the state has incurred cleanup expenses and the owner is liable for the expenses under Minnesota Statutes, chapter 115B or 115C; providing procedures for implementation and enforcement of the lien; proposing coding for new law in Minnesota Statutes, chapter 514.

The bill was read for the first time.

Long moved that S. F. No. 412 and H. F. No. 297, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1904, A bill for an act relating to health; exempting certain disciplinary actions from publication; expanding the grounds for disciplinary action; providing for temporary permit to practice physical therapy; allowing dissemination of data to other states; amending Minnesota Statutes 1986, sections 147.02, by adding a subdivision; 147.091, subdivision 1; 147.111, subdivision 2; 148.71; and 214.10, subdivision 8.

The bill was read for the first time.

Greenfield moved that S. F. No. 1904 and H. F. No. 1890, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2451, A bill for an act relating to claims against the state; clarifying that a public defender appointed by the state board of public defense or a court-appointed guardian ad litem is an employee of the state; amending Minnesota Statutes 1987 Supplement, section 3.732, subdivision 1.

The bill was read for the first time.

Solberg moved that S. F. No. 2451 and H. F. No. 2597, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2272, A resolution memorializing the Congress of the United States to investigate the connection between Agent Orange and health problems of Vietnam veterans.

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

S. F. No. 2546, A resolution memorializing the United States Olympic Committee of state support for the bid for the games of the XXVI Olympiad.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1809, A bill for an act relating to communication-impaired persons; requiring the commissioner of human services to provide assistance in implementing the program that provides telephones to communication-impaired persons; making other technical changes in the program; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 237.50, subdivision 4; 237.51, subdivision 5; 237.52, subdivisions 3 and 5; and 237.53, subdivisions 3, 4, 6, and 7; repealing Minnesota Statutes 1987 Supplement, sections 237.50, subdivision 6; 237.52, subdivisions 1 and 4; and 237.53, subdivision 8.

The bill was read for the first time.

Clark moved that S. F. No. 1809 and H. F. No. 1812, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 392, A bill for an act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative review; requiring a report; appropriating money; amending Minnesota Statutes 1986, sections 168.041; 169.123, subdivision 5b; 169.1261; and 171.29, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 169.121, subdivision 5a.

The bill was read for the first time.

Rest moved that S. F. No. 392 and H. F. No. 704, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2025, A bill for an act relating to financial institutions;

regulating the business of mortgage bankers, loan officers, general mortgage brokers, and individual mortgage brokers; establishing licensing requirements; detailing the supervising powers of the commissioner; prohibiting certain practices; prescribing penalties; appropriating money; amending Minnesota Statutes 1986, sections 56.01; and 82.18; Minnesota Statutes 1987 Supplement, section 82.17, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 57; repealing Minnesota Statutes 1987 Supplement, sections 47.206, subdivision 6; and 82.175.

The bill was read for the first time.

Voss moved that S. F. No. 2025 and H. F. No. 2744, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

SPECIAL ORDERS

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

Blatz moved that H. F. No. 1630 be returned to General Orders. The motion prevailed.

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

Solberg moved to amend S. F. No. 1885, as follows:

Page 3, after line 13, insert:

“Sec. 3. [80C.147] [MOTOR FUEL WHOLESALING; RETAILER'S PURCHASE OPTION.]

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

(1) “motor fuel” means gasoline, diesel fuel, gasohol, and all other refined fuels of a type designated for use as a motor fuel in self-propelled vehicles designated primarily for use on public streets, roads, and highways;

(2) “refiner” means a person engaged in the refining, manufacturing, production, or processing of oil or oil products, or the refining, manufacture, or processing of motor fuel;

(3) “retailer” means a person who operates a retail service station; and

(4) "wholesaler" means a person engaged in the wholesale sale of motor fuel who is not a refiner.

Subd. 2. [RETAILER'S PURCHASE OPTION.] A refiner doing business in the state of Minnesota may not deny to a retailer, who is authorized by the refiner to purchase motor fuel directly from the refiner, the option of purchasing motor fuel from a wholesaler who makes available to that retailer motor fuel of similar grade and quality purchased from the same refiner.

Subd. 3. [MINIMUM PURCHASE.] A provision of a motor fuel franchise that contains a minimum purchase requirement for motor fuel may be satisfied by purchases of motor fuel either from the refiner or from a wholesaler who purchases motor fuel of similar grade and quality from the same refiner.

Subd. 4. [PROHIBITED PRACTICES.] No refiner shall do anything directly or indirectly to prohibit or encourage a wholesaler to refuse to sell motor fuel to a retailer.

Subd. 5. [ENFORCEMENT.] The attorney general or an aggrieved party may institute a civil action in the district court for an injunction prohibiting a violation of this section. It is no defense to the action that the state or the aggrieved party has adequate remedies at law.

Subd. 6. [APPLICATION.] This section applies only to agreements entered into after the effective date of this section."

Page 3, line 18, delete "3" and insert "4"

Renumber the remaining sections

Amend the title as follows:

Page 1, line 4, after the semicolon insert "granting motor fuel retailers the option to purchase from wholesalers other than the refiner;"

Page 1, line 5, after the semicolon insert "proposing coding for new law in Minnesota Statutes, chapter 80C;"

The motion prevailed and the amendment was adopted.

The Speaker called Long to the Chair.

Kelly moved to amend S. F. No. 1885, as amended, as follows:

Page 1, after line 9, insert:

"Section 1. [72B.135] [PUBLIC ADJUSTERS.]

Subdivision 1. [HOMEOWNER'S RIGHT TO CANCEL.] A homeowner who has entered into a contract with a public adjuster involving the business for which the person was licensed, has the right to cancel the contract within 48 hours after the contract has been signed. Cancellation is evidenced by the homeowner giving written notice of cancellation to the public adjuster at the address stated in the contract. Notice of cancellation, if given by mail, is effective upon deposit in a mailbox, properly addressed to the public adjuster and postage prepaid. Notice of cancellation need not take a particular form and is sufficient if it indicates, by any form of written expression, the intention of the homeowner not to be bound by the contract.

Subd. 2. [WRITING REQUIRED; NOTICE OF RIGHT TO CANCEL; NOTICE OF CANCELLATION.] (a) Before entering a contract referred to in subdivision 1, the public adjuster must:

(1) furnish the homeowner with a statement in bold face type of a minimum size of ten points, in substantially the following form:

"You, the homeowner, may cancel this contract at any time within 48 hours after the contract has been signed between the homeowner and the public adjuster. See attached notice of cancellation form for an explanation of this right."; and

(2) furnish each homeowner, a fully completed form in duplicate, captioned, "NOTICE OF CANCELLATION," which shall be attached to the contract and easily detachable, and which shall contain in bold face type of a minimum size of ten points the following information and statements:

"NOTICE OF CANCELLATION

.....

(enter date of contract)

If you do not want to go forward with the contract with the public adjuster, you may cancel the contract by mailing or delivering a signed and dated copy of this cancellation notice or any other written notice, or send a telegram to (Name of Public Adjuster), at (Address of Public Adjuster's Place of Business) not later than midnight of (Date). If you cancel, any payments made by you under

the contract will be returned within ten business days following receipt by the public adjuster of your cancellation notice.

I HEREBY CANCEL THIS TRANSACTION.

.....
(date)

.....
(Homeowner's signature)

Subd. 3. [RETURN OF PAYMENTS; COMPENSATION.] Within ten days after a contract referred to in subdivision 1 has been canceled, the public adjuster must tender to the homeowner any payments made by the homeowner and any note or other evidence of indebtedness. However, if the public adjuster has performed any emergency services within the 48 hour period, the public adjuster is entitled to compensation for such services. Emergency services shall mean the removal of water, boarding up a building, and reconnecting lights and heat."

Page 3, line 18, delete "1 to 3" and insert "2 to 4"

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1885, A bill for an act relating to commerce; motor fuel franchises; regulating certain building alterations; providing remedies; amending Minnesota Statutes 1986, section 80C.146, subdivisions 2 and 3; repealing Laws 1984, chapter 444, section 4, as amended by Laws 1986, chapter 343, section 1.

The bill was read for the 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. | Clausnitzer | Haukoos | Kinkel | Milbert |
| Battaglia | Cooper | Heap | Kludt | Miller |
| Bauerly | Dauner | Himle | Knickerbocker | Minne |
| Beard | Dawkins | Hugoson | Knuth | Morrison |
| Begich | DeBlicke | Jacobs | Kostohryz | Munger |
| Bennett | Dempsey | Jaros | Larsen | Murphy |
| Bertram | DeRaad | Jefferson | Lasley | Nelson, C. |
| Blatz | Dille | Jennings | Lieder | Nelson, D. |
| Boo | Dorn | Jensen | Long | Nelson, K. |
| Brown | Forsythe | Johnson, A. | Marsh | Neuenschwander |
| Burger | Frederick | Johnson, R. | McDonald | O'Connor |
| Carlson, D. | Greenfield | Johnson, V. | McEachern | Ogren |
| Carlson, L. | Gruenes | Kahn | McKasy | Olsen, S. |
| Carruthers | Gutknecht | Kalis | McLaughlin | Olsen, E. |
| Clark | Hartle | Kelso | McPherson | Olsen, K. |

Omann	Price	Schafer	Steensma	Voss
Onnen	Quinn	Scheid	Sviggun	Wagenius
Orenstein	Redalen	Schreiber	Swenson	Waltman
Osthoff	Reding	Seaberg	Thiede	Welle
Otis	Rest	Segal	Tjornhom	Wenzel
Ozment	Richter	Shaver	Tompkins	Winter
Pappas	Riveness	Simoneau	Trimble	Wynia
Pauly	Rodosovich	Skoglund	Tunheim	Spk. Vanasek
Pelowski	Rose	Solberg	Uphus	
Peterson	Rukavina	Sparby	Valento	
Poppenhagen	Sarna	Stanius	Vellenga	

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

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

O'Connor moved to amend S. F. No. 2191, as follows:

Page 2, line 20, strike "kennel or"

Page 2, line 21, strike "and kennels"

The motion prevailed and the amendment was adopted.

S. F. No. 2191, A bill for an act relating to animals; modifying regulations of kennels and dealers of certain animals used for research purposes; amending Minnesota Statutes 1987 Supplement, sections 347.31, subdivision 4; and 347.37.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Richter	Schreiber	Stanisus	Tunheim	Wenzel
Riveness	Seaberg	Steensma	Uphus	Winter
Rodosovich	Segal	Sviggum	Valento	Wynia
Rose	Shaver	Swenson	Vellenga	Spk. Vanasek
Rukavina	Simoneau	Thiede	Voss	
Sarna	Skoglund	Tjornhom	Wagenius	
Schafer	Solberg	Tompkins	Waltman	
Scheid	Sparby	Trimble	Welle	

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

S. F. No. 1955 was reported to the House.

Knuth moved to amend S. F. No. 1955, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [HIGHWAY INTERSECTION.]

Notwithstanding any contrary provision of Minnesota Statutes, section 383A.07 or other law, the county may use the open space lands described in this section for highway purposes.

That part of the Northeast Quarter of the Northeast Quarter of Section 17, Township 30 North, Range 23 West that lies westerly of Highway 10; except the south 438.65 feet and except the east 516.12 feet and except beginning on the west line of the east 516.12 feet and the north line of the south 438.65 feet of the Northeast Quarter of the Northeast Quarter; thence north to the right of way line of widened Highway 10; thence northwesterly thereon 100 feet; thence southwesterly to the north line of said south 438.65 feet and 100 feet west of the beginning; thence to the beginning; and except that part of said Northeast Quarter of the Northeast Quarter which lies within a distance of 50 feet on each side of the following described line:

From a point on the north line of said Section 17, distant 897.5 feet west of the northeast corner, run northwesterly at an angle of 54 degrees 53 minutes 00 seconds from said north section line for 169.29 feet to the point of beginning of the line to be described; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds for 223.41 feet; thence deflect to the right on a 10 degrees 00 minutes 00 seconds curve (delta angle 38 degrees 30 minutes 00 seconds) for 385 feet and there terminating; and

That part of the Northwest Quarter of the Northeast Quarter of Section 17, Township 30 North, Range 23 West described as follows:

Commencing at the North Quarter corner of said Section; thence South 0 degrees, 48 minutes East 440.29 feet to point of beginning; thence South 80 degrees, 35 minutes East 53.81 feet; thence South 58 degrees 39 minutes 42 seconds East 213.00 feet; thence North 82 degrees 10 minutes 04 seconds East 115.26 feet; then

North 26 degrees 57 minutes 29 seconds East 79.87 feet; thence North 50 degrees 49 minutes 57 seconds East 347.74 feet; thence South 76 degrees 24 minutes 32 seconds East 123.50 feet; thence South 49 degrees 16 minutes 10 seconds East 103.96 feet; thence South 68 degrees 06 minutes 21 seconds East 495.42 feet to the east line of the Northwest Quarter of the Northeast Quarter of said Section; thence North 0 degrees 43 minutes West 422.10 feet on said east line; thence southwesterly 236.29 feet on the arc length of a radius of 623.69 feet to a point 143.38 feet south of the North line of said section; thence North 3 degrees 23 minutes East 3.38 feet; thence west parallel to said North line 837.93 feet; thence South 20 degrees West 51.66 feet; thence South 56 degrees 16 minutes West 266.22 feet to the west line of the Northeast Quarter of said Section; thence South 0 degrees 48 minutes East 103.89 feet to point of beginning.

that lies within an 80 foot wide strip of land over the Northeast Quarter of Section 17, Township 30 North, Range 23 West, Ramsey County, Minnesota the centerline of which is described as follows:

Commencing at the Northwest corner of said Northeast Quarter of Section 17; thence easterly along the north line of said Northeast Quarter for a distance of 1079.79 feet to the point of beginning; thence southeasterly deflecting right 69 degrees, 23 minutes, 20 seconds for a distance of 130.82 feet; thence along a tangential curve to the left having a radius of 603.11 feet, central angle of 56 degrees, 04 minutes, 22 seconds for a distance of 590.24 feet; thence easterly along a line tangent to last described curve for a distance of 191.36 feet; thence along a tangential curve to the right having a radius of 674.07 feet, central angle of 65 degrees, 02 minutes, 03 seconds for a distance of 765.20 feet and there terminating.

Sec. 2. [RAMSEY COUNTY LAND SALE.]

Ramsey county may sell to Richard J. Schreier, 2125 De Soto Street, Saint Paul, Minnesota 55117, a part of Government Lot three (3) in Section thirty-six (36), Township thirty (30) North of Range twenty-three (23) West of the Fourth Principal Meridian.

Notwithstanding any contrary provision of Minnesota Statutes, section 373.01 or other law, the land may be sold by a private, negotiated sale for a price not less than its appraised value.

The land to be sold is appropriate for development and is in excess of that needed by the county for other purposes.

Sec. 3. Minnesota Statutes 1986, section 383A.281, subdivision 13, is amended to read:

Subd. 13. [COUNTY PERSONNEL SYSTEM.] "County personnel system" means all employees in the departments or agencies of county government or joint city and county agencies which receive their funding in whole or in part from the county board, including employees of:

- (a) elected officials;
- (b) ~~the Saint Paul-Ramsey medical center commission;~~ and
- (e) (b) the court administrator of district court;

but not including:

- (1) district and municipal court judges;
- (2) court reporters, law clerks, referees employed by the district and municipal courts, employees of the municipal court, and the second judicial district administrator's office;
- (3) court commissioners;
- (4) the public defender;
- (5) employees of the examiner of titles, agricultural extension service, humane society, historical society, and soil and water conservation district; and
- (6) other employees not subject to a county personnel system because of state law.

Sec. 4. Minnesota Statutes 1986, section 383A.286, subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED POSITIONS.] The following positions shall be in the unclassified service:

- (a) positions held by elected officials or persons appointed to fill an elected office;
- (b) one assistant for each elected official;
- (c) the director or principal administrative officer of a department of county government or agency created by law, except that the affirmative action officer, personnel director, internal auditor, and director of budgeting and accounting shall be positions in the classified service;

(d) doctors, residents, and student nurses employed by the county or county agency;

(e) members of a board or commission appointed by the county, or the county and the city, and acting in an advisory capacity;

(f) weed inspectors, election judges, or election clerks;

(g) special police officers or special deputy sheriffs serving without pay;

(h) judges, court administrators, court reporters, receivers, referees, the examiner or assistant examiners of titles, public defenders, arbiters, jurors, court administrator of district court, or persons appointed by the district court to make or conduct a special inquiry of a judicial or temporary character;

(i) all positions in the municipal court of Ramsey county and the second judicial district administrator's office;

(j) the executive director and eight principal assistants;

(k) the chief executive officer of the medical center and seven principal assistants;

(l) interns, student workers, law clerks, or other employees employed for a limited duration as determined by the county board;

(m) (1) positions designated by the county board as unclassified pursuant to subdivision 3;

(n) (m) the sheriff, the sheriff's chief deputy, three principal assistants, and a personal secretary; and

(o) (n) the county attorney, the county attorney's first assistant, one principal assistant, and a personal secretary.

Sec. 5. Minnesota Statutes 1987 Supplement, section 383A.554, is amended to read:

383A.554 [POWERS AND DUTIES.]

Before December 31, ~~1988~~ 1989, the charter commission shall deliver to the board of county commissioners either (1) its report determining that the present form of county government is adequate for the county and that a charter is not necessary or desirable, or (2) a draft of a proposed charter. The report must be signed by a majority of the members of the charter commission. The proposed charter may provide for any form of government consistent with the constitution of the state of Minnesota. It may provide for the establish-

ment and administration of all departments of a county government and for the regulation of all local county functions. It may abolish or consolidate any department or agency. The charter commission is required to hold at least one public hearing in each of the county commissioner districts.

It shall provide for present functions to be assumed by new elective or appointive officers as shall be provided for in the charter and may provide for other powers consistent with other law. It shall provide methods of procedure in respect to the operation of the government created and the duties of all officers. It shall provide for a home rule charter commission consistent with article XII, section 5, of the constitution of the state of Minnesota and may provide for alternative methods for amending or abandoning the charter consistent with the constitution. The county may be authorized to acquire by gift, devise, purchase, or condemnation or sell or lease any property needed for the full discharge of its duties and powers. All special and general laws authorizing the county to incur indebtedness or issue bonds shall be subject to the charter, provided that the charter provisions are not in conflict with general laws relating to public indebtedness. The county shall continue to have all the powers granted by law.

Personnel matters relating to Ramsey county employees shall continue to be governed by Minnesota Statutes, sections 383A.281 to 383A.301 and Minnesota Statutes, sections 197.455 to 197.48. A charter proposed for adoption under sections 383A.551 to 383A.556 shall not apply to personnel matters.

Sec. 6. [EFFECTIVE DATE.]

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the board of Ramsey county commissioners.

Delete the title and insert:

"A bill for an act relating to Ramsey county; authorizing the county to use certain land dedicated as open space for highway purposes; permitting the county to make a negotiated land sale; removing references to personnel from the county personnel law; extending the time for the charter study commission; amending Minnesota Statutes 1986, sections 383A.281, subdivision 13; and 383A.286, subdivision 2; Minnesota Statutes 1987 Supplement, section 383A.554."

The motion prevailed and the amendment was adopted.

S. F. No. 1955, A bill for an act relating to Ramsey county; authorizing the county to use certain land dedicated as open space for highway purposes; authorizing the sale of certain land.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 1780 was reported to the House.

Simoneau moved that H. F. No. 1780 be returned to General Orders. The motion prevailed.

S. F. No. 1821 was reported to the House.

Segal moved to amend S. F. No. 1821, as follows:

Page 3, line 31, delete "require that peace officers be responsible for" and insert "state how peace officers will provide"

The motion prevailed and the amendment was adopted.

Kelly moved to amend S. F. No. 1821, as amended, as follows:

Page 2, lines 17 and 18, delete the new language

The motion prevailed and the amendment was adopted.

Segal moved that S. F. No. 1821, as amended, be continued on Special Orders for one day. The motion prevailed.

MOTION FOR RECONSIDERATION

Swenson moved that the vote whereby the House refused to concur in the Senate amendments to H. F. No. 1836 earlier today be now reconsidered. The motion prevailed.

H. F. No. 1836, as amended by the Senate, was reported to the House.

CONCURRENCE AND REPASSAGE

Swenson moved that the House concur in the Senate amendments to H. F. No. 1836 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, 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 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

SPECIAL ORDERS, Continued

S. F. No. 1867 was reported to the House.

Reding moved to amend S. F. No. 1867, as follows:

Page 3, lines 12 to 19, strike the old language

Page 3, line 20, delete "Subd. 2."

Page 3, line 32, delete "3" and insert "2"

Page 4, lines 1 and 2, delete "funeral"

Page 4, line 17, delete "4" and insert "3"

Page 4, line 18, delete "2 or 3" and insert "1 or 2"

Page 4, line 20, delete "2" and insert "1"

Page 4, line 22, delete "3" and insert "2"

Page 4, line 25, delete "5" and insert "4"

Page 4, line 36, delete "6" and insert "5"

Page 5, line 16, delete "7" and insert "6"

Page 5, line 25, delete "8" and insert "7"

Page 5, line 31, delete "9" and insert "8"

The motion prevailed and the amendment was adopted.

Speaker pro tempore Long called Simoneau to the Chair.

S. F. No. 1867, A bill for an act relating to cemeteries; mausoleums, prearranged funeral services; consumer protection; requiring the establishment of a construction performance bond; requiring a permanent care account for any mausoleum; providing reporting requirements; broadening the powers of the county auditors and state auditor; amending Minnesota Statutes 1986, sections 149.11; 149.13; 306.03; 306.04; 306.37; 306.761; 306.77; and 306.773, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 306.

The bill was read for the 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 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	Hugoson	Waltman
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1940, A bill for an act relating to the Duluth transit authority; authorizing it to transport students.

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 79 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jaros	Lasley	Ogren	Simoneau
Battaglia	Jefferson	Lieder	Olson, E.	Skoglund
Bauerly	Jennings	Long	Orenstein	Sparby
Begich	Jensen	Marsh	Otis	Steensma
Bertram	Johnson, A.	McEachern	Pappas	Trimble
Boo	Johnson, R.	McKasy	Pelowski	Tunheim
Carlson, D.	Johnson, V.	McLaughlin	Peterson	Uphus
Carruthers	Kahn	Milbert	Price	Vellenga
Clark	Kalis	Minne	Reding	Voss
Cooper	Kelly	Munger	Rest	Wagenius
Dauner	Kelso	Murphy	Riveness	Welle
Dawkins	Kinkel	Nelson, C.	Rukavina	Wenzel
DeBlieck	Kludt	Nelson, D.	Sarna	Winter
DeRaad	Kostobryz	Nelson, K.	Scheid	Wynia
Dorn	Krueger	Neuenschwander	Seaberg	Spk. Vanasek
Greenfield	Larsen	O'Connor	Segal	

Those who voted in the negative were:

Beard	Frerichs	Jacobs	Onnen	Schreiber
Bennett	Gruenes	Knickerbocker	Pauly	Shaver
Blatz	Gutknecht	Knuth	Poppenhagen	Stanius
Burger	Hartle	McPherson	Quinn	Svigum
Clausnitzer	Haukoos	Miller	Redalen	Swenson
Dempsey	Heap	Olsen, S.	Rodosovich	Thiede
Forsythe	Himle	Olson, K.	Rose	Tjornhom
Frederick	Hugoson	Omann	Schafer	Valento
				Waltman

The bill was passed and its title agreed to.

S. F. No. 2525 was reported to the House.

Onnen moved to amend S. F. No. 2525, as follows:

Page 1, line 22, delete "national" and insert "affordable"

Amend the title as follows:

Page 1, line 3, delete "national" and insert "affordable"

A roll call was requested and properly seconded.

The question was taken on the Onnen amendment and the roll was called. There were 48 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Bennett	Frederick	Knickerbocker	Pauly	Swenson
Bertram	Frerichs	Marsh	Poppenhagen	Thiede
Blatz	Gruenes	McDonald	Redalen	Tjornhom
Burger	Gutknecht	McPherson	Rose	Tompkins
Carlson, D.	Hartle	Miller	Schafer	Uphus
Clausnitzer	Haukoos	Morrison	Schreiber	Valento
Dempsey	Heap	Olsen, S.	Seaberg	Waltman
DeRaad	Himle	Omann	Shaver	Winter
Dille	Hugoson	Onnen	Stanius	
Forsythe	Johnson, V.	Ozment	Svigum	

Those who voted in the negative were:

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

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

S. F. No. 2525, A resolution memorializing the President and Congress of the United States to enact a program of national health insurance.

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 74 yeas and 47 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bennett	Dille	Johnson, V.	Pauly	Swenson
Bertram	Forsythe	Knickerbocker	Poppenhagen	Thiede
Bishop	Frederick	Marsh	Redalen	Tjornhom
Blatz	Frerichs	McDonald	Richter	Tompkins
Burger	Gruenes	McKasy	Rodosovich	Valento
Carlson, D.	Gutknecht	McPherson	Rose	Waltman
Clausnitzer	Hartle	Miller	Schafer	Winter
DeBleck	Haukoos	Morrison	Schreiber	
Dempsey	Himle	Onnen	Shaver	
DeRaad	Hugoson	Ozment	Swiggum	

The bill was passed and its title agreed to.

S. F. No. 2122 was reported to the House.

Nelson, D., moved to amend S. F. No. 2122, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 13.04, subdivision 4, is amended to read:

Subd. 4. [PROCEDURE WHEN DATA IS NOT ACCURATE OR COMPLETE.] An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (a) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (b) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

The determination of the responsible authority may be appealed pursuant to the provisions of the administrative procedure act relating to contested cases. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by chapter 14, try to resolve the dispute through education, conference, conciliation, and persuasion. If the parties agree, the commissioner may also refer the matter to mediation. Upon written agreement of the parties, the commissioner may dismiss an appeal.

Sec. 2. Minnesota Statutes 1986, section 13.67, is amended to read:

13.67 [EMPLOYEE RELATIONS DATA.]

The following data collected, created, or maintained by the department of employee relations are classified as nonpublic data pursuant to section 13.02, subdivision 9:

(a) The commissioner's plan prepared by the department, pursuant to section 3.855, which governs the compensation and terms and conditions of employment for employees not covered by collective bargaining agreements until the plan is submitted to the legislative commission on employee relations;

(b) Data pertaining to grievance or interest arbitration that has not been presented to the arbitrator or other party during the arbitration process;

(c) Notes and preliminary drafts of reports prepared during personnel investigations and personnel management reviews of state departments and agencies; and

(d) The managerial plan prepared by the department pursuant to section 43A.18 that governs the compensation and terms and conditions of employment for employees in managerial positions, as specified in section 43A.18, subdivision 3, and for employees in the career executive service pursuant to section 43A.18, subdivision 3, clause (c), until the plan is submitted to the legislative commission on employee relations; and

(e) Claims experience and all related information received from carriers and claims administrators participating in either the state group insurance plan or the public employees insurance plan as defined in chapter 43A and survey information collected from employees and employers participating in these plans, except when the department determines that release of the data will not be detrimental to the plan.

Sec. 3. Minnesota Statutes 1986, section 13.791, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] Unless the data is summary data or is otherwise classified by statute or federal law, all data collected and maintained by the department of jobs and training that pertain to individuals applying for or receiving rehabilitation services is private data on individuals. The commissioner of jobs and training may release the name, business address, and business telephone number of an individual licensed under section 248.07, subdivision 8.

Sec. 4. [13.792] [MINNESOTA ZOOLOGICAL GARDEN DATA.]

The following data maintained by the Minnesota Zoological Garden are classified as private or nonpublic:

(1) research information gathered on prospects and donors to aid in determining appropriateness of solicitation and level of gift request;

(2) specific data in prospect lists that would identify prospects to be solicited, dollar amounts to be requested, and name of solicitor;

(3) portions of solicitation letters and proposals that identify the prospect being solicited and the dollar amount being requested;

(4) letters, pledge cards, and other responses received from prospective donors in response to solicitations;

(5) portions of thank-you letters and other gift acknowledgement communications which would identify the name of the donor and the specific amount of the gift, pledge, or pledge payment; and

(6) data detailing dates of gifts and specific gift amounts made by donors to the Minnesota zoo, except that the zoo will continue to publish names of donors and gift ranges as is the accepted practice in the fund-raising business.

Sec. 5. Minnesota Statutes 1986, section 13.84, subdivision 5, is amended to read:

Subd. 5. [DISCLOSURE.] Private or confidential court services data shall not be disclosed except:

(a) Pursuant to section 13.05;

(b) Pursuant to a statute specifically authorizing disclosure of court services data;

(c) With the written permission of the source of confidential data;

(d) To the court services department, parole or probation authority or correctional agency having statutorily granted supervision over the individual subject of the data; or

(e) Pursuant to subdivision 5a; or

(f) Pursuant to a valid court order.

Sec. 6. Minnesota Statutes 1986, section 13.84, is amended by adding a subdivision to read:

Subd. 5a. [PUBLIC BENEFIT DATA.] The responsible authority or its designee of a court services department, parole or probation authority, or correctional agency may make private or confidential

court services data related to criminal acts accessible to any law enforcement agency, or to the victim of a criminal act where the access will aid the victim in asserting the victim's legal rights.

Sec. 7. Minnesota Statutes 1986, section 13.84, is amended by adding a subdivision to read:

Subd. 5b. [EXCHANGES OF INFORMATION.] Nothing in this chapter prohibits the exchange of information by court services agencies if the exchanged information is pertinent and necessary to the requesting agency in initiating, furthering, or completing an investigation.

Sec. 8. Minnesota Statutes 1986, section 13.85, is amended by adding a subdivision to read:

Subd. 5. [PUBLIC BENEFIT DATA.] The responsible authority or its designee of any agency which maintains corrections and detention data may make private or confidential corrections and detention data accessible to any law enforcement agency, or to the victim of a criminal act where the access will aid the victim in asserting the victim's legal rights.

Sec. 9. Minnesota Statutes 1986, section 138.17, is amended by adding a subdivision to read:

Subd. 9. [CHALLENGED DATA.] Data on individuals, that has been successfully challenged by an individual under the provisions of section 13.04, subdivision 4, may be altered, modified, or destroyed by a state agency, political subdivision, or statewide system without regard to the requirements of this section.

After altering, modifying, or destroying successfully challenged data, a state agency, political subdivision, or statewide system may retain a copy of the commissioner of administration's order issued under chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

If the individual subsequently files a civil action against the state agency, political subdivision, or statewide system, in which the altered, modified, or destroyed data may affect the outcome of the legal action, the state agency, political subdivision, or statewide system may offer the order or summary into evidence. This offering will raise a presumption that any dispute over the facts that might be resolved by the data which was altered, modified, or destroyed because of the individual's challenge, must be resolved in favor of the state agency, political subdivision, or statewide system unless the individual offers clear and convincing evidence to the contrary.

Sec. 10. Minnesota Statutes 1986, section 144.335, subdivision 2, is amended to read:

Subd. 2. [PATIENT ACCESS.] (a) Upon request, a provider shall supply to a patient complete and current information possessed by that provider concerning any diagnosis, treatment and prognosis of the patient in terms and language the patient can reasonably be expected to understand.

(b) Upon a patient's written request, a provider, at a reasonable cost to the patient, shall furnish to the patient (1) copies of the patient's health record, including but not limited to laboratory reports, X-rays, prescriptions, and other technical information used in assessing the patient's health condition, or (2) the pertinent portion of the record relating to a specific condition, or (3) specified by the patient. With the consent of the patient, the provider may instead furnish only a summary of the record.

(c) If a provider, as defined in subdivision 1, clause (b) (1), reasonably determines that the information is detrimental to the physical or mental health of the patient, or is likely to cause the patient to inflict self harm, or to harm another, the provider may withhold the information from the patient and may supply the information to an appropriate third party or to another provider, as defined in subdivision 1, clause (b)(1). The other provider or third party may release the information to the patient.

(d) A provider as defined in subdivision 1, clause (b)(2), shall release information upon written request unless, prior to the request, a provider as defined in subdivision 1, clause (b)(1), has designated and described a specific basis for withholding the information as authorized by paragraph (c).

Sec. 11. Minnesota Statutes 1986, section 171.12, is amended by adding a subdivision to read:

Subd. 3a. [RECORD DESTROYED WHEN REVOCATION OR SUSPENSION RESCINDED.] Notwithstanding subdivision 3 or section 138.163, when an order for revocation of a driver's license is rescinded or an order for suspension of a driver's license is rescinded, the commissioner shall destroy all records of the revocation or suspension.

Sec. 12. Minnesota Statutes 1987 Supplement, section 260.161, subdivision 3, is amended to read:

Subd. 3. (a) Peace officers' records of children shall be kept separate from records of persons 18 years of age or older and shall not be open to public inspection or their contents disclosed to the public except (1) by order of the juvenile court, or ~~except~~ (2) as

required by a written memorandum of understanding adopted under section 126.035, or (3) as authorized under chapter 13; except that traffic investigation reports may be open to inspection by a person who has sustained physical harm or economic loss as a result of the traffic accident. No photographs of a child taken into custody may be taken without the consent of the juvenile court unless the child is alleged to have violated section 169.121 or 169.129. Any person violating any of the provisions of this subdivision shall be guilty of a misdemeanor.

(b) Nothing in this subdivision prohibits the exchange of information by law enforcement agencies if the exchanged information is pertinent and necessary to the requesting agency in initiating, furthering, or completing a criminal investigation.

Sec. 13. Minnesota Statutes 1986, section 363.061, is amended by adding a subdivision to read:

Subd. 4. [CHARGING PARTY ACCESS.] Data, comprised of materials and documentation provided by a charging party that is part of either an open or closed case file, shall be accessible by the charging party in accordance with section 13.04, subdivision 3. The charging party may also consent to the release of this data to the charging party's attorney or other legal representative."

Delete the title and insert:

"A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; requiring the commissioner of administration to resolve disputes relating to data accuracy or completeness; making certain court services data relating to criminal acts accessible to law enforcement agencies; making certain corrections and detention data accessible to law enforcement agencies; authorizing certain data successfully challenged by an individual to be destroyed; requiring the commissioner of public safety to destroy records of revocation or suspension of a driver's license when revocation or suspension orders are rescinded; amending Minnesota Statutes 1986, sections 13.04, subdivision 4; 13.67; 13.791, subdivision 1; 13.84, subdivision 5, and by adding subdivisions; 13.85, by adding a subdivision; 138.17, by adding a subdivision; 144.335, subdivision 2; 171.12, by adding a subdivision; 363.061, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 13."

The motion prevailed and the amendment was adopted.

Nelson, D., moved to amend S. F. No. 2122, as amended, as follows:

Page 6, line 35, after "rescinded" insert "and all rights of appeal have been exhausted or have expired"

Page 6, line 36, delete everything after "shall"

Page 7, line 1, delete "suspension" and insert "expunge the record of that revocation or suspension from the computer records that are disclosed to persons or agencies outside the driver and vehicle services division of the department of public safety"

The motion prevailed and the amendment was adopted.

Nelson, D., moved to amend S. F. No. 2122, as amended, as follows:

Page 7, after line 31, insert:

"Sec. 14. [EFFECTIVE DATE.]

Sections 2, 11 and 13 are effective the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 2122, A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; providing for patient access to medical records; requiring outpatient diagnostic and test results to be retained as part of an individual permanent medical record; amending Minnesota Statutes 1986, sections 13.04, subdivision 4; 13.67; 13.791, subdivision 1; 144.335, subdivision 2; 145.32, subdivision 2; 171.12, by adding a subdivision; and 363.061, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 13 and 221; repealing Minnesota Statutes 1986, section 13.72, subdivision 3.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bishop	Carruthers	Dempsey	Greenfield
Battaglia	Blatz	Clark	DeRaad	Gruenes
Bauerly	Boo	Clausnitzer	Dille	Gutknecht
Beard	Brown	Cooper	Dorn	Hartle
Begich	Burger	Dauner	Forsythe	Haukoos
Bennett	Carlson, D.	Dawkins	Frederick	Heap
Bertram	Carlson, L.	DeBlieck	Frerichs	Himle

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

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

S. F. No. 2096 was reported to the House.

Sparby moved to amend S. F. No. 2096, as follows:

Page 5, line 11, after “5” insert “are effective the day after enactment and”

Page 5, line 14, delete “May 31, 1988” and insert “the day of enactment”

Page 5, lines 15 and 17, delete “June 1, 1988” and insert “the day of enactment”

The motion prevailed and the amendment was adopted.

Sparby moved to amend S. F. No. 2096, as amended, as follows:

Page 4, line 18, delete “or”

Page 4, line 26, after “manufacturer” and before the period insert “or”

(4) attempt or threaten to terminate, cancel, fail to renew or substantially change the competitive circumstances of the dealership agreement if the attempt or threat is based on the results of a natural disaster including a sustained drought in the dealership market area, a labor dispute or other circumstance beyond the dealer's control”

The motion prevailed and the amendment was adopted.

S. F. No. 2096, A bill for an act relating to commerce; regulating and governing business relations between manufacturers of agricultural equipment and independent retail dealers of those products; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

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

S. F. No. 2214 was reported to the House.

Jennings moved to amend S. F. No. 2214, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 84.027, is amended by adding a subdivision to read:

Subd. 10. [SALE OF SURPLUS LANDS TO LOCAL GOVERNMENTS FOR RECREATIONAL OR NATURAL RESOURCES PURPOSES.] (a) The commissioner, with the approval of the state executive council, may sell the class of land or interest in land under paragraph (b) to a county, home rule charter or statutory city, town,

or other governmental subdivision of the state for public use, including recreational or natural resource purposes.

(b) The commissioner may sell the class of land or interest in land that has been acquired by gift, purchase, or eminent domain and the commissioner has declared surplus. The commissioner shall declare land surplus in writing and state the reasons why the land or interest in land is no longer needed.

(c) The commissioner shall appraise the land or interest in land before the land or interest in land is sold, and may sell the land or interest in land for less than the appraised value if the commissioner determines, in writing, that it is in the public interest.

(d) The commissioner shall convey the state's interest in the name of the state by quitclaim deed in a form approved by the attorney general. The deed must reserve to the state minerals and mineral rights in the manner provided in sections 93.01 and 93.02, and provide that the land or interest in land reverts to the state if the governmental subdivision acquiring the land or interest in land:

(1) fails to provide the public use intended on the property;

(2) allows a public use other than the public use agreed to by the commissioner at the time of conveyance without the written approval of the commissioner; or

(3) abandons the public use of the property.

Sec. 2. Minnesota Statutes 1986, section 84.631, is amended to read:

84.631 [ROAD EASEMENTS ACROSS TRAILS ESTABLISHED ON ACQUIRED RAILROAD RIGHTS-OF-WAY STATE LANDS.]

The commissioner, on behalf of the state, may convey a road easement across any abandoned railroad right-of-way which has been acquired by the state for trail purposes, and which is state land under the commissioner's jurisdiction other than school trust land, to a private person requesting an easement for access to property owned by the person only if the following requirements are met: (1) alternative methods to obtain access to the property have been sought and exhausted by the person seeking the easement through the establishment of a town or other local government road; and (2) the commissioner determines that the hardship to the person being deprived of access outweighs any adverse effects to the state-owned land caused by encumbering the state-owned land with a road easement. On determining that an easement will be granted under this subdivision, The commissioner shall:

(1) require the applicant to pay the market value of the easement, ~~and shall;~~

(2) provide ~~in~~ that the easement ~~that it shall revert~~ reverts to the state in the event of nonuse. The commissioner may; and

(3) impose other terms and conditions of use as necessary and appropriate under the circumstances.

Sec. 3. [84.632] [CONVEYANCE OF UNNEEDED STATE FLOWAGE EASEMENTS.]

(a) Notwithstanding section 92.45, the commissioner of natural resources may, in the name of the state, release a flowage easement acquired by the state to a landowner whose property is burdened with the flowage easement if the flowage easement is not needed for state purposes.

(b) The entire, or a portion of a, flowage easement may be released by payment of consideration in an amount determined by the commissioner. The conveyance must be by quitclaim deed in a form approved by the attorney general.

(c) Money received for the flowage easement shall be deposited in the account from which money was expended for purchase of the flowage easement.

Sec. 4. Minnesota Statutes 1986, section 85.015, subdivision 1, is amended to read:

Subdivision 1. [ACQUISITION.] (a) The commissioner of natural resources shall establish, develop, maintain, and operate the trails designated in this section. Each trail shall have the purposes assigned to it in this section. The commissioner of natural resources may acquire lands by gift or purchase, in fee or easement, for the trail and facilities related to the trail.

(b) The commissioner of natural resources, in the name of the state, may sell surplus lands not needed for trail purposes to adjoining property owners and leaseholders. The conveyance must be by quitclaim in a form approved by the attorney general for a consideration not less than the appraised value.

Sec. 5. [92.025] [SCHOOL TRUST LAND DEFINITION.]

For purposes of chapters 92 and 94, "school trust land" means land granted by the United States for use of schools within each township, swampland granted to the state, and internal improvement land that are reserved for permanent school fund purposes under the

Minnesota Constitution, article XI, section 8, and land exchanged, purchased, or granted to the permanent school fund.

Sec. 6. Minnesota Statutes 1986, section 92.16, subdivision 1, is amended to read:

Subdivision 1. [CONTENTS; DEFAULT, RESALE.] At the time of the sale the commissioner shall execute, acknowledge, and deliver to the purchaser a certificate of sale, numbered and made assignable, certifying the description of the land sold, its quantity, the price per acre, the consideration paid and to be paid, and the time and terms of payment. A certificate must not be delivered until the sum required by law to be paid at the time of the sale is paid to the ~~treasurer of the county where the sale takes place.~~ The sum includes costs determined by the commissioner to be associated with the sale such as survey, appraisal, publication, deed tax, filing fee, and similar costs. If the purchaser fails to pay the sum, the commissioner may immediately reoffer the land for sale, but ~~no~~ a bid may not be ~~received~~ accepted from the person so failing to pay the original offer.

Sec. 7. Minnesota Statutes 1986, section 92.23, is amended to read:

92.23 [PAYMENTS; RECEIPTS; ~~LIABILITY OF OFFICIALS.~~]

The holder of a certificate of sale may pay the ~~treasurer of the county containing the land~~ commissioner any amount due on the certificate. The ~~treasurer~~ commissioner shall issue ~~quadruplicate~~ duplicate receipts specifying the date, the name and address of the person making the payment, the amount paid, whether for principal or interest, the fund to which it is applicable, and the number of the certificate. The receipt ~~must be countersigned by the auditor of the county, and~~ has the same effect as if given by the state treasurer. The ~~county treasurer~~ commissioner shall deliver one copy to the holder of the certificate, ~~one to the county auditor, one to the commissioner,~~ and retain one copy.

~~The liability under the official bonds of county treasurers and of their deputies and employees includes liability for the faithful performance of their duties under this section.~~

Sec. 8. Minnesota Statutes 1986, section 92.24, is amended to read:

92.24 [MONEY PAID TO STATE TREASURER.]

The ~~county treasurer~~ must hold ~~commissioner~~ shall pay over all money received on account of certificates of sale ~~subject to the order of the state treasurer for deposit as required by section 92.28 and other applicable laws.~~ On June 30 and December 31 each year and

at other times when requested by the state treasurer, the county treasurer shall pay into the state treasury the money received since the last payment.

Sec. 9. Minnesota Statutes 1986, section 92.26, is amended to read:

92.26 [STATEMENT OF SALES.]

Before May 2 each year the ~~director~~ commissioner shall ~~transmit~~ to each county treasurer who has ~~executed and returned bond~~ prepare a statement showing the lands sold in that each county, the classes to which they belong, the numbers of the certificates of sale, the name of the persons to whom each was issued, and the amount of principal and interest due on each certificate on June 1. The ~~director~~ commissioner shall ~~provide instructions and forms to enable the treasurer to carry out this chapter~~ forward copies of the statement to the governor and to the commissioner of finance.

Sec. 10. Minnesota Statutes 1986, section 92.27, is amended to read:

92.27 [COUNTY AUDITORS; DUTIES AND POWERS COMMISSIONER'S REPORT ON CLOSE OF SALE.]

At the time required by law to return abstracts of settlement to the commissioner or at any other time requested by the commissioner, the county auditor shall forward to the commissioner all duplicate receipts of principal, interest, or penalties delivered to the auditor, with a certified statement of collections by the county treasurer. The certified statement must specify the amount of each item. ~~The county auditor~~ commissioner or the commissioner's designated agent shall act as clerk of land sales made by the commissioner and may make sales when authorized by the commissioner, in which case the auditor's deputy shall act as clerk. Immediately after the close of all sales, the ~~county auditor~~ commissioner shall prepare a report to the commissioner the description of describing each tract sold, the amount for which it was sold, and the amount paid. For each day while so engaged the county auditor shall be paid \$3. Payment must be made out of any appropriation for the appraisal and sale of these lands.

Sec. 11. Minnesota Statutes 1986, section 92.29, is amended to read:

92.29 [LAND PATENTS.]

The ~~governor~~ commissioner of natural resources shall sign and issue, in the name of the state and under the seal of the state, attested by the ~~commissioner~~, a patent for the land described in any

certificate of sale when it is presented endorsed with the certificate of the commissioner (1) that the principal and interest specified in it the certificate of sale and all taxes due on this the land have been paid and (2) that. The patent should issue shall be issued to the named patentee. The patentee shall be the purchaser named in the certificate of sale, or the purchaser's successor in interest by execution, judicial, mortgage or tax sale, or the assignee, vendee, heir or devisee of the purchaser, as shown by a properly certified abstract of title or other evidence if the named patentee purchaser's successor is any a person other than the original purchaser named in the certificate of sale. If the certificate of sale has become lost or destroyed, an affidavit stating that fact must be submitted by the applicant for a patent.

Sec. 12. Minnesota Statutes 1986, section 92.50, subdivision 1, is amended to read:

Subdivision 1. [LEASE TERMS.] (a) The commissioner of natural resources may lease, at public or private vendue and at the prices and under the terms and conditions the commissioner may prescribe, any state-owned lands land under the commissioner's jurisdiction and control for the purpose of taking and removing:

(1) to remove sand, gravel, clay, rock, marl, peat, and black dirt, for storing;

(2) to store ore, waste materials from mines, or rock and tailings from ore milling plants;

(3) for roads or railroads; or

(4) for any other uses consistent with the interests of the state. Except as otherwise provided in this subdivision, the term of

(b) The commissioner shall offer the lease at public or private sale for an amount and under terms and conditions prescribed by the commissioner. Commercial leases for more than ten years and leases for removal of peat must be approved by the executive council.

(c) The lease term may not exceed ten years- except:

(1) leases of lands for storage sites for ore, waste materials from mines, or rock and tailings from ore milling plants, or for the removal of peat, or for the use of peat lands for agricultural purposes may not exceed a term of 25 years. Leases for the removal of peat must be approved by the executive council;

(2) leases for the use of peat lands for agricultural purposes may not exceed 21 years; and

(3) leases for commercial purposes, including major resort, convention center, or recreational area purposes, may not exceed a term of 40 years.

All (d) Leases must be subject to sale and leasing of the land for mineral purposes and contain a provision for cancellation for just cause at any time by the commissioner upon six months' written notice. A longer notice period, not exceeding three years, may be provided in leases for storing ore, waste materials from mines or rock or tailings from ore milling plants. The commissioner may determine the terms and conditions, including the notice period, for cancellation of a lease for the removal of peat and commercial leases.

(e) Money received from leases under this section must be credited to the fund to which the land belongs.

Sec. 13. Minnesota Statutes 1986, section 94.342, subdivision 3, is amended to read:

Subd. 3. [~~CLASS C.~~] ~~No land specifically designated by law as a state park shall be given in exchange hereunder unless expressly authorized by the legislature. No Land bordering on or adjacent to any meandered or other public waters and withdrawn from sale by law shall~~ is Class C land. Class C land may not be given in exchange unless expressly authorized by the legislature or unless through the same exchange the state acquires land on the same or other public waters in the same general vicinity affording at least equal opportunity for access to the waters and other riparian use by the public; provided, that any exchange with the United States or any agency thereof may be made free from this limitation upon condition that the state land given in exchange bordering on public waters shall be subject to reservations by the state for public travel along the shores as provided by Minnesota Statutes 1945, section 92.45, and that there shall be reserved by the state such additional rights of public use upon suitable portions of of such state land as the commissioner of natural resources, with the approval of the land exchange board, may deem necessary or desirable for camping, hunting, fishing, access to the water, and other public uses.

Sec. 14. Minnesota Statutes 1986, section 94.342, is amended by adding a subdivision to read:

Subd. 4. [STATE PARK LAND.] Land specifically designated by law as a state park may not be given in exchange unless the land is school trust land that is exchanged for Class A or Class C land located outside a state park.

Sec. 15. Minnesota Statutes 1986, section 94.342, is amended by adding a subdivision to read:

Subd. 5. [SCHOOL TRUST LAND.] School trust land may be exchanged with other state land only if the permanent school fund advisory committee is appointed as temporary trustee of the school trust land for purposes of the exchange. The committee shall provide independent legal counsel to review exchanges.

Sec. 16. Minnesota Statutes 1986, section 94.343, subdivision 3, is amended to read:

Subd. 3. Except as otherwise herein provided, Class A land shall be exchanged only for land of at least substantially equal value to the state, as determined by the commissioner, with the approval of the board. For the purposes of such determination, the commissioner shall cause the state land and the land proposed to be exchanged therefor to be examined and appraised by qualified state appraisers as provided in section 92.12 in like manner as state school trust land to be offered for sale; provided, that in exchanges with the United States or any agency thereof the examination and appraisal may be made in such manner as the land exchange board may direct. The appraisers shall determine the fair market value of the lands involved, disregarding any minimum value fixed for state land by the state constitution or by law, and shall make a report thereof, together with such other pertinent information respecting the use and value of the lands to the state as they deem pertinent or as the commissioner or the board may require. Such reports shall be filed and preserved in the same manner as other reports of appraisal of state lands. The appraised values shall not be conclusive, but shall be taken into consideration by the commissioner and the board, together with such other matters as they deem material, in determining the values for the purposes of exchange.

Sec. 17. Minnesota Statutes 1986, section 94.344, subdivision 1, is amended to read:

Subdivision 1. Except as otherwise herein provided, any Class B land may, by resolution of the county board of the county in which where the land is situated located and with the unanimous approval of the land exchange board, may be exchanged for land of the United States any publicly held or privately owned land in the same county in the manner and subject to the conditions herein prescribed.

Sec. 18. Minnesota Statutes 1986, section 94.348, is amended to read:

94.348 [EXCHANGES OF STATE OWNED LAND, APPRAISAL FEE.]

Subdivision 1. Whenever a private land owner or governmental unit, except the state, presents to the Minnesota land exchange board, an offer to exchange private or publicly held land for Class A state-owned land as defined in section 94.342, the private land

owner shall deposit with or governmental unit shall pay to the board an appraisal and survey fee of not less than \$25 nor more than \$100, the amount to be one-half of the cost of appraisal and survey determined by the board, depending upon the area of land involved in the offer.

Subd. 2. If the offer of the private land owner is accepted by the board and the land exchange is consummated, or, if the board refuses to accept the offer the appraisal fee shall be refunded, otherwise the appraisal [APPRAISAL AND SURVEY FEE.] (a) Except as provided in paragraph (b), the appraisal and survey fee shall be retained by the board.

(b) The appraisal and survey fee shall be refunded if:

(1) the land exchange offer is withdrawn by a private land owner or a governmental unit before money is spent for the appraisal and survey; or

(2) the board refuses to accept the land exchange offer.

Sec. 19. Minnesota Statutes 1987 Supplement, section 105.392, subdivision 4, is amended to read:

Subd. 4. [PAYMENT AND HELP TO OWNER.] In return for the easement of the owner, the commissioner must provide advice on conservation and development practices on the wetlands and adjacent areas for the purposes of this section as the commissioner determines to be appropriate. The commissioner must make the following payments to the landowner for the easement:

(1) for a permanent easement, 50 percent of the average equalized estimated market value of cropland in the township as established by the commissioner of revenue for the time period when the application is made;

(2) for an easement of limited duration, a lump sum payment equal to the present value of the annual payments for the term of the easement based on 50 percent of the mean adjusted cash rental for cropland in the county as established by the commissioner of revenue 65 percent of the value of the permanent easement value for the time period when the application is made; or

(3) an alternative payment system for easements based on cash rent or a similar system as may be determined by the commissioner.

Sec. 20. [REPEALER.]

Minnesota Statutes 1986, section 92.25, is repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 6 to 10 and 20 are effective January 1, 1989."

Delete the title and insert:

"A bill for an act relating to natural resources; authorizing the commissioner to sell certain surplus lands to local governments for local recreation or natural resource purposes; authorizing the commissioner of natural resources to convey road and flowage easements in certain circumstances; transferring duties and powers of county auditors and treasurers relating to sales of certain classes of state land to the commissioner; transferring the authority to issue state land patents from the governor to the commissioner; specifying the amount above appraised value that the commissioner may pay when acquiring land; authorizing long-term leases of state land for certain purposes; modifying certain provisions of land exchange laws relating to appraisals and fees; implementing exchanges of public land authorized by the constitution; authorizing exchange of school trust land located within a state park; appointing an independent trustee and legal counsel for land exchanges involving school trust land; providing a procedure for exchange of Class B land with Class A or Class C land; authorizing governmental units to exchange land in the same manner as private persons; amending Minnesota Statutes 1986, sections 84.027, by adding a subdivision; 84.631; 85.015, subdivision 1; 92.16, subdivision 1; 92.23; 92.24; 92.26; 92.27; 92.29; 92.50, subdivision 1; 94.342, subdivision 3, and by adding subdivisions; 94.343, subdivision 3; 94.344, subdivision 1; 94.348; Minnesota Statutes 1987 Supplement, section 105.392, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 84 and 92; repealing Minnesota Statutes 1986, section 92.25."

The motion prevailed and the amendment was adopted.

S. F. No. 2214, A bill for an act relating to natural resources; authorizing the commissioner to sell certain surplus lands to local governments for local recreation or natural resource purposes; authorizing the commissioner of natural resources to convey road and flowage easements in certain circumstances; transferring duties and powers of county auditors and treasurers relating to sales of certain classes of state land to the commissioner; transferring the authority to issue state land patents from the governor to the commissioner; specifying the amount above appraised value that the commissioner may pay when acquiring land; authorizing long-term leases of state land for certain purposes; modifying certain provisions of land exchange laws relating to appraisals and fees; implementing exchanges of public land authorized by the constitution; authorizing exchange of school trust land located within a state park; appointing an independent trustee and legal counsel for land exchanges involving school trust land; providing a procedure for

exchange of Class B land with Class A or Class C land; authorizing governmental units to exchange land in the same manner as private persons; amending Minnesota Statutes 1986, sections 84.027, by adding a subdivision; 84.631; 85.015, subdivision 1; 92.16, subdivision 1; 92.23; 92.24; 92.26; 92.27; 92.29; 92.50, subdivision 1; 94.342, subdivision 3, and by adding subdivisions; 94.343, subdivisions 3 and 9; 94.344, subdivisions 1, 3, 7, and 10; 94.348; Minnesota Statutes 1987 Supplement, sections 84.0272; and 105.392, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 84 and 92; repealing Minnesota Statutes 1986, section 92.25.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 2485 was reported to the House.

There being no objection, H. F. No. 2485 was continued on Special Orders for one day.

Carlson, D., and Rose were excused between the hours of 5:40 p.m. and 7:00 p.m.

H. F. No. 2526 was reported to the House.

Price moved to amend H. F. No. 2526, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [POLICY STATEMENT; LEGISLATIVE FINDINGS.]

Since 1931 the expressed policy of the state of Minnesota, stated by law in Minnesota Statutes, section 481.02, subdivision 3, clause (3), has been that real estate brokers and salespeople may provide drafting services incident to real estate closings. The legislature continues to find that the public interest will be served by permitting the provision of those services by brokers, salespeople, and closing agents with or without compensation. The legislature also finds it appropriate, and it is the purpose of this act, to provide clarification of the role of real estate brokers, salespeople, and closing agents.

Sec. 2. Minnesota Statutes 1986, section 82.17, is amended by adding a subdivision to read:

Subd. 10. “Closing agent” or “real estate closing agent” means any person, except a licensed attorney, real estate broker, or real estate salesperson, who for another and with or without a commission, fee, or other valuable consideration or with or without the intention or expectation of receiving a commission, fee, or other valuable consideration, directly or indirectly provides closing services incident to the sale, trade, lease, or loan of residential real estate, including drawing or assisting in drawing papers incident to the sale, trade, lease, or loan, or advertises or claims to be engaged in these activities.

Sec. 3. Minnesota Statutes 1986, section 481.02, subdivision 3, is amended to read:

Subd. 3. [PERMITTED ACTIONS.] The provisions of this section shall not prohibit:

(1) any person from drawing, without charge, any document to which the person, an employer of the person, a firm of which the person is a member, or a corporation whose officer or employee the person is, is a party, except another's will or testamentary disposition or instrument of trust serving purposes similar to those of a will;

(2) a person from drawing a will for another in an emergency if the imminence of death leaves insufficient time to have it drawn and its execution supervised by a licensed attorney-at-law;

(3) any one, acting as broker for the parties or agent of one of the parties to a sale or trade or lease of property or to a loan, from drawing or assisting in drawing, with or without charge, papers incident to the sale, trade, lease, or loan;

(4) any insurance company from causing to be defended, or from offering to cause to be defended through lawyers of its selection, the insureds in policies issued or to be issued by it, in accordance with the terms of the policies;

(5) (4) a licensed attorney-at-law from acting for several common-carrier corporations or any of its subsidiaries pursuant to arrangement between the corporations;

(6) (5) any bona fide labor organization from giving legal advice to its members in matters arising out of their employment;

(7) (6) any person from conferring or cooperating with a licensed attorney-at-law of another in preparing any legal document, if the attorney is not, directly or indirectly, in the employ of the person or of any person, firm, or corporation represented by the person;

(8) (7) any licensed attorney-at-law of Minnesota, who is an officer or employee of a corporation, from drawing, for or without compensation, any document to which the corporation is a party or in which it is interested personally or in a representative capacity, except wills or testamentary dispositions or instruments of trust serving purposes similar to those of a will, but any charge made for the legal work connected with preparing and drawing the document shall not exceed the amount paid to and received and retained by the attorney, and the attorney shall not, directly or indirectly, rebate the fee to or divide the fee with the corporation;

(9) (8) any person or corporation from drawing, for or without a fee, farm or house leases, notes, mortgages, chattel mortgages, bills of sale, deeds, assignments, satisfactions, or any other conveyances except testamentary dispositions and instruments of trust;

(10) (9) a licensed attorney-at-law of Minnesota from rendering to a corporation legal services to itself at the expense of one or more of its bona fide principal stockholders by whom the attorney is employed and by whom no compensation is, directly or indirectly, received for the services;

(11) (10) any person or corporation engaged in the business of making collections from engaging or turning over to an attorney-at-law for the purpose of instituting and conducting suit or making proof of claim of a creditor in any case in which the attorney-at-law receives the entire compensation for the work;

(12) (11) any regularly established farm journal or newspaper, devoted to general news, from publishing a department of legal questions and answers to them, made by a licensed attorney-at-law, if no answer is accompanied or at any time preceded or followed by any charge for it, any disclosure of any name of the maker of any answer, any recommendation of or reference to any one to furnish legal advice or services, or by any legal advice or service for the periodical or any one connected with it or suggested by it, directly or indirectly;

(13) (12) any authorized management agent of an owner of rental property used for residential purposes, whether the management agent is a natural person, corporation, partnership, limited partnership, or any other business entity, from commencing, maintaining, conducting, or defending in its own behalf any action in any court in this state to recover or retain possession of the property, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal; and

(14) (13) any person from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state pursuant to the provisions of section 566.175 or sections 566.18 to 566.33 or from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state for the recovery of rental property used for residential purposes pursuant to the provisions of section 566.02 or 566.03, subdivision 1, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal, and provided that, except for a nonprofit corporation, a person who is not a licensed attorney-at-law shall not charge or collect a separate fee for services rendered pursuant to this clause.

Sec. 4. Minnesota Statutes 1986, section 481.02, is amended by adding a subdivision to read:

Subd. 3a. [REAL ESTATE CLOSING SERVICES.] Nothing in this section shall be construed to prevent a real estate broker, a real estate salesperson, or a real estate closing agent, as defined in section 82.17 from drawing or assisting in drawing papers incident to the sale, trade, lease, or loan of property, or from charging for drawing or assisting in drawing them, except as hereafter provided by the supreme court.

Sec. 5. Minnesota Statutes 1986, section 481.02, is amended by adding a subdivision to read:

Subd. 9. Nothing in section 481.02, subdivision 3a, shall be

construed to allow a person other than a licensed attorney to perform or provide the services of an attorney or be construed to otherwise conflict with section 481.02.

Sec. 6. [507.45] [RESIDENTIAL REAL ESTATE CLOSINGS.]

Subdivision 1. Residential real estate closing services may be provided and a fee charged by a licensed attorney, real estate broker, real estate salesperson, and real estate closing agent.

Subd. 2. If the closing services are to be provided by a real estate broker, real estate salesperson, or real estate closing agent, the following regulations shall apply.

(a) The written contract for closing services shall state in at least 10-point type that the real estate broker, real estate salesperson, or real estate closing agent has not and, under applicable state law, may not express opinions regarding the legal effect of the closing documents or of the closing itself.

(b) No closing fee may be charged if a closing is performed without either a mortgagee's or owner's title insurance commitment or a legal opinion regarding the status of title.

(c) Except for charges required to be disclosed by Regulation Z, Code of Federal Regulations, title 12, section 226, no closing fee may be charged unless the party to be charged is informed of the charge in writing at least five business days before the closing by the party charging for the closing services.

Sec. 7. [CONSTRUCTION.]

Nothing in this act shall be construed to imply that fees charged for closing services before its enactment constituted the unauthorized practice of law.

Sec. 8. [NONSEVERABILITY.]

If section 4 or section 6, subdivision 1, is found to be unconstitutional or otherwise inoperative, the entire act shall be void and without effect.

Sec. 9. [EFFECTIVE DATES.]

Sections 2, 3, 4, 5 and 6, subdivision 1, take effect the day after final enactment. The other sections and subdivisions take effect January 1, 1989."

Quinn moved to amend the Price amendment to H. F. No. 2526, the first engrossment, as follows:

Page 5, after line 26, insert:

“(d) a seller of title insurance must indicate on the front page of the policy in 20 point type the standard exclusions from coverage, and this must be disclosed to the potential purchaser prior to the closing.”

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

The question recurred on the Price amendment, as amended, to H. F. No. 2526. The motion prevailed and the amendment, as amended, was adopted.

H. F. No. 2526, A bill for an act relating to consumer protection; regulating the provision of real estate closing services; amending Minnesota Statutes 1986, sections 82.17, by adding a subdivision; and 481.02, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 507.

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 118 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carruthers	Olsen, S.	Skoglund	Winter
Jefferson	Seaberg	Wagenius	

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

Speaker pro tempore Simoneau called Long to the Chair.

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

H. F. No. 2642 was reported to the House.

Jefferson moved that H. F. No. 2642 be returned to General Orders. The motion prevailed.

S. F. No. 1661 was reported to the House.

Reding moved that S. F. No. 1661 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 1742 was reported to the House.

Sparby moved that S. F. No. 1742 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 1695, A bill for an act relating to education; requiring the state board of education to adopt rules regulating aversive and deprivation procedures; proposing coding for new law in Minnesota Statutes, chapter 127.

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 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Brown	DeBlicck	Gruenes	Jensen
Anderson, R.	Burger	Dempsey	Hartle	Johnson, A.
Battaglia	Carlson, L.	DeRaad	Haukoos	Johnson, R.
Bauerly	Carruthers	Dille	Heap	Johnson, V.
Beard	Clark	Dorn	Himle	Kahn
Begich	Clausnitzer	Forsythe	Hugoson	Kalis
Bennett	Cooper	Frederick	Jaros	Kelly
Bertram	Dauner	Frerichs	Jefferson	Kelso
Blatz	Dawkins	Greenfield	Jennings	Kinkel

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

The bill was passed and its title agreed to.

H. F. No. 2360 was reported to the House.

Simoneau moved that H. F. No. 2360 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 2243, A bill for an act relating to vocational rehabilitation; providing employment program rights to persons with disabilities; requiring inclusion of these programs in county social services plans; amending Minnesota Statutes 1987 Supplement, section 256E.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 256E.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1328 was reported to the House.

Begich moved to amend S. F. No. 1328, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 3.732, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section and section 3.736 the terms defined in this section have the meanings given them.

(1) “State” includes each of the departments, boards, agencies, commissions, courts, and officers in the executive, legislative, and judicial branches of the state of Minnesota and includes but is not limited to the Minnesota housing finance agency, the Minnesota higher education coordinating board, the Minnesota higher education facilities authority, the armory building commission, the Minnesota zoological board, the iron range resources and rehabilitation board, the University of Minnesota, state universities, community colleges, state hospitals, and state penal institutions. It does not include a city, town, county, school district, or other local governmental body corporate and politic.

(2) “Employee of the state” means all present or former officers, members, directors or employees of the state, members of the Minnesota national guard, or persons acting on behalf of the state in an official capacity, temporarily or permanently, with or without compensation, but does not include either an independent contractor or members of the Minnesota national guard while engaged in training or duty under United States Code, title 10, or United States Code, title 32, section 316, 502, 503, 504, or 505, as amended through December 31, 1983.

(3) “Scope of office or employment” means that the employee was acting on behalf of the state in the performance of duties or tasks lawfully assigned by competent authority.

Sec. 2. Minnesota Statutes 1986, section 3.736, subdivision 3, is amended to read:

Subd. 3. [EXCLUSIONS.] Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) Any loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or rule;

(b) Any loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) Any loss in connection with the assessment and collection of taxes;

(d) Any loss caused by snow or ice conditions on any highway or public sidewalk that does not abut a publicly-owned building or a publicly-owned parking lot, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) Any loss caused by wild animals in their natural state;

(f) Any loss other than injury to or loss of property or personal injury or death;

(g) Any loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, state land that contains idled or abandoned mine pits or shafts, and appurtenances, fixtures and attachments to land that the state has neither affixed nor improved;

(h) Any loss incurred by a user within the boundaries of the outdoor recreation system and arising from the construction, operation, or maintenance of the system, as defined in section 86A.04, or from the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, or from the construction, operation, or maintenance of a water access site created by the iron range resources and rehabilitation board, except that the state is liable for conduct that would entitle a trespasser to damages against a private person. For the purposes of this clause, a water access site, as defined in section 86A.04 or created by the iron range resources and rehabilitation board, that provides access to an idled, water filled mine pit, also includes the entire water filled area of the pit and, further, includes losses caused by the caving or slumping of the mine pit walls;

(i) Any loss of benefits or compensation due under a program of public assistance or public welfare, except where state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(j) Any loss based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(k) Any loss based on the usual care and treatment, or lack of care and treatment, of any person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(l) Any loss, damage, or destruction of property of a patient or inmate of a state institution;

(m) Any loss for which recovery is prohibited by section 169.121, subdivision 9.

The state will not pay punitive damages.

Sec. 3. Minnesota Statutes 1986, section 87.024, is amended to read:

87.024 [LIABILITY; LEASED LAND, WATER FILLED MINE PITS.]

Unless otherwise agreed in writing, the provisions of sections 87.022 and 87.023 shall be deemed applicable to the duties and liability of an owner of the following described land: (1) land leased to the state or any subdivision thereof for recreational purposes; or (2) idled or abandoned, water filled, mine pits whose pit walls may slump or cave, and to which water the public has access from a water access site operated by a public entity.

Sec. 4. Minnesota Statutes 1986, section 180.01, is amended to read:

180.01 [APPOINTMENT.]

The board of commissioners of any county in this state, where there are at least five mines situate and in operation, is hereby authorized and directed, on or before the first day of July, 1905, to appoint an inspector of mines, who shall hold office for the term of three years or until a successor is appointed and qualified, and in addition thereto may appoint one assistant inspector for every 20 mines as the board may determine for the purpose of discharging the duties hereinafter prescribed; to fix the compensation and traveling expenses of such inspector or any assistant inspector and provide for

the payment of the same, and to remove such inspector or any assistant inspector and appoint another in place when in the judgment of the board the best interests of the owners and employees of such mines may so require. In any county where there are active, inactive, or idled mines, and no county mine inspector has been appointed as provided above, the county board shall enforce the provisions of chapter 180 by designating an appropriate county officer or employee to discharge the duties of county mine inspector. The qualifications and salary prescribed in section 180.02 do not apply to the person designated, except that the person may not be interested in any mine as an owner, operator, agent, stockholder, or engineer. Acts or omissions of a person appointed or designated to perform the duties of county mine inspector, whether statutory or discretionary, are acts or omissions as defined in section 466.03, subdivision 5 or 6.

Sec. 5. Minnesota Statutes 1986, section 180.03, subdivision 2, is amended to read:

Subd. 2. Every person, firm or corporation that is or has been engaged in the business of mining or removing iron ore, taconite, semitaconite or other minerals except sand, crushed rock and gravel by the open pit method in any county which has appointed an inspector of mines pursuant to section 180.01 shall erect and maintain, as a minimum, a three strand wire fence, barrier, appropriate signs, or combination of them, as directed by the inspector, along the outside perimeter of the excavation, open pit, or shaft of any mine in which mining operations have ceased for a period of six consecutive months or longer. However, in residential and developed areas, along major roads, and in areas of hazardous conditions, the following described fencing must be erected, unless exempted by based upon local site conditions that may exist at shafts, caves, or open pits, the county mine inspector may require more secure fencing such as barbed wire or mesh fence, or may require barriers, appropriate signs, or any combination of the above, to reduce the possibility of accidental falls. The county mine inspector may grant exemptions under subdivision 4. This fencing must consist of two inch by four inch mesh fencing; the top and bottom wire shall not be less than nine gauge and the filler wire shall not be less than 11 gauge; the fencing shall be not less than five feet in height with two strands of barbed wire six inches apart affixed to the top of the fence; and the fence posts shall be no more than ten feet apart. In the case of open pit mines in which mining operations cease after November 1, 1979, and before March 1, 1980, the fence, barrier, signs, or combination of them shall be erected as soon as possible after March 1, 1980. Where mining operations cease on or after March 1, 1980, the fence, barrier, signs, or combination of them shall be erected forthwith. In the case of open pit mines in which mining operations had ceased for a period of six consecutive months or longer before November 1, 1979, and not resumed, the fence, barrier, signs, or combination of them shall be erected within two years from

the ~~current~~ date when the county mine inspector directs the erection of fences, barriers, signs, or combination of them. Any fence, barrier, signs, or combination of them, required by an inspector of mines pursuant to subdivision 3 or other applicable law, shall meet the standards of this section as a minimum. This subdivision does not apply to any excavation, open pit, or shaft, or any portion thereof, exempted from its application by the commissioner of natural resources pursuant to laws relating to mineland reclamation, exempted from its application by the iron range resources and rehabilitation board under actions taken by the board, or exempted from its application by the county mine inspector pursuant to subdivision 4.

Sec. 6. Minnesota Statutes 1986, section 180.03, subdivision 3, is amended to read:

Subd. 3. When any mine is idle or abandoned it shall be the duty of the inspector of mines to notify the person, firm, or corporation that is or has been engaged in the business of mining to erect and maintain around all the shafts, caves, and open pits of such mines a fence, barrier, appropriate signs, or combination of them, suitable to ~~prevent persons or domestic animals from warn of the presence of~~ shafts, caves, or open pits and reduce the possibility of accidentally falling into these shafts, caves or open pits. If the mine has been idled or abandoned for more than ten years, or if the person, firm or corporation that has been engaged in the business of mining no longer exists, the fee owner shall erect the fence, barrier, or signs required by this section. The notice shall be in writing and be served upon such person, firm, corporation or fee owner by certified mail.

Sec. 7. Minnesota Statutes 1986, section 180.06, is amended to read:

180.06 [SALARY AND EXPENSES.]

The salary and expenses of the inspector of mines shall be paid out of the treasury of the county for which appointed by vouchers similar to those used by The county for which the inspector of mines was appointed shall pay the inspector's salary and expenses out of its treasury in the manner provided for payment of salaries and expenses of other county officials. The board of county commissioners shall furnish the inspector of mines with necessary books, stationery, and supplies. At the request of the county mine inspector, the county board may appropriate money, including money appropriated to the county by the legislature for the purposes of mine safety or inspection for the expenses of the county mine inspector including expenses that arise from the erection and maintenance, by the county, on county administered land, of fences, barriers, or signs required by chapter 180.

Sec. 8. Minnesota Statutes 1986, section 180.10, is amended to read:

180.10 [REMOVAL OF FENCE; GUARD.]

Any worker, employee, or other person who shall open, remove, or disturb any fence, guard, barrier, sign, or rail and not close or replace or have the same closed or replaced again around or in front of any shaft, ~~test~~ pit, chute, excavation, cave, or land liable to cave, injure, or destroy, whereby accident, injury, or damage results, either to the mine or those at work therein, or to any other person, shall be guilty of a misdemeanor. A worker, employee, or other person who, in regard to any fence, guard, barrier, sign, or rail, does any of the acts prohibited by section 609.52, commits theft of the fence, guard, barrier, sign, or rail may be sentenced as provided in section 609.52.

Sec. 9. Minnesota Statutes 1986, section 466.03, subdivision 6c, is amended to read:

Subd. 6c. [WATER ACCESS SITES.] Any claim based upon the construction, operation, or maintenance by a municipality of a water access site created by the iron range resources and rehabilitation board. A water access site under this subdivision that provides access to an idled, water filled mine pit also includes the entire water filled area of the pit, and, further, claims related to a mine pit water access site under this subdivision include those based upon the caving or slumping of mine pit walls.

Sec. 10. Minnesota Statutes 1986, section 466.03, subdivision 13, is amended to read:

Subd. 13. Any claim for a loss caused by the condition of unimproved real property owned by a municipality, which means land that the municipality has not improved, land that is owned or administered by the municipality that contains idled or abandoned mine pits or shafts, and appurtenances, fixtures and attachments to land that the municipality has neither affixed nor improved.

Delete the title and insert:

"A bill for an act relating to public safety; altering certain requirements concerning fencing of unused mine pits and shafts; providing modification to certain public and private liability laws; providing penalties; amending Minnesota Statutes 1986, sections 3.732, subdivision 1; 3.736, subdivision 3; 87.024; 180.01; 180.03, subdivisions 2 and 3; 180.06; 180.10; 466.03, subdivisions 6c and 13."

The motion prevailed and the amendment was adopted.

S. F. No. 1328, A bill for an act relating to public safety; altering certain requirements concerning fencing of unused mine pits and shafts; providing modification to certain public and private liability laws; providing penalties; amending Minnesota Statutes 1986, sections 87.024; 180.01; 180.03, subdivisions 2 and 3; 180.06; 180.10; 466.03, subdivisions 6c and 13; Minnesota Statutes 1987 Supplement, sections 3.732, subdivision 1; and 3.736, subdivision 3.

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.	Greenfield	Larsen	Onnen	Shaver
Anderson, R.	Gruenes	Lasley	Orenstein	Simoneau
Battaglia	Gutknecht	Lieder	Osthoff	Skoglund
Bauerly	Hartle	Long	Otis	Solberg
Beard	Haukoos	Marsh	Ozment	Sparby
Begich	Heap	McDonald	Pappas	Stanius
Bennett	Himle	McEachern	Pauly	Steensma
Bertram	Hugoson	McKasy	Pelowski	Sviggum
Bishop	Jacobs	McLaughlin	Peterson	Swenson
Blatz	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	Richter	Valento
Cooper	Kahn	Nelson, C.	Riveness	Vellenga
Dauner	Kalis	Nelson, D.	Rodosovich	Voss
Dawkins	Kelly	Nelson, K.	Rose	Wagenius
DeBlick	Kelso	Neuenschwander	Rukavina	Waltman
Dempsey	Kinkel	O'Connor	Sarna	Welle
DeRaad	Kludt	Ogren	Schafer	Wenzel
Dille	Knickerbocker	Olsen, S.	Scheid	Winter
Dorn	Knuth	Olson, E.	Schreiber	Wynia
Forsythe	Kostohryz	Olson, K.	Seaberg	Spk. Vanasek
Frederick	Krueger	Omann	Segal	

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

S. F. No. 1879, A bill for an act relating to agriculture; providing penalties and liability for damages for unauthorized release of domestic animals; proposing coding for new law in Minnesota Statutes, chapter 346.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Krueger	Omamm	Segal
Anderson, R.	Frerichs	Larsen	Onnen	Shaver
Battaglia	Greenfield	Lasley	Orenstein	Simoneau
Bauerly	Gruenes	Lieder	Osthoff	Skoglund
Beard	Gutknecht	Long	Otis	Solberg
Begich	Hartle	Marsh	Ozment	Sparby
Bennett	Haukoos	McDonald	Pappas	Stanius
Bertram	Heap	McEachern	Pauly	Steensma
Bishop	Himle	McKasy	Pelowski	Sviggum
Blatz	Hugoson	McLaughlin	Peterson	Swenson
Brown	Jacobs	McPherson	Poppenhagen	Thiede
Burger	Jaros	Milbert	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
DeRaad	Kinkel	Ogren	Schafer	Wenzel
Dille	Kludt	Olsen, S.	Scheid	Winter
Dorn	Knickerbocker	Olson, E.	Schreiber	Wynia
Forsythe	Kostohryz	Olson, K.	Seaberg	Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 2407 was reported to the House.

Cooper moved that H. F. No. 2407 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1834, A bill for an act relating to utilities; prohibiting water utilities from imposing additional standby charges on owners of structures containing fire protection systems; proposing coding for new law in Minnesota Statutes, chapter 444.

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 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Jensen Kalis

The bill was passed and its title agreed to.

S. F. No. 1582 was reported to the House.

Jennings moved to amend S. F. No. 1582, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 256.87, subdivision 1, is amended to read:

Subdivision 1. [ACTIONS AGAINST PARENTS FOR ASSISTANCE FURNISHED.] A parent of a child is liable for the amount of assistance furnished under sections 256.72 to 256.87 to and for the benefit of the child, including any assistance furnished for the benefit of the caretaker of the child, which the parent has had the ability to pay. Ability to pay must be determined according to chapter 518. The parent's liability is limited to the amount of assistance furnished during the two years immediately preceding the commencement of the action, except that where child support has been previously ordered, the state or county agency providing the assistance, as assignee of the obligee, shall be entitled to judgments for child support payments accruing within ten years preceding the date of the commencement of the action up to the full amount of assistance furnished. The action may be ordered by the state agency or county agency and shall be brought in the name of the county by the county attorney of the county in which the assistance was granted, or by the state agency against the parent for the recovery of the amount of assistance granted, together with the costs and disbursements of the action.

Sec. 2. Minnesota Statutes 1986, section 256.87, subdivision 1a, is amended to read:

Subd. 1a. [CONTINUING SUPPORT CONTRIBUTIONS.] In addition to granting the county or state agency a money judgment, the court may, upon a motion or order to show cause, order continuing support contributions by a parent found able to reimburse the county or state agency. Except as provided in subdivision 4, the order shall be effective for the period of time during which the recipient receives public assistance from any county or state agency and for five months thereafter. The order shall require support according to chapter 518. An order for continuing contributions is reinstated without further hearing upon notice to the parent by any county or state agency that assistance is again being provided for the child of the parent under sections 256.72 to 256.87. The notice shall be in writing and shall indicate that the parent may request a hearing for modification of the amount of support or maintenance.

Sec. 3. Minnesota Statutes 1986, section 256.87, subdivision 6, is amended to read:

Subd. 6. [~~NOTICE ENTRY OF DOCKETING JUDGMENT.~~] Any order for support ~~or maintenance~~ issued under this section shall provide for a conspicuous notice that, if the obligor fails to make ~~the a support or maintenance payments~~ payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due, and the obligee or public agency responsible for support or maintenance enforcement may obtain entry and docketing of a the judgment for the unpaid amounts under the provisions of section 548.091. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 4. Minnesota Statutes 1986, section 256.87, is amended by adding a subdivision to read:

Subd. 6a. [NOTICE OF DOCKETING OF MAINTENANCE JUDGMENT.] Every order for maintenance issued under this section shall provide for a conspicuous notice that, if the obligor fails to make the maintenance payments, the obligee or public agency responsible for maintenance enforcement may obtain docketing of a judgment for the unpaid amount under the provisions of section 548.091. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 5. Minnesota Statutes 1986, section 257.66, subdivision 5, is amended to read:

Subd. 5. [~~NOTICE ENTRY OF DOCKETING JUDGMENT.~~] Any order for support or maintenance issued under this section shall provide for a conspicuous notice that, if the obligor fails to make ~~the a support payments~~ payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due and the obligee or a public agency responsible for support enforcement may obtain entry and docketing of a the judgment for the

unpaid amounts under the provisions of section 548.091. ~~The notice shall enumerate the conditions that must be met before the judgment can be docketed.~~

Sec. 6. Minnesota Statutes 1986, section 518.55, subdivision 2, is amended to read:

Subd. 2. [NOTICE OF DOCKETING OF MAINTENANCE JUDGMENT.] Every order for support or maintenance shall provide for a conspicuous notice that, if the obligor fails to make the support or maintenance payments, the obligee or a public agency responsible for maintenance or support enforcement may obtain docketing of a judgment for the unpaid amount under the provisions of section 548.091. The notice shall enumerate the conditions that must be met before the judgment can be docketed.

Sec. 7. Minnesota Statutes 1986, section 518.55, is amended by adding a subdivision to read:

Subd. 2a. [ENTRY OF CHILD SUPPORT JUDGMENT.] Every order for support shall provide for a conspicuous notice that, if the obligor fails to make a support payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due, and the obligee or a public agency responsible for support enforcement may obtain entry and docketing of the judgment for the unpaid amount under the provisions of section 548.091.

Sec. 8. Minnesota Statutes 1986, section 518.551, subdivision 9, is amended to read:

Subd. 9. [ASSIGNMENT OF RIGHTS; JUDGMENT.] The public agency responsible for child support enforcement is joined as a party in each case in which rights are assigned under section 256.74, subdivision 5. The court administrator shall enter and docket a judgment obtained by operation of law under section 548.091, subdivision 1, in the name of the public agency to the extent that the obligation has been assigned. When arrearages are reduced to judgment under circumstances in which section 548.091 is not applicable, the court shall grant judgment in favor of, and in the name of, the public agency to the extent that the arrearages are assigned. After filing notice of an assignment with the court administrator, who shall enter the notice in the docket, the public agency may enforce a judgment entered before the assignment of rights as if the judgment were granted to it, and in its name, to the extent that the arrearages in that judgment are assigned.

Sec. 9. Minnesota Statutes 1986, section 518C.17, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE OF ORDER.] If the responding court

finds a duty of support, it may order the obligor to furnish support or reimbursement therefor and subject the property of the obligor to the order. Support orders made under sections 518C.01 to 518C.36 shall require that payments be made as the responding court directs and the responding court shall order support payments under chapter 518. Every order for support shall provide for a conspicuous notice that, if the obligor fails to make ~~the a support payments~~ payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due, and the obligee or a public agency responsible for support enforcement may obtain entry and docketing of a the judgment for the unpaid amounts under the provisions of section 548.091. The notice shall enumerate the conditions that must be met before the judgment can be docketed. The court and the prosecuting attorney of a county in which the obligor is present or has property have the same powers and duties to enforce the order as have those of the county in which it was first issued. If enforcement is impossible, or cannot be completed in the county in which the order was issued, the prosecuting attorney shall send a certified copy of the order to the prosecuting attorney of a county in which it appears that the proceedings to enforce the order would be effective. The prosecuting attorney to whom the certified copy of the order is forwarded shall proceed with enforcement and report the results of the proceedings to the court first issuing the order.

Sec. 10. Minnesota Statutes 1987 Supplement, section 548.091, subdivision 1, is amended to read:

Subdivision 1. [DOCKETING OF MAINTENANCE JUDGMENT.] A judgment for unpaid amounts under a judgment or decree of dissolution or legal separation, ~~determination of parentage, an order under chapter 518C, an order under section 256.87, or an order under section 260.251, any of which provide that provides for installment or periodic payments of child support, maintenance, or reimbursement to a county for the cost of care, examination, or treatment of a child, or any combination of those items,~~ shall be entered and docketed by the court administrator only when ordered by the court or when the following conditions are met:

(a) The obligee ~~or the public authority~~ determines that the obligor is at least 30 days in arrears;

(b) The obligee ~~or public authority~~ serves a copy of an affidavit of default and notice of intent to enter judgment on the obligor by mail at the obligor's last known post office address. Service shall be deemed complete upon mailing in the manner designated. The affidavit shall state the full name, occupation, place of residence, and last known post office address of the obligor, the name and post office address of the obligee, the date of the first unpaid amount, the date of the last unpaid amount, and the total amount unpaid;

(c) The obligor fails within 20 days after mailing of the notice either to pay all unpaid amounts or to request a hearing on the issue of whether arrears claimed owing have been paid and to seek, ex parte, a stay of entry of judgment; and

(d) Not less than 20 days after service on the obligor in the manner provided, the obligee or public authority files with the court administrator the affidavit of default together with proof of service and, if payments have been received by the obligee or public authority since execution of the affidavit of default, a supplemental affidavit setting forth the amount of payment received.

Sec. 11. Minnesota Statutes 1986, section 548.091, is amended by adding a subdivision to read:

Subd. 1a. [CHILD SUPPORT JUDGMENT BY OPERATION OF LAW.] Any payment or installment of support required by a judgment or decree of dissolution or legal separation, determination of parentage, an order under chapter 518C, an order under section 256.87, or an order under section 260.251, that is not paid or withheld from the obligor's income as required under section 518.611 or 518.613, is a judgment by operation of law on and after the date it is due and is entitled to full faith and credit in this state and any other state. Interest accrues from the date the judgment on the payment or installment is entered and docketed under subdivision 3a, at the annual rate provided in section 549.09, subdivision 1. A payment or installment of support that becomes a judgment by operation of law between the date on which a party served notice of a motion for modification under section 518.64, subdivision 2, and the date of the court's order on modification may be modified under that subdivision.

Sec. 12. Minnesota Statutes 1986, section 548.091, subdivision 2, is amended to read:

Subd. 2. [AMOUNT AND SURVIVAL OF MAINTENANCE JUDGMENT.] The court administrator shall enter and docket judgment in the amount of each affidavit filed under subdivision 1 less any amount paid. From the time of docketing, the judgment is a lien in the amount unpaid upon all the real property in the county then or after owned by the judgment debtor. The judgment survives and the lien continues for ten years after its entry.

Sec. 13. Minnesota Statutes 1986, section 548.091, is amended by adding a subdivision to read:

Subd. 2a. [DOCKETING OF CHILD SUPPORT JUDGMENT.] On or after the date an unpaid amount becomes a judgment by operation of law under subdivision 1a, the obligee or the public authority may file with the court administrator:

(1) a statement identifying, or a copy of, the judgment or decree of dissolution or legal separation, determination of parentage, order under chapter 518C, an order under section 256.87, or an order under section 260.251, which provides for installment or periodic payments of child support;

(2) an affidavit of default. The affidavit of default must state the full name, occupation, place of residence, and last known post office address of the obligor, the name and post office address of the obligee, the date or dates payment was due and not received and judgment was obtained by operation of law, and the total amount of the judgments; and

(3) an affidavit of service of a notice of entry of judgment on the obligor, in person or by mail at the obligor's last known post office address. Service is completed upon mailing in the manner designated.

Sec. 14. Minnesota Statutes 1986, section 548.091, subdivision 3, is amended to read:

Subd. 3. [MAINTENANCE JUDGMENTS DOCKETED PRIOR TO DEFAULT.] An obligor whose property is subject to the lien of a judgment for installment of periodic payments of ~~child support, maintenance, or both,~~ under section 548.09, and who claims that no amount of ~~support or maintenance~~ is in arrears, may move the court ex parte for an order directing the court administrator to vacate the lien of the judgment on the docket and register of the action where it was entered. The obligor shall file with the motion an affidavit stating that:

(a) The lien attached upon the docketing of a judgment or decree of dissolution or separate maintenance, ~~a determination of parentage, an order under the Reciprocal Enforcement of Support Act, or an order under section 256.87;~~

(b) The docketing was made while no installment or periodic payment of ~~child support, maintenance, or both,~~ was unpaid or overdue; and

(c) No installment or periodic payment of ~~child support, maintenance, or both,~~ that was due prior to the filing of the motion remains unpaid or overdue.

The court shall grant the obligor's motion as soon as possible if the pleadings and affidavit show that there is and has been no default.

Sec. 15. Minnesota Statutes 1986, section 548.091, is amended by adding a subdivision to read:

Subd. 3a. [ENTRY, DOCKETING, AND SURVIVAL OF CHILD SUPPORT JUDGMENT.] Upon receipt of the documents filed under subdivision 2a, the court administrator shall enter and docket the judgment in the amount of the default specified in the affidavit of default. From the time of docketing, the judgment is a lien upon all the real property in the county owned by the judgment debtor. The judgment survives and the lien continues for ten years after the date the judgment was docketed.

Sec. 16. Minnesota Statutes 1986, section 548.091, is amended by adding a subdivision to read:

Subd. 4. [CHILD SUPPORT HEARING.] A child support obligor may request a hearing under the rules of civil procedure on the issue of whether the judgment amount or amounts have been paid and may move the court for an order directing the court administrator to vacate the judgment or judgments on the docket and register in any county or other jurisdiction in which judgment or judgments were entered pursuant to this action.

The court shall grant the obligor's motion if it determines that there is no default.

Sec. 17. [EFFECTIVE DATE.]

This act is effective the day after final enactment and applies to all support payments due on or after the effective date and to all unpaid payments which have not been reduced to judgment by the effective date."

Delete the title and insert:

"A bill for an act relating to marriage dissolution; providing for child support enforcement; specifying conditions for judgment by operation of law; amending Minnesota Statutes 1986, sections 256.87, subdivisions 1, 1a, 6, and by adding a subdivision; 257.66, subdivision 5; 518.55, subdivision 2, and by adding a subdivision; 518.551, subdivision 9; 518C.17, subdivision 1; 548.091, subdivisions 2, 3, and by adding subdivisions; Minnesota Statutes 1987 Supplement, section 548.091, subdivision 1."

The motion prevailed and the amendment was adopted.

Jennings, Dempsey and Kludt moved to amend S. F. No. 1582, as amended, as follows:

Page 9, delete lines 4 to 8, and insert:

"Sec. 17. [REPEALER.]

Sections 1 to 16 are repealed on the date a waiver is received by the commissioner of human services under United States Code, title 42, section 666(d). The commissioner of human services shall seek such a waiver immediately after enactment of sections 1 to 16."

The motion prevailed and the amendment was adopted.

S. F. No. 1582, A bill for an act relating to marriage dissolution; providing for child support and maintenance enforcement; specifying conditions for judgment by operation of law; amending Minnesota Statutes 1986, sections 256.87, subdivisions 1, 1a, and 6; 257.66, subdivision 5; 518.55, subdivision 2, and by adding a subdivision; 518.551, subdivision 9; 518C.17, subdivision 1; 548.091, subdivisions 2, 3, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 548.091, subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 1871 was reported to the House.

Blatz moved to amend S. F. No. 1871, as follows:

Delete everthing after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 518.17, is amended by adding a subdivision to read:

Subd. 1a. [EVIDENCE OF FALSE ALLEGATIONS OF CHILD ABUSE.] The court shall consider evidence of a violation of section 2 in determining the best interests of the child.

Sec. 2. [609.506] [FALSELY REPORTING CHILD ABUSE.]

A person who is a party to a custody proceeding under chapters 518, 518A, or 518B, or sections 257.51 to 257.74, who alleges to another person that another party to the custody proceeding has committed sexual abuse, physical abuse, or neglect of a child, as defined in section 626.556, subdivision 2, knowing that the allegation is false or having no reason to believe that the alleged abuse or neglect has occurred, and intending that the allegation influence the custody proceeding, is guilty of a misdemeanor.”

The motion prevailed and the amendment was adopted.

Wagenius; Swenson; Olsen, S.; Marsh; Blatz; Kelly; Kahn; Rest; Orenstein; Pappas; Vellenga and Seaberg moved to amend S. F. No. 1871, as amended, as follows:

Page 1, after line 14, insert:

“Sec. 2. Minnesota Statutes 1986, section 609.185, is amended to read:

609.185 [MURDER IN THE FIRST DEGREE.]

Whoever does any of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) Causes the death of a human being with premeditation and with intent to effect the death of the person or of another;

(2) Causes the death of a human being while committing or attempting to commit criminal sexual conduct in the first or second degree with force or violence, either upon or affecting the person or another;

(3) Causes the death of a human being with intent to effect the death of the person or another, while committing or attempting to commit burglary, aggravated robbery, kidnapping, arson in the first

or second degree, tampering with a witness in the first degree, or escape from custody; or

(4) Causes the death of a peace officer or a guard employed at a Minnesota state correctional facility, with intent to effect the death of that person or another, while the peace officer or guard is engaged in the performance of official duties; or

(5) Causes the death of a minor under circumstances other than those described in clause (1) or (2) while committing or attempting to commit child abuse, when the perpetrator has engaged in a past pattern of child abuse upon the child and the death occurs under circumstances manifesting an extreme indifference to human life.

For purposes of clause (5), "child abuse" means an act committed against a minor victim which constitutes a violation of sections 609.221, 609.222, 609.223, 609.224, 609.342, 609.343, 609.344, 609.345, 609.377, or 609.378.

Page 1, line 15, delete "2" and insert "3"

Page 1, after line 24, insert:

"Sec. 4. [EFFECTIVE DATE.]

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

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "prescribing the penalty of murder in the first degree for the new crime of causing the death of a child while committing child abuse;"

Page 1, line 5, delete "section" and insert "sections"

Page 1, line 6, after the semicolon, insert "and 609.185;"

The motion prevailed and the amendment was adopted.

Blatz, Dempsey, Kelly, McDonald and Vellenga moved to amend S. F. No. 1871, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 3. Minnesota Statutes 1987 Supplement, section 626.556, subdivision 3, is amended to read:

Subd. 3. [PERSONS MANDATED TO REPORT.] (a)(1) A profes-

sional or the professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement; and (2) a professional who is a member of the clergy or other minister of any religion who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years, shall immediately report the information to the local welfare agency, police department, or the county sheriff. Provided, that a member of the clergy or other minister of any religion is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c). The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency orally and in writing. The local welfare agency, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing. The county sheriff and the head of every local welfare agency and police department shall each designate a person within their agency, department, or office who is responsible for ensuring that the notification duties of this paragraph and paragraph (b) are carried out. Nothing in this subdivision shall be construed to require more than one report from any institution, facility, school, or agency.

(b) Any person may voluntarily report to the local welfare agency, police department, or the county sheriff if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse. The police department or the county sheriff, upon receiving a report, shall immediately notify the local welfare agency orally and in writing. The local welfare agency, upon receiving a report, shall immediately notify the local police department or the county sheriff orally and in writing.

(c) A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing the facility. A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b.

(d) Any person mandated to report shall, upon request to the local welfare agency, receive a summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child. Any person who is not mandated to report shall, upon request to the local welfare agency, receive a concise summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.

(e) For purposes of this subdivision, "immediately" means as soon as possible but in no event longer than 24 hours."

Amend the title as follows:

Page 1, line 4, after "hearings;" insert "requiring members of the clergy to report maltreatment of minors;"

Page 1, line 6, after the semicolon, insert "Minnesota Statutes 1987 Supplement, section 626.556, subdivision 3;"

The motion prevailed and the amendment was adopted.

S. F. No. 1871, A bill for an act relating to family law; prohibiting certain false allegations of child abuse; regulating child custody hearings; providing a penalty; amending Minnesota Statutes 1986, section 518.17, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Krueger	Omann	Seaberg
Anderson, R.	Greenfield	Larsen	Onnen	Segal
Battaglia	Gruenes	Lasley	Orenstein	Shaver
Bauerly	Gutknecht	Lieder	Osthoff	Simoneau
Beard	Hartle	Long	Otis	Skoglund
Begich	Haukoos	Marsh	Ozment	Solberg
Bennett	Heap	McDonald	Pappas	Sparby
Bertram	Himle	McEachern	Pauly	Stanius
Bishop	Hugoson	McKasy	Pelowski	Steensma
Blatz	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
DeRaad	Kludt	Ogren	Sarna	Welle
Dille	Knickerbocker	Olsen, S.	Schafer	Wenzel
Dorn	Knuth	Olson, E.	Scheid	Winter
Forsythe	Kostohryz	Olson, K.	Schreiber	Wynia
				Spk. Vanasek

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

S. F. No. 1620 was reported to the House.

Dorn moved to amend S. F. No. 1620, as follows:

Page 10, after line 33, insert:

“Sec. 15. [EFFECTIVE DATE.]

This act is effective the day after final enactment.”

The motion prevailed and the amendment was adopted.

S. F. No. 1620, A bill for an act relating to human services; regulating payments for certain services for adults with mental retardation and related conditions; providing protection for the mentally retarded; providing for therapeutic work activities; negotiating medical assistance utilization review appeals; regulating child support; amending Minnesota Statutes 1986, section 246.56; Minnesota Statutes 1987 Supplement, sections 252.41, subdivision 7; 252.46, subdivisions 1, 2, 3, 4, 5, and 12; 252.47; 252A.111, subdivision 6; 254B.05, subdivision 1; 254B.09, subdivision 5; 256B.04, subdivision 15; and 518.64, subdivision 2.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Kostohryz	Olson, K.	Schreiber
Anderson, R.	Frerichs	Krueger	Omann	Seaberg
Battaglia	Greenfield	Larsen	Onnen	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	Steenma
Brown	Jacobs	McLaughlin	Peterson	Swigum
Burger	Jaros	McPherson	Poppenhagen	Swenson
Carlson, D.	Jefferson	Milbert	Price	Thiede
Carlson, L.	Jennings	Miller	Quinn	Tjornhom
Carruthers	Jensen	Minne	Redalen	Tompkins
Clark	Johnson, A.	Morrison	Reding	Trimble
Clausnitzer	Johnson, R.	Munger	Rest	Tunheim
Cooper	Johnson, V.	Murphy	Rice	Uphus
Dauner	Kahn	Nelson, C.	Richter	Valento
Dawkins	Kalis	Nelson, D.	Riveness	Vellenga
DeBlieck	Kelly	Nelson, K.	Rodosovich	Wagenius
Dempsey	Kelso	Neuenschwander	Rose	Waltman
DeRaad	Kinkel	O'Connor	Rukavina	Welle
Dille	Kludt	Ogren	Sarna	Wenzel
Dorn	Knickerbocker	Olsen, S.	Schafer	Winter
Forsythe	Knuth	Olson, E.	Scheid	Wynia
				Spk. Vanasek

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

S. F. No. 2102 was reported to the House.

Nelson, K., moved to amend S. F. No. 2102, as follows:

Page 1, line 17, after "board" insert ", subject to the approval of the mayor,"

Page 1, after line 18, insert:

"Sec. 2. 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. 3. [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. 4. [NONENTITLEMENT OF ANNUAL POSTRETIREMENT PAYMENT.]

No provision of, or payment made under, sections 2 or 3 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 1, line 19, delete "2" and insert "5"

Page 1, after line 24, insert:

"Sections 2, 3, and 4 are effective the day after approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021 and apply to calendar year 1987 investment performance."

Amend the title as follows:

Page 1, line 4, 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. 2102, A bill for an act relating to the city of Minneapolis; authorizing the Minneapolis park and recreation board to establish compensation for its members; amending Laws 1974, chapter 181, section 1, as amended.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

McDonald

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

S. F. No. 335 was reported to the House.

Clark moved to amend S. F. No. 335, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 148.70, is amended to read:

148.70 [APPLICANTS, QUALIFICATIONS.]

It shall be the duty of the board of medical examiners with the advice and assistance of the physical therapy council to pass upon the qualifications of applicants for registration, continuing education requirements for reregistration, provide for and conduct all examinations following satisfactory completion of all didactic requirements, determine the applicants who successfully pass the examination, and duly register such applicants after the applicant has presented evidence satisfactory to the board that the applicant has completed a program of education or continuing education approved by the board.

Sec. 2. Minnesota Statutes 1986, section 148.73, is amended to read:

148.73 [RENEWALS.]

Every registered physical therapist shall, during each January, apply to the board for an extension of registration and pay a fee in the amount set by the board. ~~Registration that is not so extended on or before January 31 each year, shall automatically lapse on said date. The board, in its discretion, may revive and extend a lapsed registration on the payment of the required fees. Registrants shall likewise pay the annual registration fee for the balance of the first year of their registration~~ The extension of registration is contingent upon demonstration that the continuing education requirements set by the board under section 148.709 have been satisfied.

Sec. 3. Minnesota Statutes 1986, section 148.74, is amended to read:

148.74 [RULES.]

The board is authorized to adopt rules as may be necessary to carry out the purposes of sections 148.65 to 148.78. The secretary of the board shall keep a record of proceedings under these sections and a register of all persons registered under it. The register shall show the name, address, date and number of registration, and the renewal thereof. Any other interested person in the state may obtain a copy of such list on request to the board upon payment of an amount as may be fixed by the board, which shall not exceed the cost of the list so furnished. The board shall provide blanks, books, certificates, and stationery and assistance as is necessary for the transaction of the business of the board and the physical therapy council hereunder, and all money received by the board under sections 148.65 to 148.78 shall be paid into the state treasury as provided for by law. The board shall set by rule the amounts of the application fee and the annual registration fee. The fees collected by the board must be sufficient to cover the costs of administering sections 148.65 to 148.78.

Sec. 4. Minnesota Statutes 1986, section 148.75, is amended to read:

148.75 [CERTIFICATES; DENIAL, SUSPENSION, REVOCATION.]

The state board of medical examiners may refuse to grant registration to any physical therapist, or may suspend or revoke the registration of any physical therapist for any of the following grounds:

(a) using drugs or intoxicating liquors to an extent which affects professional competence;

(b) been convicted of a felony;

(c) conviction for violating any state or federal narcotic law;

(d) procuring, aiding or abetting a criminal abortion;

(e) registration or attempted registration by fraud or deception;

(f) conduct unbecoming a person registered as a physical therapist or conduct detrimental to the best interests of the public;

(g) gross negligence in the practice of physical therapy as a physical therapist;

(h) treating human ailments by physical therapy treatment after an initial 30-day period of patient admittance to treatment has lapsed, except by the order or referral of a person licensed in this state to practice medicine as defined in section 147.10, the practice of chiropractic as defined in section 148.01, the practice of podiatry as defined in section 153.01, or the practice of dentistry as defined in section 150A.05 and whose license is in good standing; or when a previous diagnosis exists indicating an ongoing condition warranting physical therapy treatment, subject to periodic review defined by board of medical examiners rule;

(i) treating human ailments without referral by physical therapy treatment without first having practiced one year under a physician's orders as verified by the board's records;

(j) failure to consult with the patient's health care provider who prescribed the physical therapy treatment if the treatment is altered by the physical therapist from the original written order. The provision does not include written orders specifying orders to "evaluate and treat";

(k) treating human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state;

(l) ~~(j)~~ inappropriate delegation to a physical therapist assistant or inappropriate task assignment to an aide or inadequate supervision of either level of supportive personnel;

(m) ~~(k)~~ treating human ailments other than by performing physical therapy procedures unless duly licensed or registered to do so under the laws of this state;

~~(t)~~ (n) practicing as a physical therapist performing medical diagnosis, the practice of medicine as defined in section 147.10, or the practice of chiropractic as defined in section 148.01;

~~(m)~~ (o) failure to comply with a reasonable request to obtain appropriate clearance for mental or physical conditions which would interfere with the ability to practice physical therapy, and which may be potentially harmful to patients; and

~~(n)~~ (p) dividing fees with, or paying or promising to pay a commission or part of the fee to, any person who contacts the physical therapist for consultation or sends patients to the physical therapist for treatment;

(q) engaging in an incentive payment arrangement, other than that prohibited by clause (p), that tends to promote physical therapy over-utilization, whereby the referring person or person who controls the availability of physical therapy services to a client profits unreasonably as a result of patient treatment;

(r) practicing physical therapy and failing to refer to a licensed health care professional any patient whose medical condition at the time of evaluation has been determined by the physical therapist to be beyond the scope of practice of a physical therapist; and

(s) failure to report to the board other registered physical therapists who violate this section.

A certificate of registration to practice as a physical therapist is suspended if (1) a guardian of the person of the physical therapist is appointed by order of a probate court pursuant to sections 525.54 to 525.612, for reasons other than the minority of the physical therapist; or (2) the physical therapist is committed by order of a probate court pursuant to 253B or sections 526.09 to 526.11. The certificate of registration remains suspended until the physical therapist is restored to capacity by a court and, upon petition by the physical therapist, the suspension is terminated by the board of medical examiners after a hearing.

Sec. 5. Minnesota Statutes 1986, section 148.76, subdivision 2, is amended to read:

Subd. 2. No physical therapist shall:

(a) treat human ailments by physical therapy treatment after an initial 30-day period of patient admittance to treatment has lapsed, except by the order or referral of a person licensed in this state to practice medicine as defined in section 147.10, the practice of chiropractic as defined in section 148.01, the practice of podiatry as defined in section 153.01, or the practice of dentistry as defined in

section 150A.05 and whose license is in good standing; or when a previous diagnosis exists indicating an ongoing condition warranting physical therapy treatment, subject to periodic review defined by board of medical examiners rule;

(b) treat human ailments by physical therapy treatment without first having practiced one year under a physician's orders as verified by the board's records;

(c) utilize any chiropractic manipulative technique whose end is the chiropractic adjustment of an abnormal articulation of the body; and

(d) treat human ailments other than by physical therapy unless duly licensed or registered to do so under the laws of this state."

Delete the title and insert:

"A bill for an act relating to occupations and professions; regulating continuing education for physical therapists; specifying the amounts of certain fees; specifying certain grounds for disciplinary action; prohibiting certain business relationships in the practice of physical therapy; regulating physical therapy treatment without referral by a physician; amending Minnesota Statutes 1986, sections 148.70; 148.73; 148.74; 148.75; and 148.76, subdivision 2."

The motion prevailed and the amendment was adopted.

S. F. No. 335, A bill for an act relating to occupations and professions; authorizing physical therapy treatment without referral by a physician; prohibiting certain business relationships in the practice of physical therapy; amending Minnesota Statutes 1986, sections 148.74; 148.75; and 148.76, 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 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Dempsey Knickerbocker

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

S. F. No. 2017 was reported to the House.

Kelly moved that S. F. No. 2017 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 2150 was reported to the House.

Peterson moved to amend S. F. No. 2150, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 16B.06, is amended by adding a subdivision to read:

Subd. 6. [CONTRACTS WITH INDIAN TRIBES AND BANDS.] Notwithstanding any other law, the state may not require an Indian tribe or band to deny their sovereignty as a requirement or condition of a contract with the state or an agency of the state.

Sec. 2. [REPEALER.]

Section 1 is repealed August 1, 1989.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

The motion prevailed and the amendment was adopted.

Speaker pro tempore Long called Anderson, G., to the Chair.

S. F. No. 2150, A bill for an act relating to state contracts; prohibiting the state from requiring Indian tribes or bands to deny their sovereignty to contract with the state; amending Minnesota Statutes 1986, section 16B.06, by adding a subdivision.

The bill was read for the 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

S. F. No. 2323 was reported to the House.

Jennings, Skoglund and Knickerbocker moved to amend S. F. No. 2323, as follows:

Page 2, after line 8, insert:

"Sec. 3. Minnesota Statutes 1986, section 48.24, subdivision 6, is amended to read:

Subd. 6. The discount of the following classes of paper shall not be regarded as creating liability within the meaning of this section:

(1) Bonds, orders, warrants, or other evidences of indebtedness of the United States, of federal land banks, of this state or of any county, city, town, hospital district, or school district in this state, or of the bonds, representing general obligation of any other state in the United States, or bonds and obligations of the federal home loan banks established by act of Congress known as the Federal Home Loan Bank Act, approved July 23, 1932, and acts amendatory thereto, or debentures and other obligations of the federal intermediate credit banks established by act of Congress known as the Federal Intermediate Credit Banks Act, approved March 4, 1923, and acts amendatory thereto, in obligations issued by the banks for cooperatives or any of them, and in bonds and obligations of the home owners' loan corporation established by act of Congress, known as the Home Owners' Loan Act of 1933, and acts amendatory thereto, in exchange for mortgages on homes, or contracts for deed, or real estate held by it.

(2) Bills of exchange drawn in good faith against actually existing values, including bills which are secured by shipping documents conveying or securing title to goods shipped, and which are not to be surrendered until such bills are paid in cash or solvent credits. This includes bankers' acceptances or participations in bankers' acceptances of the kind and maturities made eligible by law for rediscount with, or purchase by, federal reserve banks, providing the same are accepted or endorsed by a bank or trust company incorporated under the laws of this state; or by any bank or trust company in the United States which is a member of the federal reserve system.

(3) Paper based upon the collateral security of warehouse receipts covering agricultural or manufactured products stored in elevators or warehouses under the following conditions:

First, when the actual market value of the property covered by such receipts at all times exceeds by at least ten percent the amount loaned thereon, and

Second, when the full amount of every such loan is at all times covered by fire insurance in duly authorized companies, within the limit of their ability to cover such amounts, and the excess, if any, in companies having sufficient paid-up capital to authorize their admission, and payable, in case of loss, to the bank or holder of the warehouse receipt.

(4) Total loans to an obligor secured by either certificates of

deposit, or savings certificates or both, of any such bank to the extent of the total of such certificates pledged as security.

(5) Debentures issued under the authority of the federal national mortgage association.

(6) Obligations representing loans from one business day to the next to any state bank or national banking association of excess reserve balances from time to time maintained under the provisions of section 48.22, or of section 19 of the Federal Reserve Act, as amended, United States Code, title 12, sections 461 et seq.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete “subdivision 5” and insert “subdivisions 5 and 6”

The motion prevailed and the amendment was adopted.

S. F. No. 2323, A bill for an act relating to financial institutions; authorizing certain investments for banks; amending Minnesota Statutes 1986, sections 48.152, subdivision 10; 48.24, subdivision 5; and 48.61, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	DeBlieck	Johnson, A.	McLaughlin	Otis
Anderson, R.	Dempsey	Johnson, R.	McPherson	Ozment
Battaglia	DeRaad	Johnson, V.	Milbert	Pappas
Bauerly	Dille	Kahn	Miller	Pauly
Beard	Dorn	Kalis	Morrison	Pelowski
Begich	Forsythe	Kelly	Munger	Peterson
Bennett	Frederick	Kelso	Murphy	Poppenhagen
Bertram	Greenfield	Kinkel	Nelson, C.	Price
Bishop	Gruenes	Kludt	Nelson, D.	Quinn
Blatz	Gutknecht	Knickerbocker	Nelson, K.	Redalen
Brown	Hartle	Knuth	Neuenschwander	Reding
Burger	Haukoos	Kostohryz	O'Connor	Rest
Carlson, D.	Heap	Krueger	Ogren	Rice
Carlson, L.	Himle	Larsen	Olsen, S.	Richter
Carruthers	Hugoson	Lasley	Olsen, E.	Riveness
Clark	Jacobs	Lieder	Olson, K.	Rodosovich
Clausnitzer	Jaros	Long	Omann	Rose
Cooper	Jefferson	Marsh	Onnen	Rukavina
Dauner	Jennings	McEachern	Orenstein	Sarna
Dawkins	Jensen	McKasy	Osthoff	Schafer

Scheid	Skoglund	Swenson	Uphus	Welle
Schreiber	Solberg	Thiede	Valento	Wenzel
Seaberg	Sparby	Tjornhom	Vellenga	Winter
Segal	Stanius	Tompkins	Voss	Wynia
Shaver	Steensma	Trimble	Wagenius	
Simoneau	Sviggum	Tunheim	Waltman	

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

H. F. No. 2130 was reported to the House.

Vellenga moved that H. F. No. 2130 be continued on Special Orders for one day. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2561 was reported to the House.

Kelly moved that H. F. No. 2561 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 2255 was reported to the House.

Winter moved to amend S. F. No. 2255, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 41.57, subdivision 4, is amended to read:

Subd. 4. [ADDITIONAL PAYMENT; PRINCIPAL REDUCTION.]

(a) The commissioner must annually pay to qualified sellers of property, financed by a family farm security loan, an amount approximately equal to the additional state income tax paid as a result of the inclusion in gross income of the interest and payment adjustment earned on a seller sponsored family farm security loan. No payment may be made under this subdivision to a qualified seller, unless the seller agrees to reduce the outstanding principal amount of the loan by three percent effective prior to or beginning for the year in which application is made.

(b) The payment amount must be determined as follows:

(1) In order to qualify for a payment, the seller must apply to the commissioner by October 1, ~~1986~~ following the previous tax year. The application must include a copy of the seller's ~~1985~~ previous tax year state income tax return. The commissioner must recompute the seller's total state income tax liability that would be due if the interest and payment adjustment amounts were not includable in gross income for state income tax purposes. The commissioner may require the seller to compute these amounts as part of the application. For any calendar year ~~1986~~ the amount of the payment equals the reduction in state income tax liability that would occur if the interest and payment adjustment were not included in gross income for state tax purposes.

(2) For calendar years beginning with 1987, the additional payment amount must be determined as follows: (A) The calendar year 1986 payment must be divided by the amount of interest and payment adjustment received during calendar year 1986. (B) The resulting quotient must be multiplied by the interest and payment adjustment received for the calendar year. (C) The product determined under clause (B) is the payment for the calendar year.

(c) If for a tax year after 1986 the qualified seller's taxable income

has changed substantially, the commissioner may provide by rule that upon reapplication a later tax year will be used to compute the quotient under clause (b)(2)(A).

(d)(1) (c) If the seller elects to receive payments under this subdivision, the buyer's payments of principal and interest under the loan must be recalculated. The revised payment schedule must reflect the three percent reduction in the outstanding principal required by paragraph (a) and must provide for equal payments over the remaining term of the loan. The interest rate on the loan may not be increased.

(2) The state's payment adjustment under subdivision 2 and the amount of the payment under paragraph (b) must be calculated on the basis of the outstanding principal amount of the loan before the reduction required by paragraph (a).

(e) (d) The commissioner may make the payments under this subdivision in the same manner provided for the payment adjustment under subdivision 2.

(f) (e) For purposes of this subdivision, the following terms have the meanings given:

(1) "Gross income" means gross income as defined for purposes of chapter 290.

(2) "Qualified seller" means an individual who sold farm land under a seller sponsored loan after April 1, 1978 and before June 28 December 31, 1985, and who is a resident of Minnesota during the calendar year and is subject to the payment of Minnesota income taxes.

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

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

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; extending certain benefits under the family farm security act; amending Minnesota Statutes 1986, section 41.57, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 41."

The motion prevailed and the amendment was adopted.

S. F. No. 2255, A bill for an act relating to agriculture; extending certain benefits under the family farm security act; amending Minnesota Statutes 1986, section 41.57, subdivision 4.

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

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

H. F. No. 2291 was reported to the House.

Thiede moved to amend H. F. No. 2291, as follows:

Page 5, after line 14, insert:

"Sec. 8. Minnesota Statutes 1986, section 16B.17, subdivision 3, is amended to read:

Subd. 3. [DUTIES OF CONTRACTING AGENCY.] Before an agency may seek approval of a consultant or professional and technical services contract valued in excess of \$2,000, it must certify to the commissioner that:

(1) no state employee is able to perform the services called for by the contract;

(2) the normal competitive bidding mechanisms will not provide for adequate performance of the services;

(3) the services are not available as a product of a prior consultant or professional and technical services contract, and the contractor has certified that the product of the services will be original in character;

(4) reasonable efforts were made to publicize the availability of the contract;

(5) the agency has received, reviewed, and accepted a detailed work plan from the contractor for performance under the contract; and

(6) the agency has complied with the requirements of subdivision 3a, if applicable; and

~~(6)~~ (7) the agency has developed, and fully intends to implement, a written plan providing for the assignment of specific agency personnel to a monitoring and liaison function; the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services.

Sec. 9. Minnesota Statutes 1986, section 16B.17, is amended by adding a subdivision to read:

Subd. 3a. [ADDITIONAL DUTIES.] This subdivision applies to proposed state contracts for consultant services or professional and technical services valued in excess of \$2,000, for which the agency seeking approval of the contract does not publish notice of the availability of the contract in a newspaper or trade journal. An agency seeking the commissioner's approval to enter into a contract subject to this subdivision must first publish notice in the state register listing:

(1) The name of the proposed contractor; and

(2) The amount and recipient of each contribution in excess of \$100 made in the past five years by the proposed contractor to a candidate, political fund, major political party, officer holder, or major political party caucus of the senate or house of representatives. The terms used in this clause have the meaning given them in section 10A.01. For purposes of this clause contractor also includes directors, officers and members of the board of a corporation that will perform a contract; all partners, other than limited partners, if the proposed contractor is a partnership; and all directors, officers, and shareholders in a professional corporation if the proposed contractor is a professional corporation.

Renumber subsequent sections accordingly

Amend the title as follows:

Page 1, line 10, after the first semicolon insert "16B.17, subdivision 3, and by adding a subdivision;"

A roll call was requested and properly seconded.

The question was taken on the Thiede amendment and the roll was called. There were 53 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Knickerbocker	Onnen	Shaver
Bennett	Frerichs	Marsh	Orenstein	Stanius
Bishop	Gruenes	McKasy	Ozment	Sviggum
Blatz	Gutknecht	McPherson	Pauly	Swenson
Burger	Hartle	Milbert	Poppenhagen	Thiede
Carlson, D.	Haukoos	Miller	Redalen	Tjornhom
Clausnitzer	Heap	Morrison	Richter	Uphus
Dempsey	Himle	Neuenschwander	Rose	Valento
DeRaad	Hugoson	Olsen, S.	Schafer	Waltman
Dille	Jennings	Olson, E.	Schreiber	
Forsythe	Johnson, V.	Omman	Seaberg	

Those who voted in the negative were:

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

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

H. F. No. 2291, A bill for an act relating to state agencies; amending, enacting and repealing certain laws administered by the department of administration; increasing the powers of the state board for community colleges; changing the criteria for board membership; amending Minnesota Statutes 1986, sections 15.0591, subdivision 2; 15.50, by adding a subdivision; 16A.41, subdivision 1; 16B.07, subdivisions 2 and 3; 16B.08, subdivision 4; 16B.09, subdivision 3; 16B.24, by adding subdivisions; 16B.28; 16B.42, subdivision 1; 16B.48, subdivision 2; 16B.54, subdivision 8; 16B.55, subdivisions 3 and 6; 16B.65, subdivision 3; 16B.85; 94.12; 136.61, subdivision 1; 136.622; 136.67, subdivision 2; 214.07, subdivision 1; 268.0122, by adding a subdivision; and 382.153; Minnesota Statutes 1987 Supplement, sections 16B.09, subdivision 1; 16B.67; 115A.15, subdivision 6; and 168.012, subdivision 1; Laws 1987, chapter 365, section 24; proposing coding for new law in Minnesota Statutes, chapters 16B and 136; repealing Minnesota Statutes 1986, sections 15.38; 16B.29; and 214.07, 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 113 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, R.	Johnson, V.	Miller	Schafer
Carlson, D.	McPherson	Olson, K.	Thiede

The bill was passed and its title agreed to.

S. F. No. 1783 was reported to the House.

Nelson, D., moved to amend S. F. No. 1783, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [116.60] [DEFINITIONS.]

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

Subd. 2. [AGENCY.] “Agency” means the pollution control agency.

Subd. 3. [CERTIFICATE OF COMPLIANCE.] “Certificate of compliance” means a serially numbered written instrument or device indicating that a motor vehicle complies with the standards and criteria adopted by the agency under section 3.

Subd. 4. [CERTIFICATE OF WAIVER.] “Certificate of waiver” means a serially numbered written instrument or device indicating that the requirement of compliance with the standards and criteria of the agency has been waived for a motor vehicle under section 3.

Subd. 5. [DEPARTMENT.] “Department” means the department of public safety.

Subd. 6. [METROPOLITAN AREA.] “Metropolitan area” has the meaning given in section 473.121.

Subd. 7. [MOTOR VEHICLE.] “Motor vehicle” means a passenger automobile, station wagon, pickup truck, or van, as defined in section 168.011, licensed for use on the public streets and highways.

Subd. 8. [PUBLIC INSPECTION STATION.] “Public inspection station” means a facility for motor vehicle inspection operated under contract with the agency under section 3.

Subd. 9. [FLEET INSPECTION STATION.] “Fleet inspection station” means a facility for the inspection of motor vehicle fleets operated under license issued by the agency under section 3.

Subd. 10. [OWNER.] “Owner” has the meaning given it in section 168.011.

Subd. 11. [REGISTRAR.] “Registrar” means the registrar of motor vehicles under section 168.33.

Sec. 2. [116.61] [INSPECTION REQUIRED.]

Subdivision 1. [REQUIREMENT.] (a) Beginning no later than July 1, 1991, each motor vehicle registered to an owner residing in the metropolitan area and each motor vehicle customarily domiciled in the metropolitan area but exempt from registration under section 168.012 or 473.448 must be inspected annually for air pollution emissions as provided in sections 1 to 6.

(b) The inspections must take place at a public or fleet inspection station. The inspections must take place within 90 days prior to the registration deadline for the vehicle or, for vehicles that are exempt from license fees under section 168.012 or 473.448, at a time set by the agency.

(c) The registration on a motor vehicle subject to paragraph (a) may not be renewed unless the vehicle has been inspected for air pollution emissions as provided in sections 1 to 6 and received a certificate of compliance or a certificate of waiver.

Subd. 2. [EXEMPT VEHICLES.] The following motor vehicles are exempt from the requirements of this section:

(1) a motor vehicle manufactured before the 1976 model year or with an engine manufactured before the 1976 model year;

(2) a motor vehicle registered as classic, pioneer, collector, or street rod under section 168.10;

(3) a motor vehicle that is exempted in accordance with rules of the agency because the vehicle, although registered to an owner residing in the metropolitan area, is customarily domiciled outside of the metropolitan area; and

(4) any class of motor vehicle that is exempted by rule of the agency because the vehicles present prohibitive inspection problems or are inappropriate for inspection.

Sec. 3. [116.62] [MOTOR VEHICLE INSPECTION PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The agency shall establish and administer a program to test and inspect for air pollution emissions the motor vehicles that are subject to the requirement of section 2.

Subd. 2. [CRITERIA AND STANDARDS.] (a) The agency shall adopt rules for the program under chapter 14 establishing standards and criteria governing the testing and inspection of motor vehicles for air pollution emissions.

(b) The rules must specify maximum pollutant emission levels for motor vehicles, giving consideration to the levels of emissions necessary to achieve applicable federal and state air quality standards. The standards may be different for different model years, sizes, and types of motor vehicles.

(c) The rules must establish testing procedures and standards for test equipment used for the inspection. The test procedures or procedures producing comparable results must be available to the automobile pollution equipment repair industry. The test equipment used for the inspection or comparable equipment must be available to the repair industry on the open market.

(d) The rules must establish standards and procedures for the issuance of licenses for fleet inspection stations.

(e) The rules must establish standards and procedures for the issuance of certificates of compliance and waiver.

Subd. 3. [PUBLIC INSPECTION STATIONS; CONTRACT.] (a) The program shall provide for the inspection of motor vehicles at public inspection stations. The number and location of the stations must provide convenient public access.

(b) The agency shall contract with a private entity for the design, construction, equipment, establishment, maintenance, and operation of the public inspection stations and the provision of related services and functions. The contractor and its officers and employees may not be engaged in the business of selling, maintaining, or repairing motor vehicles or selling motor vehicle replacement or repair parts, except that the contractor may repair any motor vehicle owned or operated by the contractor. The contractor's employees are not employees of the state for any purpose. In evaluating contractors, the agency shall consider the contractors' policies and standards on working conditions of employees. Contracts must require the contractor to operate the public inspection stations for a minimum of five years and may provide for equitable compensation, from the vehicle emission inspection account established by section 6, for capital costs and other appropriate expenditures to the contractor, as determined by the agency.

(c) A public inspection station shall inspect and reinspect motor vehicles in accordance with the agency rules and contract. The inspection station shall issue a certificate of compliance for a motor vehicle that has been inspected and determined to comply with the standards and criteria of the agency adopted under this section. If a certificate of compliance cannot be issued, the inspection station shall provide a written inspection report describing the reasons for rejection and, when appropriate, the repairs needed or likely to be needed to bring the vehicle into compliance with the standards and criteria.

(d) The agency shall develop a means of responding to inquiries from members of the public about the current status of a motor vehicle under the program, including the last date of inspection, certification of compliance, and the terms under which a certificate of waiver has been issued. The agency shall ensure in its public information program that the public is aware of this service. The agency may contract for the provision of this service.

Subd. 4. [FLEET INSPECTION STATIONS; LICENSE.] (a) The program shall provide for the licensing of fleet inspection stations by the agency. The license must be issued by the agency, upon payment of a licensing fee in a manner and an amount prescribed by the agency, when the agency determines that an applicant satisfies the requirements of this section and agency rules.

(b) Owners of a fleet of 50 or more motor vehicles may apply for a fleet inspection station license. Two or more persons each owning 25 or more motor vehicles may apply jointly for a fleet inspection station license.

(c) A licensee shall have the facilities, equipment, and personnel to competently perform the inspections required by sections 1 to 6 and the rules of the agency. A licensee shall provide for the inspection of each fleet vehicle in accordance with the requirements of section 2 and before registration of the vehicle shall indicate in a manner prescribed by the agency whether the vehicle complies with the emission standards of the agency.

(d) A fleet inspection station license authorizes and obligates the licensee to perform inspections only on motor vehicles owned or operated exclusively by the fleet licensee.

(e) A licensee shall maintain records of all inspections in a manner prescribed by the agency and shall make the records available for inspection by authorized representatives of the agency during normal business hours.

(f) To ensure compliance, the agency may require fleet licensees to submit motor vehicles designated by the agency numbering five percent or five motor vehicles, whichever is larger, to annual inspection at public inspection stations.

Subd. 5. [CERTIFICATES OF WAIVER.] (a) A certificate of waiver, valid for one year, must be issued for a motor vehicle following inspection if:

(1) a low emissions adjustment has been performed on the vehicle, following inspection and within 90 days prior to the renewal of registration, and

(2) either the estimated cost of repairs and adjustments necessary to bring the vehicle into compliance with emissions standards or the actual cost of repairs already performed on a vehicle in accordance with the inspection report under subdivision 3 exceeds the repair cost limit.

(b) The following costs may not be considered in determining eligibility for waiver under paragraph (a): costs for repairs made under warranty and costs necessary to repair or replace any emission control equipment that has been removed, dismantled, tampered with, misfueled, or otherwise rendered inoperative in violation of section 325E.0951.

(c) The repair cost limit is \$75 for vehicles manufactured before the 1981 model year, and \$200 for vehicles manufactured in the 1981 model year and after.

(d) A temporary certificate of waiver, valid for not more than 30 days, may be issued to a vehicle to allow time for inspection and necessary repairs and adjustments.

Subd. 6. [FEDERAL GRANTS.] The agency shall apply for and accept on behalf of the state any funds made available by the federal government or by any other sources for motor vehicle pollution control programs.

Subd. 7. [STUDIES; DATA COLLECTIONS; ANNUAL REPORT.] The agency shall collect data and undertake studies necessary to evaluate the cost, effectiveness, and benefits of the motor vehicle inspection program. The agency shall compile data on failure rate, compliance rate, the number of certificates issued, and other similar matters. The agency shall report on the operation of the motor vehicle inspection program to the legislature by January 1, 1992, and every two years thereafter.

Subd. 8. [PUBLIC INFORMATION; TRAINING.] The agency shall design, prepare, and implement a public information program for the motor vehicle inspection program, in cooperation with the department and the contractor under section 3, subdivision 3. The program must include material for distribution, presentations, mass media releases, and other appropriate material.

Sec. 4. [116.63] [PROHIBITED ACTS.]

Subdivision 1. [WRONGFUL CERTIFICATION.] No person may issue a certificate of compliance for a motor vehicle that has not been inspected in accordance with or is not in compliance with the rules of the agency.

Subd. 2. [REFERRAL FOR PARTS OR REPAIR.] An employee,

owner, or operator of a public inspection station may not furnish information, except information provided by the state, about the name or other description of a parts or repair facility or other place where parts, repairs, or adjustments may be obtained to bring a motor vehicle into compliance with the rules of the agency.

Subd. 3. [ALTERATION.] A person may not materially alter or change any equipment or mechanism of a motor vehicle that has been certified to comply with the rules of the agency, so that the motor vehicle is no longer in compliance with those rules.

Subd. 4. [FALSE REPAIR COSTS.] A person may not provide false information to a public inspection station or the agency about estimated or actual repair costs or repairs needed to bring a motor vehicle into compliance with the standards of the agency. A person may not claim an amount spent for repair if the repairs were not made or the amount not spent.

Sec. 5. [116.64] [INSPECTION FEE.]

Subdivision 1. [AMOUNT.] An annual fee established in accordance with the rules of the agency, not to exceed \$10, is imposed for the cost of the inspection of a motor vehicle at a public inspection station and such reinspections as the rules of the agency allow, the cost of the contract entered under section 3, subdivision 3, and the administrative costs of the agency and the department.

Subd. 2. [APPLICATION.] The fee must be paid for each motor vehicle inspected at a public inspection station, including a motor vehicle that is exempt from license fees under section 168.012 or 473.448.

Subd. 3. [PAYMENT.] The fee must be paid to the registrar at the time that the motor vehicle is reregistered or, for vehicles exempt from license fees under section 168.012 or 473.488, at a time set by the agency.

Sec. 6. [116.65] [VEHICLE EMISSION INSPECTION ACCOUNT.]

Subdivision 1. [ESTABLISHMENT; PURPOSE.] A vehicle emission inspection account is created in the state treasury and may be used only to pay the cost of the motor vehicle inspection program and the costs of the agency and department to administer sections 1 to 6.

Subd. 2. [REVENUE SOURCE.] Revenue from the following sources must be deposited in the vehicle emission inspection account:

(1) money recovered by the state under section 4, and money paid under any agreement, stipulation, or settlement;

(2) money received by the agency in the form of gifts, grants, reimbursements, or appropriations from any source intended to be used for the purpose of the account;

(3) fleet inspection station licensing fees;

(4) interest attributable to investment of money deposited in the fund; and

(5) the proceeds of the inspection fee.

Subd. 3. [APPROPRIATION.] By the end of the initial contract entered by the agency under section 3, subdivision 3, the amounts appropriated from the motor vehicle transfer fund to the vehicle emission inspection account must be repaid to the transfer fund, and the amounts necessary for this repayment are appropriated from the vehicle emission inspection account.

Sec. 7. [APPROPRIATION.]

\$10,000 is appropriated to the agency from the motor vehicle transfer fund for transfer to the vehicle emission inspection account.

Sec. 8. [APPROPRIATION.]

\$200,000 is appropriated to the agency from the motor vehicle transfer fund for transfer to the vehicle emission inspection account.

Sec. 9. [APPROVED COMPLEMENT.]

The approved complement of the agency is increased by four classified positions. The positions approved by this section must be paid from the vehicle emission inspection account.

Sec. 10. [STUDY.]

The agency shall study and report to the legislature on the effectiveness, costs, and benefits of requiring the use of alternative fuels and of extending the requirements of section 2 to other vehicles registered in the metropolitan area and to other pollution by these vehicles.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 7 and 9 are effective the day following final enactment. Section 8 is effective July 1, 1988.

The motion prevailed and the amendment was adopted.

Nelson, D., moved to amend S. F. No. 1783, as amended, as follows:

Page 5, line 35, after the comma, insert "but no more than 25 vehicles."

The motion prevailed and the amendment was adopted.

Bennett and Johnson, V., moved to amend S. F. No. 1783, as amended, as follows:

Page 9, after line 13, insert:

"Sec. 11. [EQUIPMENT INSPECTIONS.]

At each inspection required by this act, the inspecting authority shall also examine the tires, brakes, and any other equipment of the vehicle subjected to inspection by rule adopted by the commissioner of public safety."

Renumber the sections in order

Correct the internal references

Amend the title as follows:

Page 1, line 3, delete "emission control"

A roll call was requested and properly seconded.

The question was taken on the Bennett and Johnson, V., amendment and the roll was called. There were 14 yeas and 107 nays as follows:

Those who voted in the affirmative were:

Bennett	Dempsey	Jensen	Kostohryz	Milbert
Bishop	Frederick	Johnson, V.	Lieder	Stanius
Carlson, D.	Jaros	Kahn	McPherson	

Those who voted in the negative were:

Anderson, G.	Blatz	Clausnitzer	Dille	Hartle
Battaglia	Brown	Cooper	Dorn	Haukoos
Bauerly	Burger	Dauner	Forsythe	Heap
Beard	Carlson, L.	Dawkins	Frerichs	Himle
Begich	Carruthers	DeBlicck	Greenfield	Hugoson
Bertram	Clark	DeRaad	Gruenes	Jacobs

Jefferson	McLaughlin	Otis	Sarna	Trimble
Johnson, R.	Miller	Ozment	Schafer	Tunheim
Kalis	Morrison	Pappas	Scheid	Uphus
Kelly	Murphy	Pauly	Schreiber	Valento
Kelso	Nelson, C.	Pelowski	Seaberg	Vellenga
Kinkel	Nelson, D.	Poppenhagen.	Segal	Voss
Kludt	Nelson, K.	Price	Shaver	Wagenius
Knickerbocker	Neuenschwander	Quinn	Simoneau	Waltman
Knuth	O'Connor	Redalen	Skoglund	Welle
Krueger	Ogren	Reding	Solberg	Wenzel
Larsen	Olsen, S.	Rest	Sparby	Winter
Lasley	Olson, E.	Rice	Steensma	Wynia
Long	Omamn	Richter	Swiggum	Spk. Vanasek
Marsh	Onnen	Riveness	Swenson	
McEachern	Orenstein	Rodosovich	Tjornhom	
McKasy	Osthoff	Rose	Tompkins	

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

Schreiber moved to amend S. F. No. 1783, as amended, as follows:

Page 7, line 29, before "An" insert "Beginning January 1, 1991,"

The motion prevailed and the amendment was adopted.

Speaker pro tempore Anderson, G., called Simoneau to the Chair.

S. F. No. 1783, A bill for an act relating to motor vehicles; requiring mandatory annual inspection of motor vehicle emission control equipment on vehicles registered in the metropolitan area; prescribing powers and duties of the pollution control agency and the department of public safety; imposing fees for inspection; prescribing penalties; appropriating money; 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 78 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dille	Kahn	McLaughlin	Pappas
Battaglia	Dorn	Kalis	Munger	Pauly
Bauerly	Forsythe	Kelly	Murphy	Pelowski
Begich	Frerichs	Kelso	Nelson, C.	Reding
Bertram	Greenfield	Kinkel	Nelson, D.	Rest
Burger	Gruenes	Kludt	Nelson, K.	Rice
Carlson, L.	Gutknecht	Knuth	Neuenschwander	Riveness
Carruthers	Himle	Kostohryz	Omamn	Rodosovich
Clark	Jaros	Larsen	Orenstein	Rose
Clausnitzer	Jefferson	Lieder	Osthoff	Rukavina
Cooper	Johnson, A.	Long	Otis	Scheid
Dawkins	Johnson, R.	Marsh	Ozment	Segal

Shaver	Sparby	Tompkins	Wagenius	Wynia
Simoneau	Stanius	Trimble	Welle	Spk. Vanasek
Skoglund	Steensma	Tunheim	Wenzel	
Solberg	Swenson	Vellenga	Winter	

Those who voted in the negative were:

Anderson, G.	Frederick	Knickerbocker	Olsen, S.	Schafer
Beard	Hartle	Lasley	Olson, K.	Schreiber
Blatz	Haukoos	McEachern	Onnen	Sviggum
Brown	Heap	McKasy	Poppenhagen	Thiede
Carlson, D.	Hugoson	McPherson	Quinn	Tjornhom
DeBlieck	Jacobs	Miller	Redalen	Uphus
Dempsey	Jennings	Morrison	Richter	Voss
DeRaad	Jensen	O'Connor	Sarna	Waltman

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

S. F. No. 2119 was reported to the House.

Blatz moved to amend S. F. No. 2119, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 13.82, is amended by adding a subdivision to read:

Subd. 5a. [CHILD ABUSE INVESTIGATIVE DATA.] (a) “Child abuse investigative data” means data collected and maintained by county sheriffs and police departments in their investigation of reports of child abuse received pursuant to section 626.556.

(b) Child abuse investigative data is classified as confidential until an arrest is made or a criminal charge is filed against an alleged perpetrator of child abuse. At the time an arrest is made, the data listed in subdivisions 2, 3, and 4 of this section, which is part of a child abuse investigative file, is public data, except that any data which identifies the victim of abuse is private data on individuals and data which identifies the child abuse reporter is confidential. Child abuse investigative data may be made available to the local child protective agency pursuant to Minnesota Statutes, section 626.556, subdivision 10a. Child abuse investigative data shall retain its data classification while in the possession of a local child protection agency.

(c) A child abuse investigation becomes inactive upon the occurrence of any of the events specified in subdivision 5. With the exception of data which identifies the victim of abuse, which shall be private, data which identifies the child abuse reporter, which shall be confidential, and data which the county sheriff or police department received from a child protection agency under section 626.556,

subdivision 10, which shall be private, all other inactive child abuse investigative data is public.

Sec. 2. Minnesota Statutes 1986, section 626.556, subdivision 5, is amended to read:

Subd. 5. [~~FALSIFIED MALICIOUS REPORTS.~~] Any person who knowingly or recklessly makes a false report under the provisions of this section shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury.

Sec. 3. Minnesota Statutes 1986, section 626.556, subdivision 10d, is amended to read:

Subd. 10d. [~~NOTIFICATION OF NEGLECT OR ABUSE MAL-TREATMENT IN A FACILITY.~~] (a) When a report is received that ~~alleges neglect, physical abuse, or sexual abuse maltreatment~~ of a child while in the care of a facility required to be licensed pursuant to sections 245.781 to 245.812, the commissioner or local welfare agency investigating the report shall provide the following information to the parent, guardian, or legal custodian of a child alleged to have been ~~neglected, physically abused, or sexually abused mal-treated~~: the name of the facility; the fact that a report ~~alleging neglect, physical abuse, or sexual abuse maltreatment~~ of a child in the facility has been received; the nature of the ~~alleged neglect, physical abuse, or sexual abuse maltreatment~~; that the agency is conducting an investigation; any ~~protective or corrective measures~~ being taken pending the outcome of the investigation; and that a written memorandum will be provided when the investigation is completed.

(b) The commissioner or local welfare agency may also provide the information in paragraph (a) to the parent, guardian, or legal custodian of any other child in the facility if the investigative agency knows or has reason to believe the ~~alleged neglect, physical abuse, or sexual abuse maltreatment~~ has occurred. In determining whether to exercise this authority, the commissioner or local welfare agency shall consider the seriousness of the ~~alleged neglect, physical abuse, or sexual abuse maltreatment~~; the number of children ~~allegedly neglected, physically abused, or sexually abused maltreated~~; the number of alleged perpetrators; and the length of the investigation. The facility shall be notified whenever this discretion is exercised.

(c) When the commissioner or local welfare agency has completed its investigation, every parent, guardian, or legal custodian notified of the investigation by the commissioner or local welfare agency shall be provided with the following information in a written memorandum: the name of the facility investigated; the nature of the ~~alleged neglect, physical abuse, or sexual abuse maltreatment~~; the investigator's name; a summary of the investigation findings; a

statement whether ~~the report~~ maltreatment was found to be substantiated, inconclusive, or false; and the protective or corrective measures that are being or will be taken. The memorandum shall be written in a manner that protects the identity of the reporter and the child and shall not contain the name, or to the extent possible, reveal the identity of the alleged perpetrator or of those interviewed during the investigation. The commissioner or local welfare agency shall also provide the written memorandum to the parent, guardian, or legal custodian of each child in the facility if ~~the report~~ maltreatment is substantiated. ~~The commissioner or local welfare agency~~ may also provide the written memorandum to the parent, guardian, or legal custodian of any other child in the facility if the investigation is inconclusive. ~~The facility shall be notified whenever this discretionary authority is exercised.~~

Sec. 4. Minnesota Statutes 1986, section 626.556, is amended by adding a subdivision to read:

Subd. 10e. [FINDINGS.] Upon the conclusion of every assessment or investigation it conducts, the local welfare agency shall make two findings: first, whether maltreatment has occurred; and second, whether child protective services are needed.

(a) For the purposes of this subdivision, "maltreatment" means any of the following acts or omissions committed by a person responsible for the child's care:

(1) an assault, as defined in section 609.02, subdivision 10, or any physical contact not exempted by section 609.379, where the assault or physical contact is either severe or recurring and causes either injury or significant risk of injury to the child;

(2) neglect as defined in subdivision 2, paragraph (c);

(3) sexual abuse as defined in subdivision 2, paragraph (a), or the intentional or recurring exposure of a child to either materials that are harmful to minors, as defined in section 617.292, subdivision 7, or to sexual acts involving the touching of a person's intimate parts, where the exposure is inappropriate for the child's age or level of development; or

(4) deliberate or recurring verbal or behavioral acts or omissions which have an observable and sustained adverse effect on the child's physical, mental, or emotional development.

(b) For the purposes of this subdivision, a finding that child protective services are needed means that the local welfare agency has documented conditions during the assessment or investigation sufficient to cause a child protection worker, as defined in section 626.559, subdivision 1, to conclude that a child is at significant risk

of maltreatment if protective intervention is not provided and that the individuals responsible for the child's care have not taken or are not likely to take actions to protect the child from maltreatment or risk of maltreatment.

Sec. 5. Minnesota Statutes 1986, section 626.556, is amended by adding a subdivision to read:

Subd. 10f. [NOTICE OF FINDINGS.] Within ten working days of the conclusion of an assessment the local welfare agency shall notify the parent or guardian of the child of the findings. Within ten working days of completing an investigation of a licensed facility, the local welfare agency shall notify the person alleged to be maltreating the child, the director of the facility, and the parent or guardian of the child of the findings. In addition to the findings, the notice shall include the length of time that the records will be kept under subdivision 11b. When there is no finding of either maltreatment or a need for services, the notice shall also include the alleged perpetrator's right to have the records destroyed.

Sec. 6. Minnesota Statutes 1987 Supplement, section 626.556, subdivision 11, is amended to read:

Subd. 11. [RECORDS.] All records concerning individuals maintained by a local welfare agency under this section, including any written reports filed under subdivision 7, shall be private data on individuals, except insofar as copies of reports are required by subdivision 7 to be sent to the local police department or the county sheriff, and except as otherwise provided in subdivisions 10b and 10d. Report records maintained by any police department or the county sheriff shall be private data on individuals except the reports shall be made available to the investigating, petitioning, or prosecuting authority. The welfare board shall make available to the investigating, petitioning, or prosecuting authority any records which contain information relating to a specific incident of neglect or abuse which is under investigation, petition, or prosecution and information relating to any prior incidents of neglect or abuse involving any of the same persons. The records shall be collected and maintained in accordance with the provisions of chapter 13. In conducting investigations and assessments pursuant to this section, the notice required by section 13.04, subdivision 2, need not be provided to a minor under the age of ten who is the alleged victim of abuse or neglect. An individual subject of a record shall have access to the record in accordance with those sections, except that the name of the reporter shall be confidential while the report is under assessment or investigation except as otherwise permitted by this subdivision. Any person conducting an investigation or assessment under this section who intentionally discloses the identity of a reporter prior to the completion of the investigation or assessment is guilty of a misdemeanor. After the assessment or investigation is completed, the name of the reporter shall be confidential. The

subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith. This subdivision does not alter disclosure responsibilities or obligations under the rules of criminal procedure.

Notwithstanding sections 138.163 and 138.17, records maintained by local welfare agencies, the police department or county sheriff under this section shall be destroyed as described in clauses (a) to (d):

(a) If upon assessment or investigation a report is found to be false, notice of intent to destroy records of the report shall be mailed to the individual subject of the report. At the subject's request the records shall be maintained as private data. If no request from the subject is received within 30 days of mailing the notice of intent to destroy, the records shall be destroyed.

(b) All records relating to reports which, upon assessment or investigation, are found to be substantiated shall be destroyed seven years after the date of the final entry in the case record.

(c) All records of reports which, upon initial assessment or investigation, cannot be substantiated or disproved to the satisfaction of the local welfare agency, local police department or county sheriff may be kept for a period of one year. If the local welfare agency, local police department or county sheriff is unable to substantiate the report within that period, each agency unable to substantiate the report shall destroy its records relating to the report in the manner provided by clause (a).

(d) Any notification of intent to interview which was received by a school under subdivision 10, paragraph (e), shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation. The agency shall order the destruction of the notification when other records relating to the report under investigation or assessment are destroyed under this subdivision.

Sec. 7. Minnesota Statutes 1986, section 626.556, is amended by adding a subdivision to read:

Subd. 11b. [RECORDS MAINTAINED.] Notwithstanding sections 138.163 and 138.17, records maintained or records derived from reports of abuse by local welfare agencies, county sheriffs or police departments, or schools under this section shall be destroyed as provided in paragraphs (a) to (c).

(a) If upon assessment or investigation there is no finding of credible information indicating maltreatment or the need for child

protective services, the records may be maintained for a period of four years. Upon notification to the individual alleged to have maltreated a child under subdivision 10f as to the findings at the conclusion of the assessment or investigation, that individual may request that records be destroyed after two years.

(b) All records relating to reports which, upon assessment or investigation, indicate either maltreatment or a need for child protective services shall be destroyed seven years after the date of the final entry in the case record.

(c) All records regarding a report of maltreatment, including any notification of intent to interview which was received by a school under subdivision 10, paragraph (d), shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation. The agency shall order the destruction of the notification when other records relating to the report under investigation or assessment are destroyed under this subdivision.

Sec. 8. [REPEALER.]

Minnesota Statutes 1986, section 626.556, subdivision 13, is repealed.

Delete the title and insert:

"A bill for an act relating to child abuse reporting; clarifying the assessment duties of the local welfare agency; providing for the retention of records in certain circumstances; amending Minnesota Statutes 1986, sections 13.82, by adding a subdivision; and 626.556, subdivisions 5, 10d, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 626.556, subdivision 11; repealing Minnesota Statutes 1986, section 626.556, subdivision 13."

The motion prevailed and the amendment was adopted.

Blatz moved to amend S. F. No. 2119, as amended, as follows:

Page 4, line 4, delete "FINDINGS" and insert "DETERMINATIONS"

Page 4, line 6, delete "findings" and insert "determinations"

Page 4, delete lines 19 to 26 and insert "(a)."

Page 5, line 3, delete "FINDINGS" and insert "DETERMINATIONS"

Page 5, lines 6 and 10, delete "findings" and insert "determinations"

Page 5, line 12, delete "finding" and insert "determination"

Page 7, line 21, delete "finding" and insert "determination"

Page 7, line 22, delete "credible information"

Page 7, line 28, delete "two years" and insert "one year"

The motion prevailed and the amendment was adopted.

S. F. No. 2119, A bill for an act relating to child abuse reporting; clarifying the assessment duties of the local welfare agency; providing for the retention of records in certain circumstances; amending Minnesota Statutes 1986, section 626.556, subdivisions 5, 10d, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 626.556, subdivision 11.

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

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

Speaker pro tempore Simoneau called Anderson, G., to the Chair.

S. F. No. 2017 which was temporarily laid over earlier today was again reported to the House.

Simoneau moved that S. F. No. 2017 be continued on Special Orders for one day. The motion prevailed.

S. F. No. 1742 was reported to the House.

Sparby moved to amend S. F. No. 1742, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 500.24, subdivision 6, is amended to read:

Subd. 6. [DISPOSAL OF LAND.] (a) A state or federal agency or a corporation, other than a family farm corporation or an authorized farm corporation, may not lease or sell agricultural land or a farm homestead that was acquired by enforcing a debt against the agricultural land or farm homestead, including foreclosure of a mortgage, accepting a deed in lieu of foreclosure, terminating a contract for deed, or accepting a deed in lieu of terminating a contract for deed, before offering or making a good faith effort to offer the land for sale or lease to the immediately preceding former owner at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor. The offer must be made on the notice to offer form under subdivision 7. Selling or leasing property to a third party at a price is prima facie evidence that the price is acceptable to the seller or lessor.

(b) An immediately preceding former owner may elect to purchase or lease the entire property or a portion of the property. An election to purchase or lease a portion of the property must be reported in writing to the seller or lessor prior to the time the property is offered for sale or lease. If election is made to purchase or lease a portion of the property, that portion must be contiguous and compact so that it does not unreasonably reduce access to or the value of the remaining property.

(b) (c) For purposes of this subdivision, the term "a price no higher than the highest price offered by a third party" means the acceptable cash price offered by a third party or the acceptable time-price offer made by a third party. A cash price offer is one that involves

simultaneous transfer of title for payment of the entire amount of the offer. If the acceptable offer made by a third party is a time-price offer, the seller or lessor must make the same time-price offer or an equivalent cash offer to the immediately preceding former owner. An equivalent cash offer is equal to the total of the payments made over a period of the time-price offer discounted by yield curve of the United States treasury notes and bonds on the first business day of the month in which the offer is personally delivered or mailed for time periods similar to the time period covered by the time-price offer, plus 2.0 percent. A time-price offer is an offer that ~~defers payment of a portion of the price and does not involve a transfer of fee title until payment of the entire amount of the offer is made~~ is financed entirely or partially by the seller and includes an offer to purchase under a contract for deed or mortgage.

(e) (d) This subdivision applies to a seller when the property is sold and to a lessor each time the property is leased, for five years after the agricultural land is acquired except:

(1) an offer to lease to the immediately preceding former owner is required only until the immediately preceding owner fails to accept an offer to lease the property or the property is sold; and

(2) an offer to sell to the immediately preceding former owner is required until the property is sold; and

(3) if the immediately preceding former owner elects to lease or purchase a portion of the property, the balance of the property may be sold or leased without further regard to this subdivision.

(d) (e) The notice of an offer under subdivision 7 that is personally delivered with a signed receipt or sent by certified mail with a receipt of mailing to the immediately preceding former owner's last known address is a good faith offer.

(e) (f) This subdivision does not apply to a sale or lease that occurs after the seller or lessor has held the property for five years or longer.

(f) (g) For purposes of this subdivision, if the immediately preceding former owner is a bankruptcy estate the debtor in the bankruptcy is the immediately preceding owner.

(g) (h) The immediately preceding former owner must exercise the right to lease all or a portion of the agricultural land or a homestead located on agricultural land in writing within 15 days after an offer to lease under this subdivision is mailed with a receipt of mailing or personally delivered. If election is made to lease only the homestead or a portion of the agricultural land, the portion to be leased must be clearly identified in writing by the immediately preceding former

owner. The immediately preceding former owner must exercise the right to buy the agricultural land, a portion of the agricultural land, or a farm homestead located on agricultural land, in writing, within 65 days after an offer to buy under this subdivision is mailed with a receipt of mailing or is personally delivered. Within ten days after exercising the right to lease or buy by accepting the offer, the immediately preceding owner must fully perform according to the terms of the offer including paying the amounts due. A seller may sell and a lessor may lease the agricultural land or farm homestead subject to this subdivision to the third party in accordance with their lease or purchase agreement if:

(1) the immediately preceding former owner does not accept an offer to lease or buy before the offer terminates; or

(2) the immediately preceding former owner does not perform the obligations of the offer, including paying the amounts due, within ten days after accepting the offer.

(h) (i) A certificate indicating whether or not the property contains agricultural land or a farm homestead that is signed by the county assessor where the property is located and recorded in the office of the county recorder or the registrar of titles where the property is located is prima facie evidence of whether the property is agricultural land or a farm homestead.

(i) (j) As prima facie evidence that an offer to sell or lease agricultural land or a farm homestead has terminated, a receipt of mailing the notice under subdivision 7 and an affidavit, signed by a person authorized to act on behalf of a state, federal agency, or corporation selling or leasing the agricultural land or a farm homestead may be filed in the office of the county recorder or registrar of titles of the county where the agricultural land or farm homestead is located. The affidavit must state that:

(1) notice of an offer to buy or lease the agricultural land or farm homestead was provided to the immediately preceding former owner at a price not higher than the highest price offered by a third party that is acceptable;

(2) the time during which the immediately preceding former owner is required to exercise the right to buy or lease the agricultural land or farm homestead has expired;

(3) the immediately preceding former owner has not exercised the right to buy or lease the agricultural land or farm homestead as provided in this subdivision or has accepted an offer and has not fully performed according to the terms of the offer; and

(4) the offer to the immediately preceding former owner has terminated.

⊕ (k) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision or to lease or purchase at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor may be extinguished or limited by an express statement signed by the immediately preceding owner that complies with the plain language requirements of section 325G.31. The right may not be extinguished or limited except by the:

(1) an express statement in a deed in lieu of foreclosure or of the agricultural land;

(2) an express statement in a deed in lieu of a termination of a contract for deed for the agricultural land; or

(3) an express statement conveying the right to the state or federal agency or corporation owning the agricultural land that is required to make an offer under this subdivision.

⊕ (l) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision may not be assigned or transferred except as provided in paragraph (j), but may be inherited.

(m) An immediately preceding former owner, except a former owner who remains actively engaged in farming the land acquired by accepting an offer under this subdivision may not sell agricultural land acquired by accepting an offer under this subdivision if the arrangement of such sale was negotiated or agreed to prior to the former owner accepting the offer under this subdivision. A person who sells property in violation of this paragraph is liable for up to treble damages and court costs and reasonable attorney fees to a person who is damaged by a sale in violation of this paragraph. There shall be a rebuttable presumption that a sale by an immediately preceding former owner is in violation of this paragraph if the sale takes place within 180 days of the former owner accepting the offer under this subdivision. The prohibition in this paragraph does not apply to a sale by an immediately preceding former owner to his or her spouse or to a person related to the former owner in the first degree of kindred according to the rules of the civil law.

Sec. 2. Minnesota Statutes 1987 Supplement, section 500.24, subdivision 7, is amended to read:

Subd. 7. [NOTICE OF OFFER.] (a) The state, a federal agency, or a corporation subject to subdivision 6 must provide a notice of an

offer to sell or lease agricultural land substantially as follows, after inserting the appropriate terms within the parentheses:

**“NOTICE OF OFFER TO (LEASE, BUY) AGRICULTURAL
LAND**

TO: (. . . Immediately preceding former owner . . .)
FROM: (. . . The state, federal agency, or corporation subject to
subdivision 6 . . .)
DATE: (. . . date notice is mailed or personally delivered . . .)

(. . . The state, federal agency, or corporation . . .) HAS AC-
**QUIRED THE AGRICULTURAL LAND DESCRIBED BELOW
AND HAS RECEIVED AN ACCEPTABLE OFFER TO (LEASE,
SELL) THE AGRICULTURAL LAND FROM ANOTHER PARTY.
UNDER MINNESOTA STATUTES, SECTION 500.24, SUBDIVI-
SION 6, AN OFFER FROM (. . . the state, federal agency, or
corporation . . .) MUST BE MADE TO YOU AT A PRICE NO
HIGHER THAN THE HIGHEST OFFER MADE BY ANOTHER
PARTY.**

**THE AGRICULTURAL LAND BEING OFFERED CONTAINS
APPROXIMATELY (. . . approximate number of acres . . .) ACRES
AND IS INFORMALLY DESCRIBED AS FOLLOWS:**

(Informal description of the agricultural land being offered that
reasonably describes the land. This description does not need to be
a legal description.)

(. . . The state, federal agency, or corporation . . .) **OFFERS TO
(SELL, LEASE) THE AGRICULTURAL LAND DESCRIBED
ABOVE FOR A CASH PRICE OF \$(. . . cash price or equivalent
cash price for lease and lease period, or cash price or equivalent cash
price for sale of land . . .), WHICH IS NOT HIGHER THAN THE
PRICE OFFERED BY ANOTHER PARTY. THE PRICE IS OF-
FERED ON THE FOLLOWING TERMS:**

(Terms, if any, of acceptable offer)

**IF YOU WANT TO ACCEPT THIS OFFER YOU MUST NOTIFY
(. . . the state, federal agency, or corporation . . .) IN WRITING
THAT YOU ACCEPT THE OFFER OR SIGN UNDERNEATH THE
FOLLOWING PARAGRAPH AND RETURN A COPY OF THIS
NOTICE BY (15 for a lease, 65 for a sale) DAYS AFTER THIS
NOTICE IS PERSONALLY DELIVERED OR MAILED TO YOU.
THE OFFER IN THIS NOTICE TERMINATES ON (. . . date of
termination - 15 days for lease and 65 days for sale after date of
mailing or personal delivery . . .).**

ACCEPTANCE OF OFFER

I ACCEPT THE OFFER TO (BUY, LEASE) THE AGRICULTURAL LAND DESCRIBED ABOVE AT THE PRICE OFFERED TO ME IN THIS NOTICE. AS PART OF ACCEPTING THIS OFFER I WILL PERFORM ACCORDING TO THE TERMS OF THE OFFER, INCLUDING MAKING PAYMENTS DUE UNDER THE OFFER, WITHIN TEN DAYS AFTER THE DATE I ACCEPT THIS OFFER. I UNDERSTAND THAT NEGOTIATING OR AGREEING TO AN ARRANGEMENT TO SELL THE AGRICULTURAL LAND TO ANOTHER PERSON PRIOR TO ACCEPTING THIS OFFER MAY BE A VIOLATION OF LAW AND I MAY BE LIABLE TO A PERSON DAMAGED BY THE SALE.

.....
Signature of Former Owner Accepting Offer

.....
Date”

(b) For an offer to sell, a copy of the purchase agreement containing the price and terms of the highest offer made by a third party that is acceptable to the seller and a signed affidavit by the seller affirming that the purchase agreement is true, accurate, and made in good faith must be included with the notice under this subdivision. At the seller’s discretion, reference to the third party’s identity may be deleted from the copy of the purchase agreement.

(c) For an offer to lease, a copy of the lease containing the price and terms of the highest offer made by a third party that is acceptable to the lessor and a signed affidavit by the lessor affirming that the lease is true, accurate, and made in good faith must be included with the notice under this subdivision. At the lessor’s discretion, reference to the third party’s identity may be deleted from the copy of the lease agreement.

(d) The affidavit under paragraphs (b) and (c) is subject to section 609.48.

Sec. 3. Minnesota Statutes 1987 Supplement, section 583.24, subdivision 4, is amended to read:

Subd. 4. [DEBTS.] (a) The farmer-lender mediation act does not apply to a debt:

(1) for which a proof of claim form has been filed in bankruptcy by a creditor or that was listed as a scheduled debt, of a debtor who has filed a petition in bankruptcy after the effective date of Laws 1987,

chapter 292 July 1, 1987, under United States Code, title 11, chapter 7, 11, 12, or 13;

(2) if the debt was in default when the creditor received a mediation proceeding notice under the farmer-lender mediation act and the creditor filed a claim form, the debt was mediated during the mediation period under section 583.26; subdivision 8, and (i) the mediation was unresolved; or (ii) a mediation agreement with respect to that debt was signed;

(3) for which the creditor has served a mediation notice, the debtor has failed to make a timely request for mediation, and within 30 days after the debtor failed to make a timely request the creditor began a proceeding to enforce the debt against the agricultural property of the debtor;

(4) for which a creditor has received a mediation proceeding notice and the creditor and debtor have restructured the debt and have signed a separate mediation agreement with respect to that debt; or

(5) for which there is a lien for rental value of farm machinery under section 514.661 or a lien for rental value relating to a contract for deed subject to the farmer-lender mediation act under section 559.2091.

(b) For purposes of paragraph (a), clause (3), providing a copy of a forbearance policy is considered beginning a proceeding to enforce a debt if the board of an institution has adopted a forbearance policy that provides for deferring or rescheduling payments of principal or interest, renewal or extension of loan terms, reduction in the amount or rate of principal or interest due on a loan, or other similar actions, and requires that the debtor must receive a copy of the policy at least 20 days prior to loan acceleration or debt collection proceedings.

Sec. 4. [EFFECTIVE DATE.]

This act is effective May 1, 1988.

The motion prevailed and the amendment was adopted.

Steensma, Kalis and Winter moved to amend S. F. No. 1742, as amended, as follows:

Page 5, line 12, delete "of the agricultural land;" and after "foreclosure" insert "or"

Page 5, line 13, delete "(2) an express statement"

Page 5, line 14, delete “or”

Page 5, delete lines 15 through 17

Page 5, line 20, delete “except as”

Page 5, line 21, delete “provided in paragraph (j)”

Page 5, line 23, delete “the land acquired” and insert “as defined in section 500.24, subdivision 2”

Page 5, line 24, delete “by accepting an offer under this subdivision”

Page 5, line 29, delete “up to treble” and “and court,” and after “for” insert “actual”

Page 5, line 30, delete “costs and reasonable attorneys fees”

Page 6, line 2, delete “first” and insert “second”

The motion prevailed and the amendment was adopted.

S. F. No. 1742, A bill for an act relating to agriculture; clarifying a time-price offer; allowing a preceding former owner to convey the right to receive an offer to buy or lease previously owned agricultural land; restricting the sale or inducement of a sale of agricultural land by a preceding former owner accepting an offer for one year; providing penalties and liability for damages; restricting the period for a debtor to receive a copy of a forbearance policy; amending Minnesota Statutes 1987 Supplement, sections 500.24, subdivisions 6 and 7; and 583.24, subdivision 4.

The bill was read for the 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 114 yeas and 9 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Brown	Dempsey	Hugoson	Kalis
Anderson, R.	Burger	DeRaad	Jacobs	Kelly
Battaglia	Carlson, D.	Dille	Jaros	Kelso
Bauerly	Carlson, L.	Dorn	Jefferson	Kinkel
Beard	Carruthers	Frederick	Jennings	Kludt
Begich	Clark	Frerichs	Jensen	Knuth
Bennett	Clausnitzer	Greenfield	Johnson, A.	Kostohryz
Bertram	Cooper	Gutknecht	Johnson, R.	Krueger
Bishop	Dawkins	Hartle	Johnson, V.	Larsen
Blatz	DeBlicke	Haukoos	Kahn	Lasley

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

Those who voted in the negative were:

Forsythe	Himle	Olsen, S.	Schreiber	Valento
Gruenes	Knickerbocker	Onnen	Thiede	

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

Speaker pro tempore Anderson, G., called Simoneau to the Chair.

S. F. No. 1661 was reported to the House.

Reding moved to amend S. F. No. 1661, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 349.12, subdivision 11, is amended to read:

Subd. 11. "Lawful purpose" means one or more of the following: (a) benefiting persons by enhancing their opportunity for religious or educational advancement, by relieving or protecting them from disease, suffering or distress, by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of and devotion to the principles upon which this nation was founded; (b) initiating, performing, or fostering worthy public works or enabling or furthering the erection or maintenance of public structures; (c) lessening the burdens borne by government or voluntarily supporting, augmenting or supplementing services which government would normally render to the people; or (d) ~~the improving, expanding, maintaining or repairing real property owned or leased by an organization;~~ or (e) payment of taxes imposed under this chapter, and other taxes imposed by the state or the United States on receipts from lawful gambling.

"Lawful purpose" does not include the erection ~~or~~ acquisition, improvement, expansion, maintenance, or repair of any real prop-

erty owned or leased by the organization, unless the board specifically authorizes the expenditures after finding that the property will be used exclusively for one or more of the purposes specified in this clause clauses (a) to (c): The board may by rule adopt procedures and standards to administer this subdivision.

Sec. 2. Minnesota Statutes 1987 Supplement, section 349.15, is amended to read:

349.15 [USE OF PROFITS.]

(a) Profits from lawful gambling may be expended only for lawful purposes or expenses as authorized at a regular meeting of the conducting organization.

(b) ~~Provided that~~ No more than 55 percent of profits from bingo, and no more than 45 percent for other forms of lawful gambling, may be expended for necessary expenses related to lawful gambling. In determining compliance with this requirement an organization may exclude gross receipts, expenses, and net profit from any licensed premises at which profits from all lawful gambling conducted by the organization do not exceed \$50,000 in any 12-month period. This exclusion does not relieve an organization of any requirement the board imposes for reporting gambling activity and expense computation at any licensed premises.

(c) The board shall provide by rule for the administration of this section, including specifying allowable expenses. The rules must specify that no more than one-third of the annual premium on a policy of liability insurance procured by the organization may be taken as an allowable expense from the gross receipts from lawful gambling. This expense shall be allowed by the board only to the extent that it relates directly to the conduct of lawful gambling and is verified in the manner the board prescribes by rule. The rules may provide a maximum percentage of gross receipts which may be expended for certain expenses.

Sec. 3. [349.164] [BINGO HALL LICENSES.]

Subdivision 1. [LICENSE REQUIRED.] No person may lease a facility to more than one licensed organization to conduct bingo without having obtained a bingo hall license under this section, unless the person is a licensed organization.

Subd. 2. [LICENSE APPLICATION.] The board may issue a bingo hall license to persons who meet the qualifications of this section if the board determines that a license is consistent with the purpose of sections 349.11 to 349.22. Applications must be on a form the board prescribes.

Subd. 3. [QUALIFICATIONS.] A license may not be issued under this section to a person, or to a corporation, firm, or partnership which has as an officer, director, or other person in a supervisory or management position, who:

(1) has been convicted of a felony in a state or federal court within the past five years or who has a felony charge pending; or

(2) has been convicted in a state or federal court of a gambling-related offense within ten years of the date of license application.

Subd. 4. [FEES.] The annual fee for a bingo hall license is \$250.

Subd. 5. [CRIMINAL HISTORY.] The board may request the assistance of the bureau of criminal apprehension in investigating the background of an applicant for a bingo hall license and may reimburse the bureau for the costs. The board has access to all criminal history data compiled by the bureau on licensees and applicants.

Subd. 6. [PROHIBITION.] No bingo hall licensee may also be a licensed distributor or registered manufacturer or affiliate of the distributor or manufacturer under section 349.161 or 349.163.

Subd. 7. [RESTRICTIONS.] A bingo hall licensee or affiliate of the licensee may not:

(1) provide any staff to conduct bingo or any other form of lawful gambling during the bingo occasion;

(2) acquire, provide storage or inventory control, or report the use of any gambling equipment used by an organization that conducts bingo on the premises;

(3) provide accounting services to an organization conducting bingo on the premises;

(4) make any expenditures of gross receipts of an organization from lawful gambling; or

(5) charge any admission fee for entering the premises where the bingo occasion will be held.

Subd. 8. [LEASES.] All of the remuneration to be received from the organization for the conduct of lawful gambling must be stated in the lease. No amount may be paid by the organization or received by the operator of the bingo hall based on the number of participants attending the bingo occasion or on the gross receipts or profit received by the organization.

Subd. 9. [REVOCAION AND SUSPENSION.] A license under this section may be suspended by the board for a violation of law or board rule or for failure to meet the qualifications in subdivision 3 at any time or revoked for what the board determines to be a pattern of willful violations of law or board rule. A revocation or suspension is a contested case under sections 14.57 to 14.69 of the administrative procedure act.

Sec. 4. Minnesota Statutes 1987, Supplement, section 349.17, subdivision 2, is amended to read:

Subd. 2. [BINGO ON LEASED PREMISES.] (a) A person or corporation, other than an organization, which leases any premises that it owns to two or more organizations for purposes including the conduct of bingo occasions, may not allow more than 18 bingo occasions to be conducted on the premises in any week.

(b) If an organization conducts bingo on premises it does not own, the organization must provide the board with the name of the owner and lessor of the premises, copies of all agreements between the organization and the owner or lessor, and the name of employees of the owner or lessor who will be responsible for the premises during the bingo occasion held by the organization.

(c) During any bingo occasion held by an organization on premises it does not own, the organization shall be directly responsible for the:

- (1) staffing of the bingo occasion;
- (2) conducting of lawful gambling during the bingo occasion;
- (3) acquiring, storage, inventory control, and reporting of all gambling equipment used by the organization; and
- (4) receipt, accounting, and all expenditures of gross receipts from lawful gambling.

Sec. 5. Minnesota Statutes 1986, section 349.19, subdivision 1, is amended to read:

Subdivision 1. [REQUIRED RECORD OF RECEIPTS.] A licensed organization must keep a record of each occasion on which it conducts gambling, including each bingo occasion and each day on which other forms of lawful gambling are conducted. The record must include gross receipts, quantities of free plays if any, expenses, and profits. The board may by rule provide for the methods by which expenses are documented. Gross receipts for bingo include any amount received by the organization which has been paid by a person at the bingo occasion to play the game, without which the

player could not play the game. In the case of bingo, gross receipts must be compared to the checkers' records for the occasion by a person who did not sell cards for the occasion. Separate records must be kept for bingo and all other forms of lawful gambling."

Delete the title and insert:

"A bill for an act relating to charitable gambling; allowing organizations to disregard certain locations in calculating expense ratios; changing the definition of lawful purpose expenditures; providing for the licensing and regulation of bingo halls; amending Minnesota Statutes 1986, section 349.19, subdivision 1; Minnesota Statutes 1987 Supplement, sections 349.12, subdivision 11; 349.15; and 349.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349."

The motion prevailed and the amendment was adopted.

Anderson, G., moved to amend S. F. No. 1661, as amended, as follows:

Page 5, after line 30, insert:

"Sec. 6. [APPROPRIATION.]

\$194,000 is appropriated to the commissioner of revenue for the purpose of enhanced charitable gambling tax compliance. The authorized complement of the department of revenue is increased by four positions."

Renumber the sections in order

Amend the title as follows:

Page 1, line 6, after "halls;" insert "appropriating money;"

The question was taken on the Anderson, G., amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Lieder	Neuenschwander	Peterson	Schreiber	Trimble
Marsh	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	Rose	Swenson	Wynia
Nelson, C.	Pappas	Rukavina	Thiede	Spk. Vanasek
Nelson, D.	Pauly	Schafer	Tjornhom	
Nelson, K.	Pelowski	Scheid	Tompkins	

The motion prevailed and the amendment was adopted.

Rice and Reding moved to amend S. F. No. 1661, as amended, as follows:

Page 5, after line 30, insert:

"Sec. 6. [LEGISLATIVE COMMISSION ON CHARITABLE GAMBLING.]

Subdivision 1. [MEMBERSHIP.] A legislative commission on charitable gambling is created consisting of 14 members of the legislature, as follows:

(1) seven members of the senate appointed by the senate committee on committees of which at least two are from each political caucus; and

(2) seven members of the house of representatives appointed by the speaker of the house of which at least two are from each political caucus.

The commission shall elect from among its members a chair or co-chairs and such officers as it deems necessary.

Subd. 2. [STUDIES.] The commission shall study the need for, and feasibility and desirability of, changes in charitable gambling laws and other laws to accomplish the following:

(1) maximizing the percentage of gross receipts from charitable gambling which are devoted to charitable purposes;

(2) minimizing the percentage of such gross receipts which are devoted to administrative costs, lease costs and other expenses;

(3) insuring that all taxes due on the conduct of charitable

gambling and the sale of gambling devices are actually being collected by the state.

Subd. 3. [REPORT.] The commission shall report to the legislature on its findings and recommendations not later than January 15, 1989, and shall cease to function after the date.

Subd. 4. [APPROPRIATION.] There is appropriated from the general fund to the legislative commission on charitable gambling the sum of \$12,000, or so much thereof as may be necessary to carry out the commission's purposes. This appropriation is available until January 15, 1989.

Sec. 7. [EFFECTIVE DATE.]

Section 6 is effective the day following final enactment."

Correct internal references

Amend the title as follows:

Page 1, line 6, after the semicolon insert "creating a legislative commission on charitable gambling and prescribing its functions; appropriating money;"

The motion prevailed and the amendment was adopted.

Speaker pro tempore Simoneau called Anderson, G., to the Chair.

Solberg and Minne moved to amend S. F. No. 1661, as amended, as follows:

Page 2, lines 22 to 29, delete the new language

Amend the title as follows:

Page 1, line 2, delete "allowing"

Page 1, delete line 3

Page 1, line 4, delete "calculating expense ratios;"

The motion prevailed and the amendment was adopted.

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

O'Connor, Rukavina, McKasy, Waltman, Boo, Beard, Jacobs, Sarna, Begich, Morrison and Johnson, V., moved to amend S. F. No. 1661, as amended, as follows:

Page 3, after line 4, insert:

"Sec. 3. Minnesota Statutes 1986, section 349.151, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] (a) The board consists of 13 members appointed as follows:

(1) eleven persons appointed by the governor with the advice and consent of the senate, at least four of whom must reside outside of the seven-county metropolitan area;

~~(2)~~ the commissioner of public safety or a designee; and

~~(3)~~ (2) the attorney general or a designee; and

(3) 11 persons appointed by the governor with the advice and consent of the senate, at least four of whom must reside outside the seven-county metropolitan area.

(b) Of these 11 members, the governor shall appoint three members from fraternal, religious, veteran's, or other nonprofit organizations that conduct lawful gambling. The members must either be involved in the supervision of lawful gambling, or must be officers or directors of the general organization and not a subordinate corporation.

(c) A member serving on the board by appointment must have been a resident of Minnesota for at least five years. Of the appointees of the governor not more than six may belong to the same political party. A member appointed to the board may be removed at any time by the appointing authority. Vacancies on the board are filled in the same manner as the original appointment. Of the members appointed by the governor, three are for terms expiring June 30, 1985, four are for terms expiring June 30, 1986, and four are for terms expiring June 30, 1987. After the expiration of the initial terms, appointments are for three years. The governor shall appoint the chair from among the governor's appointees. Of the appointments made by the governor for terms expiring June 30, 1991, June 30, 1992, and June 30, 1993, at least one appointment in each group of appointments must be an appointment complying with the requirements of paragraph (b)."

Page 5, after line 30, insert:

"Sec. 6. [NEW BOARD APPOINTMENTS.]

In making the appointments required by section 1, the governor shall ensure that by July 1, 1989, the board reflects the membership requirements imposed by that section.

Sec. 7. [EFFECTIVE DATE.]

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

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the O'Connor et al amendment and the roll was called. There were 29 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Battaglia	Dawkins	Kinkel	Orenstein	Sparby
Beard	Frederick	McEachern	Ozment	Swenson
Begich	Gruenes	McKasy	Poppenhagen	Valento
Bertram	Jacobs	O'Connor	Quinn	Waltman
Brown	Jennings	Ogren	Redalen	Wenzel
Cooper	Johnson, V.	Olson, K.	Sarna	

Those who voted in the negative were:

Anderson, G.	Greenfield	Knuth	Olsen, S.	Schreiber
Anderson, R.	Gutknecht	Kostohryz	Omann	Seaberg
Bauerly	Hartle	Krueger	Onnen	Segal
Bennett	Haukoos	Larsen	Osthoff	Shaver
Blatz	Heap	Lieder	Pappas	Simoneau
Carlson, L.	Himle	Long	Pauly	Skoglund
Carruthers	Hugoson	Marsh	Pelowski	Solberg
Clark	Jefferson	McLaughlin	Peterson	Stanius
Clausnitzer	Jensen	McPherson	Price	Steensma
Dauner	Johnson, A.	Miller	Reding	Thiede
DeBlicke	Johnson, R.	Minne	Rest	Tjornhom
Dempsey	Kahn	Munger	Rice	Trimble
DeRaad	Kalis	Murphy	Riveness	Tunheim
Dille	Kelly	Nelson, C.	Rodosovich	Uphus
Dorn	Kelso	Nelson, D.	Rose	Wagenius
Forsythe	Kludt	Nelson, K.	Rukavina	Welle
Frerichs	Knickerbocker	Neuenschwander	Schafer	Winter
				Spk. Vanasek

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

Richter, Rice, Morrison and Frederick moved to amend S. F. No. 1661, as amended, as follows:

Page 2, line 7 of the Rice amendment, delete the period and insert a semicolon

Page 2, after line 7 of the Rice amendment, insert:

“(4) identification and proposed treatment of compulsive gamblers.”

The motion prevailed and the amendment was adopted.

S. F. No. 1661, A bill for an act relating to charitable gambling; changing the definition of lawful purpose expenditures; clarifying the definition of organization; increasing the percentage of profit that may be used for expenses for certain organizations; licensing bingo halls; changing the definition of bingo occasion; requiring organizations to be directly responsible for the conducting of bingo; changing the definition of gross receipts for the purposes of bingo; changing the prize limits for bingo; amending Minnesota Statutes 1986, sections 349.19, subdivision 1; 349.211, subdivision 1; Minnesota Statutes 1987 Supplement, sections 349.12, subdivision 11; 349.17, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 349; repealing Minnesota Statutes 1986, section 349.211, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Vellenga moved that the name of Morrison be added as an author on H. F. No. 1228. The motion prevailed.

Lasley moved that the names of Dempsey and Begich be stricken and the name of Carlson, L., be added as an author and the name of Anderson, G., be added as chief author on H. F. No. 1826. The motion prevailed.

Carruthers moved that H. F. No. 2199 be returned to its author. The motion prevailed.

Carruthers moved that H. F. No. 2198 be returned to its author. The motion prevailed.

Swenson moved that H. F. No. 2204 be returned to its author. The motion prevailed.

Forsythe moved that H. F. No. 1987 be returned to its author. The motion prevailed.

Vellenga moved that H. F. No. 2462 be returned to its author. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2185:

Sparby, Kahn and Munger.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2568:

Olson, K.; Redalen and Cooper.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1769:

Solberg, Kelly and Bishop.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1851:

Bauerly, Jennings and Anderson, R.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2071:

Jefferson, McKasy and Kelly.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 421:

Ogren, Bishop and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2491:

Carruthers, Osthoff and Olsen, S.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2137:

Kelso, Vellenga and Otis.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1943:

Ogren, Steensma and Carlson, D.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1526:

Bauerly, Uphus and Kalis.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 1:00 p.m., Friday, April 8, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and Speaker pro tempore Anderson, G., declared the House stands adjourned until 1:00 p.m., Friday, April 8, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives