

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1988

EIGHTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 11, 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 Pastor John Matthews, Prince of Peace Lutheran Church, Brooklyn Park, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Dille was excused until 2:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gutknecht 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. 2518 and 2269 and S. F. Nos. 2139, 2055, 1956 and 2 have been placed in the members' files.

S. F. No. 2055 and H. F. No. 2130, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Vellenga moved that the rules be so far suspended that S. F. No. 2055 be substituted for H. F. No. 2130 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1956 and H. F. No. 2201, 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. 1956 be substituted for H. F. No. 2201 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 2055 and 1956 were read for the second time.

HOUSE ADVISORIES

The following House Advisory was introduced:

Otis, Greenfield, Wynia, Ogren and Vanasek introduced:

H. A. No. 85, A proposal to study unmet health care, child care and other needs of Minnesota children.

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

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

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. 2022, A bill for an act relating to agriculture; adding members to the state agricultural society; amending Minnesota Statutes 1986, section 37.03, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1846, A bill for an act relating to environment; authorizing inspection of certain records kept by waste facilities; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1980, A bill for an act relating to highways; designating I-90 as AMVETS memorial highway; adding, deleting, and substituting routes on the trunk highway system; amending Minnesota Statutes 1986, section 161.14, by adding a subdivision.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

The Senate has appointed as such Committee:

Messrs. Beckman; Frederickson, D. J., and Vickerman.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

The Senate has appointed as such Committee:

Messrs. Chmielewski, Knutson and Ms. Piper.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

The Senate has appointed as such Committee:

Messrs. DeCramer, Purfeerst and Johnson, D. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

The Senate has appointed as such Committee:

Messrs. Stumpf, Merriam and Lessard.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the

House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such Committee:

Mr. Chmielewski, Mrs. Adkins and Mr. Lessard.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2036, A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

The Senate has appointed as such Committee:

Messrs. Luther, Marty and Knutson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1851, A bill for an act relating to local government; regulating duties of town officers; setting town powers; amending Minnesota Statutes 1986, sections 18.272; 465.71; and 471.653; and Minnesota Statutes 1987 Supplement, section 115A.921; and repealing Minnesota Statutes 1986, section 365.03.

The Senate has appointed as such Committee:

Messrs. Vickerman; Schmitz and Frederickson, D. R.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2344, A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; creating and modifying agencies and functions; fixing and limiting fees; requiring studies and reports; appropriating money; amending Minnesota Statutes 1986, sections 3.9223, subdivision 5; 3.9225, subdivision 5; 3.9226, subdivision 5; 16B.24, by adding a subdivision; 88.22, by adding a subdivision; 89.001, by adding a subdivision; 89.19; 116.48, by adding subdivisions; 116J.615, by adding a subdivision; 296.16, by adding a subdivision; and 296.421, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 3.732, subdivision 1; 3.885; 85.055, subdivision 1; 105.44, subdivision 10; 115C.02, subdivision 13; 116C.712, subdivision 5; 116J.941, subdivision 1; 116O.03, subdivision 2; 116O.04, subdivision 1; 116O.06, subdivision 1; and 480.241, subdivision 2; Laws 1985, First Special Session chapter 15, section 4, subdivision 6; Laws 1987, chapter 357, section 27, subdivision 2; Laws 1987, chapter 404, sections 20, subdivision 6; and 22, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 89; 115C; 424A; and 446A; repealing Minnesota Statutes 1987 Supplement, section 161.52.

The Senate has appointed as such Committee:

Messrs. Kroening, Merriam, Luther, Solon and Frederickson, D. R.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2216, A bill for an act relating to natural resources; ratifying and affirming the settlement agreement arising from litigation concerning certain treaty related claims of Chippewa Indians; prescribing powers and duties of the commissioner of

natural resources in relation to the settlement agreement; proposing coding for new law in Minnesota Statutes, chapter 97A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 2216 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2216, A bill for an act relating to natural resources; ratifying and affirming the settlement agreement arising from litigation concerning certain treaty related claims of Chippewa Indians; prescribing powers and duties of the commissioner of natural resources in relation to the settlement agreement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

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 74 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dempsey	Knuth	Olson, K.	Segal
Anderson, R.	Dorn	Kostohryz	Osthoff	Simoneau
Battaglia	Frederick	Krueger	Otis	Skoglund
Bauerly	Heap	Larsen	Pappas	Solberg
Beard	Himle	Lasley	Pelowski	Steensma
Begich	Jefferson	Lieder	Peterson	Swenson
Bertram	Jennings	Long	Price	Tunheim
Blatz	Jensen	Marsh	Quinn	Vellenga
Boo	Johnson, A.	McKasy	Reding	Voss
Brown	Johnson, R.	Milbert	Rest	Wagenius
Burger	Kahn	Minne	Rice	Welle
Carlson, L.	Kalis	Morrison	Rodosovich	Wenzel
Carruthers	Kelso	Munger	Rukavina	Wynia
Cooper	Kinkel	Nelson, C.	Scheid	Spk. Vanasek
Dawkins	Kludt	Nelson, D.	Seaberg	

Those who voted in the negative were:

Bennett	Greenfield	McLaughlin	Poppenhagen	Stanius
Bishop	Gruenes	McPherson	Quist	Sviggum
Carlson, D.	Gutknecht	Miller	Redalen	Thiede
Clark	Hartle	Murphy	Richter	Tjornhom
Clausnitzer	Haukoos	O'Connor	Rose	Tompkins
Dauner	Hugoson	Olsen, S.	Sarna	Uphus
DeBlieck	Jacobs	Omman	Schafer	Valento
DeRaad	Jaros	Onnen	Schreiber	Waltman
Forsythe	Johnson, V.	Orenstein	Shaver	Winter
Frerichs	Knickerbocker	Pauly	Sparby	

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. 2396, A bill for an act relating to education; authorizing the sale of college savings bonds; requiring a market study and plan; authorizing the issuance of zero coupon bonds; exempting a specified amount of bonds from consideration in financial aid eligibility; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, L., moved that the House refuse to concur in the Senate amendments to H. F. No. 2396, 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. 1000, A bill for an act relating to agriculture; making changes in various agriculture programs; establishing agriculture programs; establishing a commodity contract task force; appropriating money; providing penalties; amending Minnesota Statutes 1986, sections 41A.09, by adding a subdivision; 41B.02, by adding a subdivision; and 65A.33, subdivision 3; Minnesota Statutes 1987 Supplement, sections 17.102, subdivision 1; 41B.01, subdivision 2; 41B.03, subdivision 3; 41B.039, subdivisions 1, 2, 4, and by adding a subdivision; 41B.05; Laws 1987, chapter 396, article 9, section 1, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 17; 31; 124; and 325E; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05; 32A.07; 32A.08; and 32A.09; and Laws 1987, chapter 358, section 31.

PATRICK E. FLAHAVEN, Secretary of the Senate

Krueger moved that the House refuse to concur in the Senate amendments to H. F. No. 1000, that the Speaker appoint a Confer-

ence Committee of 5 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. 2323:

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

Messrs. Wegscheid, Solon and Gustafson.

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

Bertram 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. 2323. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1871:

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

Messrs. Ramstad, Spear and Merriam.

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

Blatz 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. 1871. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1661:

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

Mrs. Lantry, Messrs. Diessner and Johnson, D. E.

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

Reding 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. 1661. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2119:

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

Messrs. Spear, Merriam and Peterson, R. W.

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

Blatz 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. 2119. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2150:

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

Messrs. Davis, DeCramer 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

Peterson 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. 2150. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2255:

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

Messrs. Vickerman, Merriam and Renneke.

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

Winter 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. 2255. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1742:

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

Messrs. Berg, Freeman and Larson.

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

Sparby 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. 1742. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2183.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2183, A bill for an act relating to crimes; increasing penalties for certain crimes when committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin; amending Minnesota Statutes 1986, sections 609.2231, by adding a subdivision; 609.605, by adding a subdivision; 609.79, by adding a subdivision; and Minnesota Statutes 1987 Supplement, sections 609.595, subdivisions 2, 3, and by adding a subdivision; 609.746, by adding a subdivision; and 609.795.

The bill was read for the first time.

Greenfield moved that S. F. No. 2183 and H. F. No. 2368, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Vellenga was excused between the hours of 1:40 p.m. and 3:10 p.m.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1790

A bill for an act relating to commerce; safe deposit companies; providing for performance of will searches upon safe deposit box renter's death; amending Minnesota Statutes 1986, section 55.10, by adding a subdivision.

April 7, 1988

The Honorable Robert Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H. F. No. 1790, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

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

House Conferees: WES SKOGLUND, JEAN D. WAGENIUS AND DAVID T. BISHOP.

Senate Conferees: SAM G. SOLON, RONALD R. DICKLICH AND WILLIAM V. BELANGER, JR.

Skoglund moved that the report of the Conference Committee on H. F. No. 1790 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1790, A bill for an act relating to commerce; safe deposit companies; providing for performance of will searches upon safe deposit box renter's death; amending Minnesota Statutes 1986, section 55.10, by adding a subdivision.

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

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

Those who voted in the affirmative were:

Anderson, G.	Bauerly	Begich	Bertram	Blatz
Battaglia	Beard	Bennett	Bishop	Boo

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

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

Carlson, D., was excused while in conference.

SPECIAL ORDERS

S. F. No. 2203 was reported to the House.

Blatz moved to amend S. F. No. 2203, as follows:

Page 2, line 12, delete "welfare data or mental"

Page 2, line 13, delete "health"

Page 2, line 16, after "federal" insert "or state"

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

RECESS

RECONVENED

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

SPECIAL ORDERS, Continued

The question recurred on the Blatz amendment reported earlier today to S. F. No. 2203. The motion prevailed and the amendment was adopted.

Quist and Sparby offered an amendment to S. F. No. 2203, as amended.

POINT OF ORDER

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

Quist appealed the decision of the Chair.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

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

There were 78 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Knuth	Olson, E.	Scheid
Anderson, R.	Frerichs	Kostohryz	Olson, K.	Segal
Battaglia	Greenfield	Krueger	Orenstein	Shaver
Beard	Hartle	Larsen	Osthoff	Simoneau
Begich	Himle	Lasley	Otis	Skoglund
Bishop	Jacobs	Lieder	Pappas	Solberg
Boo	Jaros	Long	Pauly	Trimble
Brown	Jefferson	McEachern	Peterson	Tunheim
Carlson, D.	Jennings	McLaughlin	Price	Voss
Carlson, L.	Johnson, A.	Minne	Quinn	Wagenius
Carruthers	Johnson, R.	Morrison	Redalen	Welle
Clark	Kahn	Munger	Rest	Winter
Dauner	Kalis	Nelson, C.	Rice	Wynia
DeBlicek	Kelly	Nelson, D.	Rodosovich	Spk. Vanasek
Dille	Kelso	Neuenschwander	Rukavina	
Dorn	Knickerbocker	O'Connor	Sarna	

Those who voted in the negative were:

Bauerly	Gruenes	McKasy	Quist	Swenson
Bennett	Gutknecht	McPherson	Richter	Thiede
Bertram	Haukoos	Miller	Rose	Tjornhom
Burger	Heap	Murphy	Schafer	Tompkins
Clausnitzer	Hugoson	Omann	Seaberg	Uphus
Cooper	Jensen	Onnen	Sparby	Valento
Dempsey	Johnson, V.	Ozment	Stanius	Waltman
DeRaad	Marsh	Pelowski	Steensma	Wenzel
Frederick	McDonald	Poppenhagen	Sviggun	

So it was the judgment of the House that the decision of the Speaker should stand.

S. F. No. 2203, A bill for an act relating to human services; authorizing a county to establish an adult protection team; requiring records to be maintained; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the 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.	Beard	Bishop	Burger	Clark
Anderson, R.	Begich	Blatz	Carlson, D.	Clausnitzer
Battaglia	Bennett	Boo	Carlson, L.	Cooper
Bauerly	Bertram	Brown	Carruthers	Dauner

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

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

CALL OF THE HOUSE LIFTED

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

H. F. No. 2685 was reported to the House.

Jennings, Greenfield and Anderson, R., moved to amend H. F. No. 2685, the second engrossment, as follows:

Page 3, line 12, after "agencies" insert ", on a timely basis."

Page 3, line 14, after the period, insert "Implementation of retroactive changes, when the changes are not required by court order or federal law, must be avoided whenever possible."

Page 11, line 2, delete "\$100,000" and insert "\$75,000"

The motion prevailed and the amendment was adopted.

The Speaker called Long to the Chair.

H. F. No. 2685, A bill for an act relating to human services; clarifying the administration of human services programs; establishing a compliance system for certain public assistance programs; establishing a public assistance incentive fund; appropriating money; amending Minnesota Statutes 1986, sections 256.72; 256.81;

256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041, subdivisions 5 and 7; 256B.05, subdivision 1; 256B.19, subdivision 2; 256D.03, subdivision 6; 256D.04; 256D.36, subdivision 1; and 393.07, subdivision 2; Minnesota Statutes 1987 Supplement, sections 256.01, subdivision 2; 256B.091, subdivision 8; 256B.19, subdivision 1; 256D.03, subdivision 2; 393.07, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1987 Supplement, sections 245.775; and 256D.22.

The bill was read for the 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 93 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Forsythe	Knickerbocker	Olson, K.	Scheid
Anderson, R.	Frederick	Knuth	Omann	Segal
Battaglia	Frerichs	Kostohryz	Orenstein	Shaver
Bauerly	Greenfield	Krueger	Osthoff	Simoneau
Beard	Gutknecht	Lasley	Otis	Skoglund
Begich	Hartle	Long	Ozment	Solberg
Bertram	Jacobs	Marsh	Pappas	Sparby
Blatz	Jaros	McEachern	Pelowski	Swenson
Boo	Jefferson	McLaughlin	Peterson	Trimble
Brown	Jennings	Milbert	Price	Tunheim
Burger	Jensen	Minne	Quinn	Uphus
Carlson, L.	Johnson, A.	Munger	Reding	Voss
Carruthers	Johnson, R.	Murphy	Rest	Wagenius
Clark	Kahn	Nelson, C.	Rice	Welle
Cooper	Kalis	Nelson, D.	Riveness	Wenzel
Dawkins	Kelly	Nelson, K.	Rodosovich	Wynia
DeBlieck	Kelso	Neuenschwander	Rose	Spk. Vanasek
Dempsey	Kinkel	O'Connor	Rukavina	
Dorn	Klutt	Olson, E.	Sarna	

Those who voted in the negative were:

Bennett	Haukoos	McPherson	Poppenhagen	Steensma
Clausnitzer	Himle	Miller	Quist	Sviggum
Dauner	Hugoson	Morrison	Redalen	Thiede
DeRaad	Johnson, V.	Olsen, S.	Richter	Tjornhom
Dille	McDonald	Ornen	Schafer	Tompkins
Gruenes	McKasy	Pauly	Stanius	Valento
				Waltman

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

S. F. No. 1268 was reported to the House.

Anderson, G., offered an amendment to S. F. No. 1268.

POINT OF ORDER

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

Dawkins moved to amend S. F. No. 1268, as follows:

Page 5, after line 12, insert:

“Sec. 4. Minnesota Statutes 1986, section 116J.19, is amended by adding a subdivision to read:

Subd. 15. [FLUORESCENT LAMP BALLASTS.] No person may sell or install a fluorescent lamp ballast in this state that does not comply with the energy efficiency standards for fluorescent lamp ballasts adopted by the commissioner under subdivision 8.”

Page 5, after line 30, insert:

“Sec. 7. [RULES.]

The commissioner of public service shall adopt rules under Minnesota Statutes, section 116J.19, subdivision 8, establishing minimum energy efficiency standards for fluorescent lamp ballasts by January 1, 1989.

Sec. 8. [EFFECTIVE DATE.]

Section 4 is effective January 1, 1991, and applies to fluorescent lamp ballasts placed in inventory after the effective date of rules adopted by the commissioner of public service establishing minimum energy efficiency standards for fluorescent lamp ballasts under Minnesota Statutes, section 116J.19, subdivision 8. Section 7 is effective the day following final enactment.”

Re-number the remaining sections

Amend the title accordingly

POINT OF ORDER

McDonald raised a point of order pursuant to rule 3.9 that the Dawkins amendment was not in order. Speaker pro tempore Long ruled the point of order not well taken and the amendment in order.

The question recurred on the Dawkins amendment to S. F. No. 1268. The motion prevailed and the amendment was adopted.

S. F. No. 1268, A bill for an act relating to energy and economic development; providing for the powers and duties of the commissioner of energy and economic development; clarifying definitions; authorizing certain Indian tribes to create community energy councils; providing the purpose for which an appropriation may be spent; amending Minnesota Statutes 1986, sections 116J.09; 116J.10; 116J.19, subdivision 6; 116J.36, subdivision 2; 116J.381, subdivision 2; and Laws 1981, chapter 334, section 11, 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 75 yeas and 44 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bennett	Gruenes	McDonald	Quist	Swenson
Blatz	Gutknecht	McPherson	Redalen	Thiede
Clausnitzer	Haukoos	Miller	Richter	Tjornhom
Dauner	Heap	Olsen, S.	Rose	Tompkins
Dempsey	Hugoson	Omman	Schafer	Uphus
DeRaad	Jennings	Onnen	Schreiber	Valento
Forsythe	Johnson, V.	Ozment	Shaver	Waltman
Frederick	Lasley	Pauly	Stanius	Welle
Frerichs	Marsh	Poppenhagen	Svigum	

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

S. F. No. 1721 was reported to the House.

McLaughlin, Beard, Begich, Wynia, Blatz and Tompkins moved to amend S. F. No. 1721, as follows:

Page 1, after line 10, insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 181.943, is amended to read:

181.943 [RELATIONSHIP TO OTHER LEAVE.]

The length of leave provided by this act may be reduced by any period of paid parental or disability leave, but not accrued sick leave, provided by the employer, so that the total leave does not exceed six weeks, unless agreed to by the employer.

Nothing in sections 181.940 to 181.943 prevents any employer from providing parental leave benefits in addition to those provided in sections 181.940 to 181.943 or otherwise affects an employee's rights with respect to any other employment benefit.”

Page 4, after line 24, insert:

“Sec. 9. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1721, A bill for an act relating to employment agencies; prohibiting certain action; regulating job listing services; regulating fees and contracts; amending Minnesota Statutes 1986, sections 184.21, subdivision 2, and by adding subdivisions; 184.37, subdivision 1; 184.38, subdivisions 3 and 5; Minnesota Statutes 1987 Supplement, section 181.932, 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.	Bennett	Burger	Dauner	Dorn
Anderson, R.	Bertram	Carlson, L.	Dawkins	Forsythe
Battaglia	Bishop	Carruthers	DeBlieck	Frederick
Bauerly	Blatz	Clark	Dempsey	Frerichs
Beard	Boo	Clausnitzer	DeRaad	Greenfield
Begich	Brown	Cooper	Dille	Gruenes

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

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

S. F. No. 1672, A bill for an act relating to housing; repealing the expiration date of housing and redevelopment authorities' power to provide interest reduction assistance; repealing Minnesota Statutes 1987 Supplement, section 469.012, subdivision 10.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Schreiber

The bill was passed and its title agreed to.

S. F. No. 63 was reported to the House.

There being no objection, S. F. No. 63 was temporarily laid over on Special Orders.

S. F. No. 1795, A bill for an act relating to alcoholic beverages; increasing the time period for notification to licensing authorities of cancellation of liquor liability insurance; specifying that hearings by licensing authorities on license suspensions or revocations need not be before an administrative hearing officer; amending Minnesota Statutes 1986, section 340A.409, subdivision 1; and Minnesota Statutes 1987 Supplement, section 340A.415.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Wagenius

The bill was passed and its title agreed to.

S. F. No. 2347 was reported to the House.

There being no objection, S. F. No. 2347 was temporarily laid over on Special Orders.

S. F. No. 1681, A bill for an act relating to insurance; accident and health; exempting child health supervision services and perinatal care services from any requirement of coinsurance or dollar limitation; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

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

Those who voted in the affirmative were:

Anderson, G.	Frerichs	Krueger	Onnen	Seaberg
Anderson, R.	Greenfield	Larsen	Orenstein	Segal
Battaglia	Gruenes	Lasley	Osthoff	Shaver
Bauerly	Gutknecht	Lieder	Otis	Simoneau
Beard	Hartle	Long	Ozment	Skoglund
Begich	Haukoos	Marsh	Pappas	Solberg
Bennett	Heap	McDonald	Pauly	Sparby
Bertram	Himle	McEachern	Pelowski	Stanius
Blatz	Hugoson	McKasy	Peterson	Steenasma
Boo	Jacobs	McLaughlin	Poppenhagen	Sviggum
Brown	Jaros	McPherson	Price	Swenson
Burger	Jefferson	Milbert	Quinn	Thiede
Carlson, L.	Jennings	Miller	Quist	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
DeBlick	Kelly	Nelson, K.	Rodosovich	Voss
Dempsey	Kelso	Neuenschwander	Rose	Wagenius
DeRaad	Kinkel	O'Connor	Rukavina	Waltman
Dille	Kludt	Olsen, S.	Sarna	Welle
Dorn	Knickerbocker	Olsen, E.	Schafer	Wenzel
Forsythe	Knuth	Olson, K.	Scheid	Winter
Frederick	Kostohryz	Omann	Schreiber	Wynia
				Spk. Vanasek

The bill was passed and its title agreed to.

S. F. No. 2347 which was temporarily laid over earlier today was again reported to the House.

S. F. No. 2347, A bill for an act relating to commerce; regulating franchises; modifying the definition of franchise to include certain royalty or residuals agreements; regulating burglar alarm franchises; amending Minnesota Statutes 1986, section 80C.01, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 80C.

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.	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	Haukoos	McDonald	Pauly	Sparby
Bertram	Heap	McEachern	Pelowski	Stanius
Bishop	Hugoson	McKasy	Peterson	Steensma
Blatz	Jacobs	McLaughlin	Poppenhagen	Sviggum
Boo	Jaros	McPherson	Price	Swenson
Brown	Jefferson	Milbert	Quinn	Thiede
Burger	Jennings	Miller	Quist	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
DeBlicek	Kelso	Neuenschwander	Rose	Wagenius
Dempsey	Kinkel	O'Connor	Rukavina	Waltman
DeRaad	Kludt	Olsen, S.	Sarna	Welle
Dille	Knickerbocker	Olsen, E.	Schafer	Wenzel
Dorn	Knuth	Olson, K.	Scheid	Winter
Forsythe	Kostohryz	Omann	Schreiber	Wynia
Frederick	Krueger	Onnen	Seaberg	Spk. Vanasek

The bill was passed and its title agreed to.

Rose was excused between the hours of 4:00 p.m. and 6:00 p.m.

S. F. No. 63 which was temporarily laid over earlier today was again reported to the House.

Simoneau and Bauerly moved to amend S. F. No. 63, the unofficial engrossment, as follows:

Amend the title as follows:

Page 1, lines 6 and 7, delete "Pearl Harbor survivors and Vietnam-era"

The motion prevailed and the amendment was adopted.

Johnson, A.; Jensen; Scheid; Kinkel; Olson, E.; McLaughlin; Wagenius; Ogren; Skoglund; Knuth; Johnson, R.; McEachern; Brown; Blatz; Hugoson; Quinn; Nelson, D.; Welle and Neuenschwander moved to amend S. F. No. 63, the unofficial engrossment, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 2. Minnesota Statutes 1986, section 168.12, subdivision 1, is amended to read:

Subdivision 1. [NUMBER PLATES; VISIBILITY, PERIODS OF ISSUANCE.] The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) number plates issued pursuant to sections 168.27, subdivisions 16 and 17, and 168.053 shall be for a one-year period;

(2) new number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax exempt agency to another;

(3) plates issued for passenger automobiles as defined in section 168.011, subdivision 7, ~~motoreycles, motorized bicycles, and motor scooters~~ shall be issued for a six-year period starting not later than October 1986, or until the next general reissuance of plates every six years thereafter, whichever is less the life of the vehicle; and

(4) plates for any vehicle not specified in clauses (1), (2) and (3), except for trailers as hereafter provided, shall be issued for the life of the vehicle. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for the life of the trailer and shall be not more than seven inches in length and four inches in width.

~~In a year in which plates are not issued,~~ The registrar shall issue for each registration a tab or sticker to designate the year of registration. This tab or sticker shall show the calendar year or years for which issued, and is valid only for that period. The number plates, number tabs, or stickers issued for a motor vehicle may not be transferred to another motor vehicle during the period for which it is issued.

Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph, and may prescribe a form for notification."

Renumber the remaining sections

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Johnson, A., et al amendment and the roll was called. There were 62 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Hugoson	Long	Peterson	Vellenga
Blatz	Jacobs	McEachern	Quinn	Voss
Brown	Jaros	McLaughlin	Quist	Wagenius
Carlson, D.	Jefferson	Milbert	Reding	Waltman
Carlson, L.	Jensen	Miller	Rest	Welle
Carruthers	Johnson, A.	Murphy	Riveness	Winter
Clark	Johnson, R.	Nelson, D.	Sarna	
Cooper	Kahn	Nelson, K.	Shaver	
Dauner	Kelly	Neuenschwander	Skoglund	
DeBlieck	Kelso	Olson, E.	Steensma	
Dille	Kinkel	Omen	Sviggum	
Greenfield	Kludt	Orenstein	Thiede	
Heap	Knickerbocker	Otis	Tjornhom	
Himle	Krueger	Pelowski	Trimble	

Those who voted in the negative were:

Anderson, R.	DeRaad	Lieder	Ozment	Segal
Battaglia	Forsythe	Marsh	Pappas	Simoneau
Bauerly	Frederick	McDonald	Pauly	Solberg
Begich	Frerichs	McPherson	Poppenhagen	Sparby
Bennett	Gruenes	Minne	Redalen	Stanis
Bertram	Hartle	Morrison	Rice	Swenson
Bishop	Haukoos	Munger	Rodosovich	Tompkins
Boo	Jennings	Nelson, C.	Rukavina	Tunheim
Burger	Johnson, V.	Olsen, S.	Schafer	Uphus
Clausnitzer	Kalis	Olson, K.	Scheid	Valento
Dawkins	Kostohryz	Omann	Schreiber	Wenzel
Dempsey	Larsen	Osthoff	Seaberg	

The motion prevailed and the amendment was adopted.

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

Tunheim and Seaberg moved to amend S. F. No. 63, the unofficial engrossment, as amended, as follows:

Page 3, line 25, after "a" insert "one-time"

Page 3, line 26, after the period insert "The Commissioner shall designate a replacement fee for personalized license plates that is calculated to cover the cost of replacement. This fee shall be paid by the applicant whenever the personalized license plates are required to be replaced by law."

The motion prevailed and the amendment was adopted.

Hartle, Rodosovich, Minne, Lieder, Haukoos and Kostohryz moved to amend S. F. No. 63, the unofficial engrossment, as amended, as follows:

Page 10, after line 27, insert:

"Sec. 10. Minnesota Statutes 1986, section 297B.02, subdivision 2, is amended to read:

Subd. 2. [IN LIEU TAX FOR OLDER PASSENGER AUTOMOBILES.] In lieu of the tax imposed in subdivision 1, there is imposed a tax of \$10 on the purchase price of any passenger automobile described in section 297B.025, subdivision 1.

Sec. 11. Minnesota Statutes 1986, section 297B.02, is amended by adding a subdivision to read:

Subd. 3. [IN LIEU TAX FOR COLLECTOR VEHICLES.] In lieu of

the tax imposed in subdivision 1, there is imposed a tax of \$90 on the purchase price of a passenger automobile described in section 297B.025, subdivision 2.

Sec. 12. Minnesota Statutes 1986, section 297B.025, is amended to read:

297B.025 [OLDER PASSENGER AUTOMOBILES.]

Subdivision 1. [NONCOLLECTOR VEHICLES.] Purchase or use of a passenger automobile as defined in section 168.011, subdivision 7, shall be taxed pursuant to section 297B.02, subdivision 2, if the passenger automobile is (1) in the tenth or subsequent year of vehicle life, (2) is currently registered in Minnesota other than registration under section 168.10, subdivisions 1a, 1b, 1c, and 1d, and (3) (2) is not an above-market automobile as designated by the registrar of motor vehicles.

The registrar of motor vehicles shall prepare, and distribute to all deputy motor vehicle registrars by July 15, 1985, a listing by make, model, and year of above-market automobiles. Except as provided by subdivision 2, the registrar must include in the list all automobiles with a resale value of \$3,000 or more, as determined using nationally recognized sources of information on automobile resale values. The registrar shall revise the list by February 1 of each year. The initial list and all subsequent revisions must include only those automobiles which are in the tenth or subsequent year of vehicle life.

Subd. 2. [COLLECTOR VEHICLES.] A passenger automobile that is currently registered under section 168.10, subdivisions 1a, 1b, 1c, and 1d, shall be taxed under section 297B.02, subdivision 3, and the registrar shall not designate as an above-market automobile a passenger automobile registered under those subdivisions."

Page 10, line 36, after the period insert "Sections 10 to 12 are effective for a sale or transfer occurring after July 30, 1988."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Simoneau and Kahn moved to amend S. F. No. 63, the unofficial engrossment, as amended, as follows:

Page 9, after line 14, insert:

"Sec. 8. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 2a, is amended to read:

Subd. 2a. [PHYSICIAN'S STATEMENT.] The commissioner shall develop a form for the physician's statement. The statement must be signed by a licensed physician who certifies that the applicant is a physically handicapped person as defined in subdivision 2. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility. The physician's statement must specify whether the disability is permanent or temporary, and if temporary, the opinion of the physician as to the duration of the disability. A physician who fraudulently certifies to the commissioner that a person is a physically handicapped person as defined in subdivision 2, and that the person is entitled to the license plates authorized by section 168.021 or to the certificate authorized by this section, is guilty of a misdemeanor and is subject to a fine of \$500.

The form must include a notice to the effect that a copy of the form as signed and submitted confers the same privileges as the identifying certificate for a period of 14 days after the date of signing.

Sec. 9. Minnesota Statutes 1987 Supplement, section 169.345, subdivision 3, is amended to read:

Subd. 3. [IDENTIFYING CERTIFICATE.] (a) The division of driver and vehicle services in the department of public safety shall issue a special identifying certificate for a motor vehicle when a physically handicapped applicant submits a physician's statement. The commissioner shall design separate certificates for persons with permanent and temporary disabilities that can be readily distinguished from each other from outside a vehicle at a distance of 25 feet. The certificate is valid for the duration of the person's disability, as specified in the physician's statement, up to a maximum of six years. A person with a disability of longer duration will be required to renew the certificate for additional periods of time, up to six years each, as specified in the physician's statement.

(b) When the commissioner is satisfied that a motor vehicle is used primarily for the purpose of transporting physically handicapped persons, the division may issue without charge a special identifying certificate for the vehicle. The operator of a vehicle displaying the certificate has the parking privileges provided in subdivision 1 while the vehicle is in use for transporting physically handicapped persons. The certificate issued to a person transporting physically handicapped persons must be renewed every third year. On application and renewal, the person must present evidence that the vehicle continues to be used for transporting physically handicapped persons.

(c) A certificate must be made of plastic or similar durable

material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under paragraph (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle in which it is used. The commissioner may charge a fee of \$5 for issuance or renewal of a certificate, and a fee of \$5 for a duplicate to replace a lost, stolen, or damaged certificate.

(d) A copy of a physician's statement submitted under paragraph (a), when prominently displayed in the manner prescribed in subdivision 1, entitles the person submitting the statement the same privileges under subdivision 1 as an identifying certificate, for a period of 14 days after the date on which the statement was signed by the physician."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 8, after the first semicolon insert "providing that a physician's statement authorizes parking privileges for a physically handicapped person;"

Page 1, line 12, after the third semicolon insert "Minnesota Statutes 1987 Supplement, section 169.345, subdivisions 2a and 3;"

Wenzel moved to amend the Simoneau and Kahn amendment to S. F. No. 63, the unofficial engrossment, as amended, as follows:

Page 3, line 2, strike "issuance or"

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

CALL OF THE HOUSE

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

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

Heap	Knuth	Nelson, C.	Redalen	Steensma
Himle	Kostohryz	Nelson, K.	Reding	Sviggum
Hugoson	Larsen	O'Connor	Rest	Swenson
Jacobs	Lasley	Olsen, S.	Rice	Thiede
Jaros	Marsh	Olson, E.	Richter	Tjornhom
Jefferson	McDonald	Olson, K.	Rodosovich	Tompkins
Jennings	McEachern	Omann	Rukavina	Tunheim
Jensen	McKasy	Onnen	Schafer	Uphus
Johnson, A.	McLaughlin	Orenstein	Scheid	Valento
Johnson, R.	McPherson	Osthoff	Schreiber	Vellenga
Johnson, V.	Milbert	Ozment	Segal	Wagenius
Kelly	Miller	Pappas	Shaver	Waltman
Kelso	Minne	Pauly	Simoneau	Welle
Kinkel	Morrison	Pelowski	Skoglund	Wenzel
Kludt	Munger	Peterson	Sparby	Winter
Knickerbocker	Murphy	Poppenhagen	Stanius	

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

The question recurred on the Simoneau and Kahn amendment to S. F. No. 63, the unofficial engrossment, as amended. The motion prevailed and the amendment was adopted.

MOTION FOR RECONSIDERATION

Carlson, D., moved that the vote whereby the Johnson, A., et al amendment to S. F. No. 63, the unofficial engrossment, as amended, adopted earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Carlson, D., motion and the roll was called.

Miller moved that those not voting be excused from voting. The motion did not prevail.

Carlson, D., moved that those not voting be excused from voting. The motion prevailed.

There were 64 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Clausnitzer	Hartle	Marsh	Onnen
Battaglia	Dempsey	Haukoos	McDonald	Osthoff
Bauerly	DeRaad	Heap	McPherson	Ozment
Bennett	Dorn	Himle	Minne	Pappas
Bertram	Forsythe	Johnson, V.	Morrison	Pauly
Bishop	Frederick	Kalis	Nelson, C.	Poppenhagen
Boo	Frerichs	Kostohryz	Olsen, S.	Price
Burger	Gruenes	Larsen	Olson, K.	Redalen
Carlson, D.	Gutknecht	Lieder	Omann	Schafer

Scheid	Shaver	Stanius	Tunheim	Wenzel
Schreiber	Simoneau	Svigum	Uphus	Wynia
Seaberg	Solberg	Swenson	Valento	Spk. Vanasek
Segal	Sparby	Tompkins	Waltman	

Those who voted in the negative were:

Anderson, G.	Hugoson	Knuth	Olson, E.	Sarna
Beard	Jacobs	Krueger	Orenstein	Skoglund
Begich	Jaros	Lasley	Otis	Steensma
Blatz	Jefferson	Long	Pelowski	Thiede
Brown	Jennings	McEachern	Peterson	Tjornhom
Carlson, L.	Jensen	McLaughlin	Quinn	Trimble
Carruthers	Johnson, A.	Milbert	Quist	Vellenga
Clark	Johnson, R.	Miller	Reding	Voss
Cooper	Kahn	Munger	Rest	Wagenius
Dauner	Kelly	Murphy	Rice	Welle
Dawkins	Kelso	Nelson, D.	Richter	Winter
DeBlieck	Kinkel	Nelson, K.	Riveness	
Dille	Kludt	Neuenschwander	Rodosovich	
Greenfield	Knickerbocker	O'Connor	Rukavina	

The motion did not prevail.

S. F. No. 63, A bill for an act relating to motor vehicles; providing that passenger automobile license plates be issued for a six-year period; providing for license plate replacement fees; amending Minnesota Statutes 1986, section 168.12, subdivisions 1, 2a, and 5; repealing Minnesota Statutes 1986, section 168.12, subdivisions 3 and 4.

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

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

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

There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Seaberg

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

CALL OF THE HOUSE LIFTED

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

S. F. No. 30, A bill for an act relating to crimes; requiring health professionals to report certain burn injuries; amending Minnesota Statutes 1986, sections 626.52, subdivision 1, and by adding a subdivision; 626.53; and 626.55, subdivision 1.

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

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

Those who voted in the affirmative were:

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

Rice	Schreiber	Stanis	Tunheim	Wenzel
Richter	Seaberg	Steensma	Uphus	Winter
Riveness	Segal	Sviggum	Valento	Wynia
Rodosovich	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 and its title agreed to.

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

S. F. No. 1388 was reported to the House.

Clark moved to amend S. F. No. 1388, the unofficial engrossment, as follows:

Page 2, line 35, after "be" insert "in bold print and"

Page 3, line 18, delete "which" and delete the second "are"

Page 3, line 19, delete "available" and delete "by" and insert "upon"

Page 3, line 19, after the period, insert "See section (section number) of your contract for referral requirements."

Page 3, line 22, delete everything after the period

Page 3, delete line 23

Page 6, line 24, delete "paragraph" and insert "paragraphs" and after "(b)" insert "and (c)"

Page 8, line 28, after "hours" delete ", excluding weekends,"

Page 8, line 29, after "received" insert "excluding weekends and holidays"

The motion prevailed and the amendment was adopted.

Simoneau and Ogren moved to amend S. F. No. 1388, the unofficial engrossment, as amended, as follows:

Page 9, after line 19, insert:

"Sec. 11. Minnesota Statutes 1986, section 325D.44, subdivision 1, is amended to read:

Subdivision 1. A person engages in a deceptive trade practice when, in the course of business, vocation, or occupation, the person:

- (1) passes off goods or services as those of another;
- (2) causes likelihood of confusion or of misunderstanding as to the source, sponsorship, approval, or certification of goods or services;
- (3) causes likelihood of confusion or of misunderstanding as to affiliation, connection, or association with, or certification by, another;
- (4) uses deceptive representations or designations of geographic origin in connection with goods or services;
- (5) represents that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that the person does not have;
- (6) represents that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used, or secondhand;
- (7) represents that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;
- (8) disparages the goods, services, or business of another by false or misleading representation of fact;
- (9) advertises goods or services with intent not to sell them as advertised;
- (10) advertises goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;
- (11) makes false or misleading statements of fact concerning the reasons for, existence of, or amounts of price reductions; or
- (12) in attempting to collect delinquent accounts, implies or suggests that health care services will be withheld in an emergency situation; or
- (13) engages in any other conduct which similarly creates a likelihood of confusion or of misunderstanding.

Sec. 12. Minnesota Statutes 1987 Supplement, section 332.37, is amended to read:

332.37 [PROHIBITED PRACTICES.]

No collection agency or collectors shall: (1) in collection letters or publications, or in any communication, oral or written threaten wage garnishment or legal suit by a particular lawyer, unless it has actually retained the lawyer;

(2) use or employ constables, sheriffs or any other officer authorized to serve legal papers in connection with the collection of a claim, except when performing their legally authorized duties;

(3) use or threaten to use methods of collection which violate Minnesota law;

(4) furnish legal advice or otherwise engage in the practice of law or represent that it is competent to do so;

(5) communicate with debtors in a misleading or deceptive manner by using the stationery of a lawyer, forms or instruments which only lawyers are authorized to prepare, or instruments which simulate the form and appearance of judicial process;

(6) exercise authority on behalf of a creditor to employ the services of lawyers unless the creditor has specifically authorized the agency in writing to do so and the agency's course of conduct is at all times consistent with a true relationship of attorney and client between the lawyer and the creditor;

(7) publish or cause to be published any list of debtors except for credit reporting purposes, use shame cards or shame automobiles, advertise or threaten to advertise for sale any claim as a means of forcing payment thereof, or use similar devices or methods of intimidation;

(8) refuse to return any claim or claims and all valuable papers deposited with a claim or claims upon written request of the creditor, claimant or forwarder after tender of the amounts due and owing to the agency within 30 days after the request; refuse or intentionally fail to account to its clients for all money collected within 30 days from the last day of the month in which the same is collected; or, refuse or fail to furnish at intervals of not less than 90 days upon written request of the claimant or forwarder, a written report upon claims received from the claimant or forwarder;

(9) operate under a name or in a manner which implies that the agency is a branch of or associated with any department of federal, state, county or local government or an agency thereof;

(10) commingle money collected for a customer with the agency's operating funds or use any part of a customer's money in the conduct of the agency's business;

(11) transact business or hold itself out as a debt prorater, debt adjuster, or any person who settles, adjusts, prorates, pools, liquidates or pays the indebtedness of a debtor, unless there is no charge to the debtor, or the pooling or liquidation is done pursuant to court order or under the supervision of a creditor's committee;

(12) violate any of the provisions of the Fair Debt Collection Practices Act of 1977 while attempting to collect on any account, bill or other indebtedness; or

(13) communicate with a debtor by use of a recorded message utilizing an automatic dialing announcing device unless the recorded message is immediately preceded by a live operator who discloses prior to the message the name of the collection agency and the fact the message intends to solicit payment and the operator obtains the consent of the debtor to hearing the message; or

(14) in collection letters or publications, or in any communication, oral or written, imply or suggest that health care services will be withheld in an emergency situation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the semicolon insert "prohibiting a threat of denial of emergency health care services in collection of delinquent accounts;"

Page 1, line 15, delete "and" and before the period insert "and 325D.44, subdivision 1; Minnesota Statutes 1987 Supplement, section 332.37"

The motion prevailed and the amendment was adopted.

Sviggum moved to amend S. F. No. 1388, the unofficial engrossment, as amended, as follows:

Page 1, line 25, strike "at least 40 percent" and insert "a majority"

Page 1, line 26, after "consumers" insert "provided however, that at least 40 percent of the governing body shall be"

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

S. F. No. 1388, A bill for an act relating to health; setting forth requirements for statements of exclusions and limitations; requiring detailed statement when coverage is denied; clarifying statement of enrollee bill of rights; setting forth requirements for marketing materials; requiring membership card; requiring written denial of service; prohibiting denial of coverage in certain circumstances; requiring report; amending Minnesota Statutes 1986, sections 62D.07, subdivision 3; 62D.09, subdivision 1, and by adding subdivisions; 62D.11, by adding subdivisions; and 62D.20.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 392 was reported to the House.

Rest moved to amend S. F. No. 392, as follows:

Page 3, line 29, after "subdivision" insert "4a."

Page 4, line 1, after "request" insert a comma

Page 9, after line 6, insert:

"Sec. 8. Minnesota Statutes 1986, section 169.121, subdivision 3a, as added by Laws 1988, chapter 408, section 1, is amended to read:

Subd. 3a. [HABITUAL OFFENDER PENALTIES.] (a) If a person has been convicted under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of violating this section or an ordinance in conformity with it (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment or to eight hours of community work service for each day less than 30 days that the person is ordered to serve in jail. Notwithstanding section 609.135, the above sentence must be executed, unless the court departs from the mandatory minimum sentence under paragraph (b) or (c).

(b) Prior to sentencing the prosecutor ~~files~~ may file a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons for it. When presented with the prosecutor's motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision.

(c) The court may, on its own motion, sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision if it finds that substantial mitigating factors exist and if its sentencing departure is accompanied by a statement on the record of the reasons for it.

(d) When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record.

Sec. 9. [IGNITION INTERLOCK DEVICES; STUDY AND REPORT REQUIRED.]

Subdivision 1. [DEFINITION.] As used in this section, "ignition interlock device" means breath alcohol ignition equipment designed to prevent the operation of a motor vehicle by a person whose alcohol concentration exceeds a designated level.

Subd. 2. [STUDY AND REPORT BY DEPARTMENT OF PUBLIC SAFETY.] The department of public safety shall study the use of ignition interlock devices in other states and report its findings to

the legislature by January 1, 1989. The department's report shall address, but need not be limited to, the following questions:

(a) Does the use of ignition interlock devices have a demonstrated effect on the incidence of repeat drunk driving offenses?

(b) Should the use of ignition interlock devices be mandated for all convicted drunk drivers, or should their use be a discretionary matter for the courts and the department of public safety?

(c) What technical or operational problems do ignition interlock devices present and how can these problems best be resolved?

(d) What process and criteria should the state adopt to certify ignition interlock devices?

(e) Who should bear the responsibility for paying for the installation of ignition interlock devices?"

Renumber the remaining sections in sequence

Page 9, line 13, delete "7" and insert "8"

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert "requiring the department to study the use in other states of ignition interlock devices;"

Page 1, line 7, after "168.041," insert "169.121, subdivision 3a, as amended;"

The motion prevailed and the amendment was adopted.

Rest and McEachern moved to amend S. F. No. 392, as amended, as follows:

Page 3, line 23, delete "Within three days after" and insert "If"

Page 3, line 25, before the period, insert "either three days after the order is issued or on the date specified by the court, whichever date is later"

Page 3, line 27, before the period, insert "after their surrender"

The motion prevailed and the amendment was adopted.

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

Frederick, Kelly and Rest moved to amend S. F. No. 392, as amended, as follows:

Page 9, after line 6, insert:

"Sec. 8. Minnesota Statutes 1986, section 169.91, subdivision 1, is amended to read:

Subdivision 1. [PROCEDURE.] When any person is arrested for any violation of any law or ordinance relating to the operation or registration of vehicles punishable as a petty misdemeanor, misdemeanor, gross misdemeanor, or felony, the arrested person shall be taken into custody and immediately taken before a judge within the county in which the offense charged is alleged to have been committed and who has jurisdiction over the offenses and is nearest or most accessible with reference to the place where the arrest is made, in any of the following cases:

(1) When a person arrested demands an immediate appearance before a judge;

(2) When a person is arrested and charged with an offense under this chapter causing or contributing to an accident resulting in injury or death to any person;

(3) When the person is arrested upon a charge of negligent homicide;

(4) When the person is arrested upon a charge of driving or operating or being in actual physical control of any motor vehicle while under the influence of intoxicating liquor or drugs;

(5) When the person is arrested upon a charge of failure to stop in the event of an accident causing death, personal injuries, or damage to property;

(6) When there is reasonable cause for believing that the person arrested may leave the state, except as provided in subdivision 4;

(7) ~~In any other event when the person arrested refused to give a promise in writing to appear in court, as provided in subdivision 3.~~

Sec. 9. Minnesota Statutes 1986, section 169.91, subdivision 3, is amended to read:

Subd. 3. [NOTICE TO APPEAR.] When a person is arrested for any violation of any law or ordinance relating to motor vehicles, their registration or their operation, or the use of the highways, the arresting officer shall prepare a written notice to appear in court. This place must be before a judge within the county in which the

offense charged is alleged to have been committed who has jurisdiction and is nearest or most accessible with reference to the place of arrest.

In order to secure release, if the arrested person is eligible for release, without being taken into custody and immediately taken before a judge, as provided in this section, the arrested person must give a promise in writing to appear in court by signing the written notice prepared by the arresting officer. The officer shall retain the original of the notice and deliver the copy marked "SUMMONS" to the person arrested. The officer shall then release the person arrested from custody.

Sec. 10. Minnesota Statutes 1986, section 169.92, is amended to read:

169.92 [FAILURE TO APPEAR.]

Subdivision 1. Any person willfully violating the person's written promise failing to appear in court, given as provided in required by sections 169.90 to 169.95, is guilty of a misdemeanor, provided the person is found guilty of the charge upon which originally arrested. A written promise to person may appear in court may be complied with by either in person or through an appearance by counsel.

Subd. 2. When a nonresident is released upon a promise in writing fails to appear and has not appeared in court or complied comply with other orders of the court regarding the appearance or proceedings, the court shall notify the commissioner of public safety of the nonappearance upon a form provided by the commissioner.

Subd. 3. Upon receipt of notice from the court that the nonresident did not appear in court following release from custody upon the nonresident's promise in writing to appear, the commissioner of public safety shall forward a copy of the report to the driver licensing authority of the state, district, territory, possession or province of residence of the person.

Subd. 4. (a) Upon receiving a report from the driver licensing authority of a state, district, territory or possession of the United States or a province of a foreign country which has an agreement in effect with this state pursuant to section 169.91 that a resident of this state or a person licensed as a driver in this state did not appear in court following written promise to appear in compliance with the terms of the citation in the party jurisdiction, the commissioner of public safety shall notify the driver that the driver's license will be suspended unless the commissioner receives notice within 30 days that the driver has appeared in the appropriate court of the other jurisdiction. If the commissioner does not receive notice of the appearance of the Minnesota resident in the appropriate court

within 30 days of the date of the commissioner's notice to the driver, the commissioner may suspend the person's driver's license.

(b) The order of suspension shall indicate the reason for the order and shall notify the person that the person's license shall remain suspended until the person has furnished evidence, satisfactory to the commissioner, of compliance with any order entered by the court.

(c) Suspension shall be ordered under this subdivision only when the report from the other jurisdiction clearly identifies the person arrested; describes the violation, specifying the section of the traffic law, ordinance or rule violated; indicates the location and date of the offense; and describes the vehicle involved and its registration number.

Sec. 11. Minnesota Statutes 1986, section 169.99, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 3, there shall be a uniform ticket issued throughout the state by the police and peace officers or by any other person for violations of this chapter and ordinances in conformity thereto. Such uniform traffic ticket shall be in the form and have the effect of a summons and complaint. ~~There shall also be included on the uniform ticket a receipt in lieu of bail which, when signed by the defendant, shall be a guarantee by the defendant to appear in the court having jurisdiction over the matter. The uniform ticket shall state that if the defendant fails to appear in court in response to the ticket, an arrest warrant may be issued.~~ The uniform traffic ticket shall consist of four parts, on paper sensitized so that copies may be made without the use of carbon paper, as follows:

(1) the complaint, with reverse side for officer's notes for testifying in court, driver's past record, and court's action, printed on white paper;

(2) the abstract of court record for the department of public safety, which shall be a copy of the complaint with the certificate of conviction on the reverse side, printed on yellow paper;

(3) the police record, which shall be a copy of the complaint and of the reverse side of copy (1), printed on pink paper;

(4) the summons, with, on the reverse side, such information as the court may wish to give concerning the traffic violations bureau, and a plea of guilty and waiver, printed on off-white tag stock.

Sec. 12. Minnesota Statutes 1986, section 169.99, subdivision 2, is amended to read:

Subd. 2. The attorney general commissioner of public safety shall by rule promulgated in the manner provided by law prescribe the detailed form of the uniform traffic ticket, and shall revise the uniform ticket on such subsequent occasions as the attorney general deems necessary and proper to keep the uniform ticket in conformity with highway traffic rules. In the manner provided by law the attorney general shall give notice to all interested parties of a hearing to be held prior to the promulgation of the uniform traffic ticket or any changes therein. The uniform traffic ticket shall not be in mandatory use throughout the state until 18 months after the attorney general has first promulgated the uniform traffic ticket and the attorney general shall enforce the uniformity of the promulgated traffic ticket throughout the state and federal law. The rulemaking provisions of chapter 14 do not apply to this subdivision.

Sec. 13. Minnesota Statutes 1986, section 171.01, subdivision 13, is amended to read:

Subd. 13. [CONVICTION.] The term "conviction" means a final conviction either after trial or upon a plea of guilty; also a forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated, or a breach of a condition of release without bail, ~~including violation of a written promise to appear~~, is equivalent to a conviction.

Sec. 14. Minnesota Statutes 1986, section 171.08, is amended to read:

171.08 [LICENSEE TO HAVE LICENSE IN POSSESSION.]

Every licensee shall have the license in immediate possession at all times when operating a motor vehicle and shall display it upon demand of a peace officer, an authorized representative of the department, or an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways. Unless the person is the holder of a limited license issued under section 171.30, no person charged with violating the possession requirement shall be convicted if the person produces in court or the office of the arresting officer a driver's license previously issued to that person for the class of vehicle being driven which was valid at the time of arrest or satisfactory proof that at the time of the arrest the person was validly licensed for the class of vehicle being driven. The licensee shall also, upon request of any officer, write the licensee's name in the presence of the officer to determine the identity of the licensee.

Sec. 15. Minnesota Statutes 1986, section 171.22, is amended to read:

171.22 [UNLAWFUL ACTS.]

Subdivision 1. [ACTS.] It shall be unlawful for any person:

(1) to display, or cause or permit to be displayed, or have in possession, any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license; ~~or~~

(2) to lend the person's driver's license to any other person or knowingly permit the use thereof by another; ~~or~~

(3) to display or represent as one's own any driver's license not issued to that person; ~~or~~

(4) to fail or refuse to surrender to the department, upon its lawful demand, any driver's license which has been suspended, revoked, or canceled; ~~or~~

(5) to use a false ~~or~~ fictitious name or date of birth to any police officer or in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application; ~~or~~

(6) to alter any driver's license, or to counterfeit or make any fictitious license; ~~or~~

(7) to take any part of the driver's license examination for another or to permit another to take the examination for that person; or

(8) to use the name of another person to any police officer for the purpose of falsely identifying oneself to the police officer.

Subd. 2. [PENALTIES.] Any person who violates subdivision 1, clause (8), is guilty of a gross misdemeanor. Any person who violates any other provision of subdivision 1 is guilty of a misdemeanor.

Renumber the remaining sections in sequence

Page 9, line 13, after "7" insert "and section 15"

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert "making a variety of technical changes to the traffic law; increasing penalties for using a false identity to a peace officer;"

Page 1, line 8, after "169.1261;" insert "169.91, subdivisions 1 and 3; 169.92; 169.99, subdivisions 1 and 2; 171.01, subdivision 13; 171.08; 171.22;"

The motion prevailed and the amendment was adopted.

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 third time, as amended, and placed upon its final passage.

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

Those who voted in the affirmative were:

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

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

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 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 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dauner Miller

The bill was passed and its title agreed to.

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

S. F. No. 1963 was reported to the House.

Rest moved to amend S. F. No. 1963, as follows:

Delete everything after the enacting clause and insert:

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

Subd. 2a. [PURCHASE OF CERTAIN EQUIPMENT.] The board may issue certificates of indebtedness or capital notes subject to the school district debt limits to purchase vehicles, computers, telephone systems, cable equipment, photocopy and office equipment, technological equipment for instruction, and other capital equipment having an expected useful life at least as long as the terms of

the certificates or notes. The certificates or notes shall be payable in not more than five years and shall be issued on the terms and in the manner determined by the board. If the amount of the certificates or notes to be issued to finance the purchase exceeds one percent of the assessed valuation of the school district, they shall not be issued for at least 30 days after publication in the official newspaper of a school board resolution determining to issue them. If, before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular school board election is filed with the clerk, the certificates or notes shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. A tax levy shall be made for the payment of the principal and interest on the certificates or notes, in accordance with section 475.61, as in the case of bonds.

Sec. 2. Minnesota Statutes 1986, section 410.32, is amended to read:

410.32 [CITIES AUTHORIZED TO ISSUE CAPITAL NOTES FOR CERTAIN EQUIPMENT ACQUISITIONS.]

Notwithstanding any contrary provision of other law or charter, a home rule charter city may, by resolution and without public referendum, issue capital notes subject to the city debt limit to purchase public safety equipment, ambulance and other medical equipment, road construction and maintenance equipment, and other capital equipment having an expected useful life at least as long as the term of the notes. The notes shall be payable in not more than five years and be issued on terms and in the manner the city determines. The total principal amount of the capital notes issued in a fiscal year shall not exceed one-tenth of one percent of the assessed value of the city for that year. A tax levy shall be made for the payment of the principal and interest on the notes, in accordance with section 475.61, as in the case of bonds. Notes issued under this section shall require an affirmative vote of two-thirds of the governing body of the city. Unless prohibited by its charter, a home rule charter city may also issue capital notes subject to its debt limit in the manner and subject to the limitations applicable to statutory cities pursuant to section 412.301.

Sec. 3. Minnesota Statutes 1987 Supplement, section 469.012, subdivision 1, is amended to read:

Subdivision 1. [SCHEDULE OF POWERS.] An authority shall be a public body corporate and politic and shall have all the powers necessary or convenient to carry out the purposes of sections 469.001 to 469.047, except that the power to levy and collect taxes or special assessments is limited to the power provided in sections 469.027 to 469.033. Its powers include the following powers in addition to others granted in sections 469.001 to 469.047:

(1) to sue and be sued; to have a seal, which shall be judicially noticed, and to alter it; to have perpetual succession; and to make, amend, and repeal rules consistent with sections 469.001 to 469.047;

(2) to employ an executive director, technical experts, and officers, agents, and employees, permanent and temporary, that it requires, and determine their qualifications, duties, and compensation; for legal services it requires, to call upon the chief law officer of the city or to employ its own counsel and legal staff; so far as practicable, to use the services of local public bodies in its area of operation, provided that those local public bodies, if requested, shall make the services available;

(3) to delegate to one or more of its agents or employees the powers or duties it deems proper;

(4) within its area of operation, to undertake, prepare, carry out, and operate projects and to provide for the construction, reconstruction, improvement, extension, alteration, or repair of any project or part thereof;

(5) subject to the provisions of section 469.026, to give, sell, transfer, convey, or otherwise dispose of real or personal property or any interest therein and to execute leases, deeds, conveyances, negotiable instruments, purchase agreements, and other contracts or instruments, and take action that is necessary or convenient to carry out the purposes of these sections;

(6) within its area of operation, to acquire real or personal property or any interest therein by gifts, grant, purchase, exchange, lease, transfer, bequest, devise, or otherwise, and by the exercise of the power of eminent domain, in the manner provided by chapter 117, to acquire real property which it may deem necessary for its purposes, after the adoption by it of a resolution declaring that the acquisition of the real property is necessary to eliminate one or more of the conditions found to exist in the resolution adopted pursuant to section 469.003 or to provide decent, safe, and sanitary housing for persons of low and moderate income, or is necessary to carry out a redevelopment project. Real property needed or convenient for a project may be acquired by the authority for the project by condemnation pursuant to this section. This includes any property devoted to a public use, whether or not held in trust, notwithstanding that the property may have been previously acquired by condemnation or is owned by a public utility corporation, because the public use in conformity with the provisions of sections 469.001 to 469.047 shall be deemed a superior public use. Property devoted to a public use may be so acquired only if the governing body of the municipality has approved its acquisition by the authority. An award of compensation shall not be increased by reason of any increase in the value of the real property caused by the assembly, clearance or reconstruction, or proposed assembly, clearance or reconstruction for the

purposes of sections 469.001 to 469.047 of the real property in an area;

(7) within its area of operation, and without the adoption of an urban renewal plan, to acquire, by all means as set forth in clause (6) but without the adoption of a resolution provided for in clause (6), real property, and to demolish, remove, rehabilitate, or reconstruct the buildings and improvements or construct new buildings and improvements thereon, or to so provide through other means as set forth in Laws 1974, chapter 228, or to grade, fill, and construct foundations or otherwise prepare the site for improvements. The authority may dispose of the property pursuant to section 469.029, provided that the provisions of section 469.029 requiring conformance to an urban renewal plan shall not apply. The authority may finance these activities by means of the redevelopment project fund or by means of tax increments or tax increment bonds or by the methods of financing provided for in section 469.033 or by means of contributions from the municipality provided for in section 469.041, clause (9), or by any combination of those means. Real property with buildings or improvements thereon shall only be acquired under this clause when the buildings or improvements are substandard. The exercise of the power of eminent domain under this clause shall be limited to real property which contains buildings and improvements which are vacated and substandard. For the purpose of this clause, substandard buildings or improvements mean hazardous buildings as defined in section 463.15, subdivision 3, or buildings or improvements that are dilapidated or obsolescent, faultily designed, lack adequate ventilation, light, or sanitary facilities, or any combination of these or other factors that are detrimental to the safety or health of the community;

(8) within its area of operation, to determine the level of income constituting low or moderate family income. The authority may establish various income levels for various family sizes. In making its determination, the authority may consider income levels that may be established by the federal housing administration or a similar or successor federal agency for the purpose of federal loan guarantees or subsidies for persons of low or moderate income. The authority may use that determination as a basis for the maximum amount of income for admissions to housing development projects or housing projects owned or operated by it;

(9) to provide in federally assisted projects any relocation payments and assistance necessary to comply with the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and any amendments or supplements thereto;

(10) to make, or agree to make, payments in lieu of taxes to the city or the county, the state or any political subdivision thereof, that it finds consistent with the purposes of sections 469.001 to 469.047;

(11) to cooperate with or act as agent for the federal government, the state or any state public body, or any agency or instrumentality of the foregoing, in carrying out any of the provisions of sections 469.001 to 469.047 or of any other related federal, state, or local legislation; and upon the consent of the governing body of the city to purchase, lease, manage, or otherwise take over any housing project already owned and operated by the federal government;

(12) to make plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and plans for the enforcement of laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements. The authority may develop, test, and report methods and techniques, and carry out demonstrations and other activities for the prevention and elimination of slums and blight;

(13) to borrow money or other property and accept contributions, grants, gifts, services, or other assistance from the federal government, the state government, state public bodies, or from any other public or private sources;

(14) to include in any contract for financial assistance with the federal government any conditions that the federal government may attach to its financial aid of a project, not inconsistent with purposes of sections 469.001 to 469.047, including obligating itself (which obligation shall be specifically enforceable and not constitute a mortgage, notwithstanding any other laws) to convey to the federal government the project to which the contract relates upon the occurrence of a substantial default with respect to the covenants or conditions to which the authority is subject; to provide in the contract that, in case of such conveyance, the federal government may complete, operate, manage, lease, convey, or otherwise deal with the project until the defaults are cured if the federal government agrees in the contract to reconvey to the authority the project as then constituted when the defaults have been cured;

(15) to issue bonds for any of its corporate purposes and to secure the bonds by mortgages upon property held or to be held by it or by pledge of its revenues, including grants or contributions;

(16) to invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control or in the manner and subject to the conditions provided in section 475.66 for the deposit and investment of debt service funds;

(17) within its area of operation, to determine where blight exists or where there is unsafe, unsanitary, or overcrowded housing;

(18) to carry out studies of the housing and redevelopment needs within its area of operation and of the meeting of those needs. This includes study of data on population and family groups and their distribution according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages, desirable patterns for land use and community growth, and other factors affecting the local housing and redevelopment needs and the meeting of those needs; to make the results of those studies and analyses available to the public and to building, housing, and supply industries;

(19) if a local public body does not have a planning agency or the planning agency has not produced a comprehensive or general community development plan, to make or cause to be made a plan to be used as a guide in the more detailed planning of housing and redevelopment areas;

(20) to lease or rent any dwellings, accommodations, lands, buildings, structures, or facilities included in any project and, subject to the limitations contained in sections 469.001 to 469.047 with respect to the rental of dwellings in housing projects, to establish and revise the rents or charges therefor;

(21) to own, hold, and improve real or personal property and to sell, lease, exchange, transfer, assign, pledge, or dispose of any real or personal property or any interest therein;

(22) to insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards;

(23) to procure or agree to the procurement of government insurance or guarantees of the payment of any bonds or parts thereof issued by an authority and to pay premiums on the insurance;

(24) to make expenditures necessary to carry out the purposes of sections 469.001 to 469.047;

(25) to enter into an agreement or agreements with any state public body to provide informational service and relocation assistance to families, individuals, business concerns, and nonprofit organizations displaced or to be displaced by the activities of any state public body;

(26) to compile and maintain a catalog of all vacant, open and undeveloped land, or land which contains substandard buildings and improvements as that term is defined in clause (7), that is owned or controlled by the authority or by the governing body within its area of operation and to compile and maintain a catalog of all authority owned real property that is in excess of the foreseeable needs of the authority, in order to determine and recommend if the real property

compiled in either catalog is appropriate for disposal pursuant to the provisions of section 469.029, subdivisions 9 and 10;

(27) to recommend to the city concerning the enforcement of the applicable health, housing, building, fire prevention, and housing maintenance code requirements as they relate to residential dwelling structures that are being rehabilitated by low or moderate income persons pursuant to section 469.029, subdivision 9, for the period of time necessary to complete the rehabilitation, as determined by the authority; and

(28) to recommend to the city the initiation of municipal powers, against certain real properties, relating to repair, closing, condemnation, or demolition of unsafe, unsanitary, hazardous, and unfit buildings, as provided in section 469.041, clause (5).

Sec. 4. Minnesota Statutes 1987 Supplement, section 469.015, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION; CERTAIN PROJECTS.] An authority need not require either competitive bidding or performance bonds in the case of a contract for the acquisition of a low rent housing project for which financial assistance is provided by the federal government, and which does not require any direct loan or grant of money from the municipality as a condition of the federal financial assistance, and where the contract provides for the construction of such a project upon land not owned by the authority at the time of the contract, or owned by the authority for redevelopment purposes, and provides for the conveyance or lease to the authority of the project or improvements upon completion of construction. An authority need not require competitive bidding with respect to a structured parking facility constructed in conjunction with, and directly above or below, a development and financed with the proceeds of tax increment or parking ramp revenue bonds. An authority need not require competitive bidding in the case of a housing development project that (1) is financed with the proceeds of bonds secured by the project and to which the full faith and credit of the authority is not pledged; (2) is located on land owned by the authority; (3) is constructed or rehabilitated under agreements with a developer for the construction of the project, guarantee of the bonds, and management of the property; and (4) is found by the authority to require negotiation rather than use of a competitive bidding procedure to be economical and feasible.

Sec. 5. [469.1651] [REVENUE ANTICIPATION NOTES FOR HOSPITALS.]

Subdivision 1. [AUTHORIZATION.] A municipality may issue and sell, at public or private sale, negotiable notes or certificates of indebtedness, as provided in this section and lend the proceeds to nonprofit hospitals in anticipation of revenues or state and federal

aids payable to the hospitals within one year after the date of issue of the notes or certificates of indebtedness. The principal amount of the notes or certificates shall not exceed 75 percent of the accounts receivable and third-party reimbursement payments payable to the hospital as of a date within 45 days of the date of issuance. While notes or certificates issued under this section on behalf of a hospital are outstanding, additional notes or certificates shall not be issued unless, for the period of 30 consecutive days immediately preceding the date of issuance, the amount of outstanding notes and certificates was less than six percent of the hospital's gross revenues for the preceding fiscal year.

The municipality need not comply with the procedures set forth in sections 469.152 to 469.165 in the issuance of notes or certificates of indebtedness pursuant to this section, but the municipality shall comply with sections 469.152 to 469.165 at the time of issuance of the refunding obligations if long-term obligations are issued to refund notes or certificates of indebtedness issued pursuant to this section.

Subd. 2. [REVENUE AGREEMENT.] No notes or certificates of indebtedness shall be issued pursuant to this section unless the municipality has entered into a revenue agreement with a qualifying hospital providing for payment by the hospital of all principal and interest on the notes or certificates of indebtedness when they become due and payable, together with any expenses and fees of the municipality incurred in connection with the notes or their issuance. Notes and certificates of indebtedness issued under authority of this section do not, and shall state that they do not, represent or constitute a debt or pledge of the faith and credit of the municipality or the state of Minnesota, or grant to their owners or holders any right to have the municipality or state levy any taxes or appropriate any funds for the payment of their principal or interest on them. The notes or certificates are payable and shall state that they are payable solely from the revenues and other property, income, accounts, charges, and money that are pledged for their payment in accordance with the proceedings authorizing their issuance.

Subd. 3. [ENABLING RESOLUTION; FORM OF CERTIFICATES.] The municipality may authorize and effect the borrowing and issue the notes or certificates of indebtedness authorized by this section upon passage of a resolution specifying the amount and purposes of the borrowing. The municipality shall fix the amount, date, maturity, form, denomination, and other details of the notes or certificates of indebtedness, consistent with this section, and shall fix the date and place for the receipt of bids for their purchase, if the notes or certificates of indebtedness are to be sold by public sale.

Subd. 4. [REPAYMENT; MATURITY DATE; INTEREST.] The proceeds of revenues and future state and federal aid and other funds of the hospital which may become available shall be applied to

the extent necessary to repay the notes or certificates of indebtedness. The full faith and credit of the hospital, or any other lawfully pledged security of the hospital, as deemed necessary by the municipality, shall be pledged to their payment. Notes or certificates of indebtedness issued pursuant to this section shall mature not later than 13 months after the date of issue. The notes or certificates shall be sold at such price as the municipality may agree. The notes or certificates shall bear interest after maturity until paid at the rate they bore before maturity. Any interest accruing before or after maturity shall be paid from any available funds of the hospital.

Any note or certificate of indebtedness issued pursuant to this section may be issued giving its owner the right to tender, or the municipality or the hospital to demand tender of, the obligation to the municipality or the hospital or another person designated by either of them, for purchase at a specified time or times. The note or certificate of indebtedness shall not be deemed to mature on any tender date, and the purchase of a tendered note or certificate shall not be deemed a payment or discharge of the note or certificate. Notes or certificates of indebtedness tendered for purchase may be remarketed by or on behalf of the municipality or any other purchaser. The municipality or the hospital may enter into agreements deemed appropriate to provide for the purchase and remarketing of tendered notes or certificates of indebtedness, including provisions under which undelivered obligations may be deemed tendered for purchase and new obligations may be substituted for them, provisions for the payment of charges of tender agents, remarketing agents, and financial institutions extending lines of credit or letters of credit assuring repurchase, and for reimbursement of advances under letters of credit, which charges and reimbursements shall be paid by the hospital.

Any notes or certificates of indebtedness issued pursuant to this section may bear interest at a rate varying periodically at the time or times and on the terms, including convertibility to a fixed rate of interest, determined by the governing body of the municipality.

Subd. 5. [TRUST AGREEMENT.] Any notes or certificates of indebtedness issued under this section may be secured by a trust agreement between the municipality and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the state. The trust agreement or the resolution providing for the issuance of the notes or certificates may pledge or assign the revenues to be received, the proceeds of any contracts pledged, and any other property pledged by the borrowing institution or proceeds from it. The trust agreement or resolution providing for the issuance of the notes or certificates may contain reasonable provisions to protect and enforce the rights and remedies of the holders of the notes or certificates. Any bank or trust company incorporated under the laws of the state that may act as depository

of the proceeds of notes or certificates or of revenues or other moneys may furnish the indemnifying bonds or pledge the securities that may be required by the municipality. The trust agreement may set forth the rights and remedies of the holders of the notes or certificates and of the trustee and may restrict the individual right of action by holders of the notes or certificates. The trust agreement or resolution may contain any other provisions that the municipality deems reasonable for the security of the holders of the notes or certificates. All expenses incurred in carrying out the provisions of the trust agreement or resolution shall be paid by the hospital.

Sec. 6. Minnesota Statutes 1987 Supplement, section 475.54, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 3, 5a, 15 or 5b 17, or as expressly authorized in another law, all obligations of each issue shall mature or be subject to mandatory sinking fund redemption in installments, the first not later than three years and the last not later than 30 years from the date of the issue. No amount of principal of the issue payable in any calendar year shall exceed five times the amount of the smallest amount payable in any preceding calendar year ending three years or more after the issue date.

Sec. 7. Minnesota Statutes 1986, section 475.54, is amended by adding a subdivision to read:

Subd. 17. Obligations payable primarily from a source other than ad valorem taxes may mature at any time or times within 30 years after the date of issue, if the governing body estimates that the primary source of payment is sufficient to pay when due the principal of and interest on the obligations and if the primary source of payment is irrevocably appropriated to payment of the obligations.

Sec. 8. Minnesota Statutes 1986, section 475.60, subdivision 3, is amended to read:

Subd. 3. [PUBLISHED NOTICE.] Published notice, where required, shall specify the maximum principal amount of the obligations, the place of receipt and consideration of bids and such other details as to the obligations and terms of sale as the governing body deems suitable. The published notice shall either specify the date and time for receipt of bids or provide that the bids will be received at a date and time not less than ten nor more than 45 60 days after the date of publication. If the published notice does not state the specific date and or amount for the sale, it shall specify the manner in which notice of the date and or amount of the sale will be given to prospective bidders. Notification of prospective bidders shall be given by electronic data transmission or other form of communication common to the municipal bond trade at least four days (omitting Saturdays, Sundays, and legal holidays) before the date for receipt of

bids. If within five days after the date of publication a prospective bidder requests in writing to be notified by mail, the municipality shall do so. Failure to give the notice as described in the preceding sentence to a bidder shall not affect the validity of the sale or of the obligations. The governing body may employ an agent to receive and open the bids at any place within or outside the corporate limits of the municipality, in the presence of an officer of the municipality, but the obligations shall not be sold except by action of the governing body or authorized officers of the municipality after communication of the bids to them. Additional notice may be given for such time and in such manner as the governing body deems suitable. At the time and place so fixed, the bids shall be opened and the offer complying with the terms of sale and deemed most favorable shall be accepted, but the governing body may reject any and all such offers, in which event, or if no offers have been received, it may award the obligations to any person who within 30 days thereafter presents an offer complying with the terms of sale and deemed more favorable than any received previously, or upon like notice the governing body may invite other bids upon the same or different terms and conditions, except that if the original published notice does not state the specific date or amount for the sale and if the material terms and conditions of the sale remain the same, except for the date and amount, notice of the date or amount may be given in the manner provided above.

Sec. 9. Minnesota Statutes 1987 Supplement, section 475.66, subdivision 3, is amended to read:

Subd. 3. Subject to the provisions of any resolutions or other instruments securing obligations payable from a debt service fund, any balance in the fund may be invested

(a) in governmental bonds, notes, bills, mortgages, and other securities, which are direct obligations or are guaranteed or insured issues of the United States, its agencies, its instrumentalities, or organizations created by an act of Congress,

(b) in shares of an investment company (1) registered under the Federal Investment Company Act of 1940, whose shares are registered under the Federal Securities Act of 1933, and (2) whose only investments are in (i) securities described in the preceding clause and, (ii) general obligation tax-exempt securities rated A or better by a national bond rating service, and (iii) repurchase agreements or reverse repurchase agreements fully collateralized by those securities, if the repurchase agreements or reverse repurchase agreements are entered into only with those primary reporting dealers that report to the Federal Reserve Bank of New York and with the 100 largest United States commercial banks,

(c) in any security which is (1) a general obligation of the state of Minnesota or any of its municipalities or in general obligations of

other state and local governments with taxing powers which are rated A or better by a national bond rating service, or (2) a general obligation of the Minnesota housing finance agency, or (3) a general obligation of a housing finance agency of any state if it includes a moral obligation of the state, provided that investments under this clause (2) (3) must be in obligations that are rated the highest or next highest rating given by Standard & Poor's Corporation or Moody's Investors Service, Inc., and may be made only (i) prior to August 1, 1990 1991, and (ii) for a period of no more than three years from the date of purchase and further provided that investments under clauses (2) and (3) be determined to be expedient to reduce the amount of arbitrage rebate otherwise payable to the United States under section 148 of the Internal Revenue Code of 1986,

(d) in bankers acceptances of United States banks eligible for purchase by the Federal Reserve System, or

(e) in commercial paper issued by United States corporations or their Canadian subsidiaries that is of the highest quality and matures in 270 days or less, or

(f) in guaranteed investment contracts issued or guaranteed by United States commercial banks or domestic branches of foreign banks or United States insurance companies or their Canadian or United States subsidiaries; provided that the investment contracts rank on a parity with the senior unsecured debt obligations of the issuer or guarantor and, (1) in the case of long-term investment contracts, either (i) the long-term senior unsecured debt of the issuer or guarantor is rated, or obligations backed by letters of credit of the issuer or guarantor if forming the primary basis of a rating of such obligations would be rated, in the highest or next highest rating category of Standard & Poor's Corporation, Moody's Investors Service, Inc., or a similar nationally recognized rating agency, or (ii) if the issuer is a bank with headquarters in Minnesota, the long-term senior unsecured debt of the issuer is rated, or obligations backed by letters of credit of the issuer if forming the primary basis of a rating of such obligations would be rated in one of the three highest rating categories of Standard & Poor's Corporation, Moody's Investors Service, Inc., or similar nationally recognized rating agency, or (2) in the case of short-term investment contracts, the short-term unsecured debt of the issuer or guarantor is rated, or obligations backed by letters of credit of the issuer or guarantor if forming the primary basis or a rating of such obligations would be rated, in the highest two rating categories of Standard and Poor's Corporation, Moody's Investors Service, Inc., or similar nationally recognized rating agency.

The fund may also be used to purchase any obligation, whether general or special, of an issue which is payable from the fund, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of such an issue

prior to maturity in accordance with its terms. The securities representing any such investment may be sold or hypothecated by the municipality at any time, but the money so received remains a part of the fund until used for the purpose for which the fund was created.

Sec. 10. Minnesota Statutes 1987 Supplement, section 475.67, subdivision 12, is amended to read:

Subd. 12. In the refunding of general obligations, for which the full faith and credit of the issuing municipality has been pledged, the following additional conditions shall be observed: each such obligation, if repayable, shall be called for redemption prior to its maturity in accordance with its terms no later than either (i) the earliest date on which it may be redeemed without payment of any premium, or (ii) if the obligation is only prepayable with payment of a premium, on the earliest date on which it may be redeemed with payment of the least premium required by its terms. No refunding obligations shall be issued and sold more than six months before the refunded obligations mature or are called for redemption in accordance with their terms, unless either (i) as a result of the refunding the average life of the maturities is extended at least three years or (ii) as of the nominal date of the refunding obligations the present value of the dollar amount of the debt service on the refunding obligations, computed to their stated maturity dates, after deducting any premium ~~or adding any discount~~, is lower by at least three percent than the present value of the dollar amount of debt service, on all general obligations refunded, exclusive of any premium ~~or discount~~, computed to their stated maturity dates; provided that in computing the dollar amount of debt service on the refunding obligations, any expenses of the refunding payable from a source other than the proceeds of the refunding obligations or the interest derived from the investment thereof shall be added to the dollar amount of debt service on the refunding obligations. For purposes of this subdivision, the present value of the dollar amount of debt service means the dollar amount of debt service to be paid, discounted to the nominal date of the refunding obligations at a rate equal to the yield on the refunding obligations. Expenses of the refunding include the amount, if any, in excess of the proceeds of the refunding obligations or the principal amount of obligations to be refunded, whichever is the greater, which is required to be deposited in escrow to provide cash and purchase securities sufficient to retire the refunded obligations and unaccrued interest thereon in accordance with subdivision 6; charges of the escrow agent and of the paying agent for the refunding obligations; and expenses of printing and publications and of fiscal, legal, or other professional service necessarily incurred in the issuance of the refunding obligations.

Sec. 11. Minnesota Statutes 1986, section 475.67, subdivision 13, is amended to read:

Subd. 13. Crossover refunding obligations may be issued by a municipality without regard to the limitations in subdivisions 4 to 10. The proceeds of crossover refunding obligations, less any proceeds applied to payment of the costs of their issuance, shall be deposited in a debt service fund irrevocably appropriated to the payment of principal of and interest on the refunding obligations until the date the proceeds are applied to payment of the obligations to be refunded. The debt service fund shall be maintained as an escrow account with a suitable financial institution within or without the state and amounts in it shall be invested in securities described in subdivision 8 or in an investment contract or similar agreement with a bank or insurance company meeting the requirements of section 475.66, subdivision 3, clause (f). Excess proceeds, if any, of the tax levy pursuant to section 475.61, subdivision 1, made with respect to the obligations to be refunded, and any other available amounts, may be deposited in the escrow account. In the resolution authorizing the issuance of crossover refunding obligations, the governing body may pledge to their payment any source of payment of the obligations to be refunded. The resolution may provide that the refunding obligations are payable solely from the escrow account prior to the date scheduled for payment of the obligations to be refunded and that the obligations to be refunded shall not be discharged if the amounts on deposit in the escrow account on that date are insufficient. Subdivisions 11 and 12 shall not apply to any crossover refunding obligations, or the obligations to be refunded. Subject to section 475.61, subdivision 3, in the case of general obligation bonds, taxes shall be levied pursuant to section 475.61 and appropriated to the debt service fund in the amounts needed, together with estimated investment income of the debt service fund and any other revenues available upon discharge of the obligations refunded, to pay when due the principal of and interest on the refunding obligations. The levy so imposed may be reduced by earnings to be received from investments on hand in the debt service fund to the extent the applicable recording officer certifies to the county auditor that the earnings are expected to be received in amounts and at such times as to be sufficient, together with the remaining levy, to satisfy the purpose of the levy requirements under section 475.61.

Sec. 12. [EXCEPTION; PARKING FACILITIES.]

Notwithstanding Minnesota Statutes, section 469.068, the Bloomington port authority need not require competitive bidding with respect to a structured parking facility constructed in conjunction with, and directly above or below, or adjacent and integrally related to, a development and financed with the proceeds of tax increment or revenue bonds.

Sec. 13. [REPEALER.]

Laws 1987, chapter 358, section 31, is repealed."

Delete the title and insert:

"A bill for an act relating to public finance; providing requirements for the issuance and use of public debt; amending Minnesota Statutes 1986, sections 123.35, by adding a subdivision; 410.32; 475.54, by adding a subdivision; 475.67, subdivision 13; Minnesota Statutes 1987 Supplement, sections 469.012, subdivision 1; 469.015, subdivision 4; 475.54, subdivision 1; 475.60, subdivision 3; 475.66, subdivision 3; and 475.67, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Laws 1987, chapter 358, section 31."

The motion prevailed and the amendment was adopted.

Hugoson moved to amend S. F. No. 1963, as amended, as follows:

Page 2, line 27, after "year" insert "except in the case of a city of the third or fourth class the total principal amount shall not exceed one percent of the assessed value of the city for the year"

The motion prevailed and the amendment was adopted.

Milbert moved to amend S. F. No. 1963, as amended, as follows:

Page 13, after line 8, insert:

"Sec. 6. Minnesota Statutes 1987 Supplement, section 474A.04, subdivision 6, is amended to read:

Subd. 6. [ENTITLEMENT TRANSFERS.] An entitlement issuer may enter into an agreement with another entitlement issuer whereby the recipient entitlement issuer issues obligations pursuant to bonding authority allocated to the original entitlement issuer under this section. An entitlement issuer may enter into an agreement with an issuer which is not an entitlement issuer whereby the recipient issuer issues qualified mortgage bonds, up to \$100,000 of which are issued pursuant to bonding authority allocated to the original entitlement issuer under this section."

Page 19, after line 29, insert:

"Sec. 14. [EFFECTIVE DATE.]

Section 6 is effective the day following final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Skoglund and Pauly moved to amend S. F. No. 1963, as amended, as follows:

Page 19, after line 29, insert:

"Sec. 13. [COUNTIES AND CITIES; PAY EQUITY COMPLIANCE.]

Subdivision 1. [1988 REPORT.] A home rule charter or statutory city or county, referred to in this section as a "governmental subdivision," that employs ten or more people and that did not submit a report according to Minnesota Statutes, section 471.998, shall submit the report by October 1, 1988, to the commissioner of employee relations.

The plan for implementing equitable compensation for the employees must provide for complete implementation not later than December 31, 1991, unless a later date has been approved by the commissioner. If a report was filed before October 1, 1987, and had an implementation date after December 31, 1991, the date in the report shall be approved by the commissioner. The plan need not contain a market study.

Subd. 2. [PENALTY FOR NONCOMPLIANCE.] Notwithstanding Minnesota Statutes, sections 275.50 to 275.56, for taxes levied in 1988, payable in 1989 only, a governmental subdivision that does not submit the report required in subdivision 1 shall be subject to the levy limits provided in subdivisions 3 to 5.

Subd. 3. [CITIES.] For a home rule charter or statutory city, the levy limit base for taxes payable in 1989 is the sum of (1) the city's total levy for taxes payable in 1988, excluding the amount levied in that year for debt service and the amount for unfunded accrued pension liabilities under Laws 1987, chapter 268, article 5, section 12, subdivision 4, clause (2); and (2) the amount received in 1988 as described in Minnesota Statutes, section 275.51, subdivision 3i. This sum shall be increased by a percentage equal to the greater of the percentage increases in population or in number of households, if any, for the most recent 12-month period for which data is available, using figures derived under Minnesota Statutes, section 275.51, subdivision 6. The resulting amount for the home rule charter or statutory city multiplied by 103 percent is the city's levy limit base for taxes payable in 1989. The payable 1989 levy limitation for the city shall be equal to the levy limit base determined under this section reduced by the aids for 1989 enumerated in Minnesota Statutes, section 275.51, subdivision 3i.

Subd. 4. [COUNTIES.] For a county, the levy limit base for taxes payable in 1989 is the sum of (1) the county's total levy for taxes payable in 1988, excluding the amount levied in that year for (i) debt service; (ii) levied for unfunded accrued pension liabilities under Laws 1987, chapter 268, article 5, section 12, subdivision 4, clause (2); (iii) income maintenance programs except for the administrative costs associated with those programs; and (iv) social services programs, including the administrative costs associated with those programs, plus (2) the amount received in 1988 as described in Minnesota Statutes, section 275.51, subdivision 3i. This sum shall be increased by a percentage equal to the greater of the percentage increases in population or in number of households, if any, for the most recent 12-month period for which data is available, using figures derived under Minnesota Statutes, section 275.51, subdivision 6. The resulting amount for the county multiplied by 103 percent is the county's levy limit base for taxes payable in 1989. The payable 1989 levy limitation for the county shall be equal to the levy limit base determined under this section reduced by the aids for 1989 enumerated in section 275.51, subdivision 3i.

Subd. 5. [EXCEPTIONS.] For taxes payable in 1989, the amounts levied for the following costs are not subject to the limitation under subdivision 3 or 4:

- (1) levies for debt service;
- (2) levies for unfunded accrued pension liabilities as specified in Minnesota Statutes, section 275.50, subdivision 5, clause (o);
- (3) levies for income maintenance programs, net of any aid payments received under Minnesota Statutes, section 273.1397, and excluding the administrative costs associated with those programs; and
- (4) levies for social service programs including the administrative costs associated with those programs.

The amount levied by the county for taxes payable in 1989 to pay the costs of programs described in clauses (3) and (4) of this subdivision shall be subject to the percentage limitations provided in Minnesota Statutes, section 275.50, subdivision 5, clause (d).

Subd. 6. [PENALTY FOR FAILURE TO IMPLEMENT PLAN.] If the commissioner of employee relations finds, after notice and consultation with a governmental subdivision, that it has failed to implement its plan for implementing equitable compensation by December 31, 1991, or the later date approved by the commissioner the aid that would otherwise be payable to that governmental subdivision under Minnesota Statutes, sections 477A.011 to 477A.014 in calendar year 1992 shall be reduced by five percent; provided that the reduction in aid shall apply to the first calendar

year beginning after the date for implementation of the plan of a governmental subdivision for which the commissioner of employee relations has approved an implementation date later than December 31, 1991. The commissioner may waive the penalty upon making a finding that the failure to implement was attributable to circumstances beyond the control of the governmental subdivision or to severe hardship."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 3, after "debt;" insert "retaining certain levy limits;"

A roll call was requested and properly seconded.

POINT OF ORDER

Dempsey raised a point of order pursuant to rule 3.9 that the Skoglund and Pauly amendment was not in order. Speaker pro tempore Long ruled the point of order not well taken and the amendment in order.

The question recurred on the Skoglund and Pauly amendment and the roll was called. There were 86 yeas and 31 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Himle	Lieder	Otis	Segal
Battaglia	Jacobs	Long	Ozment	Shaver
Beard	Jaros	McEachern	Pappas	Simoneau
Begich	Jefferson	McLaughlin	Pauly	Skoglund
Bennett	Jensen	Milbert	Pelowski	Swiggum
Blatz	Johnson, A.	Minne	Price	Swenson
Boo	Johnson, R.	Morrison	Quinn	Tjornhom
Burger	Johnson, V.	Munger	Reding	Trimble
Carruthers	Kahn	Murphy	Rest	Tunheim
Clark	Kelly	Nelson, C.	Rice	Uphus
Clausnitzer	Kelso	Nelson, D.	Riveness	Valento
Cooper	Kinkel	O'Connor	Rodosovich	Vellenga
Dawkins	Kludt	Olsen, S.	Rose	Voss
Frerichs	Knickerbocker	Olson, K.	Rukavina	Wagenius
Greenfield	Knuth	Onnen	Sarna	Waltman
Hartle	Kostohryz	Orenstein	Scheid	Wenzel
Heap	Larsen	Osthoff	Seaberg	Wynia
				Spk. Vanasek

Those who voted in the negative were:

Anderson, G.	Dauner	DeRaad	Gruenes	Marsh
Bertram	DeBlieck	Dille	Hugoson	McKasy
Brown	Dempsey	Frederick	Kalis	McPherson

Miller	Peterson	Schafer	Steensma
Neuenschwander	Poppenhagen	Schreiber	Thiede
Olson, E.	Quist	Sparby	Welle
Omann	Richter	Stanius	Winter

The motion prevailed and the amendment was adopted.

Kelly moved to amend S. F. No. 1963, as amended, as follows:

Page 19, after line 29, insert:

“Sec. 13. [RAMSEY-WASHINGTON METRO WATERSHED DISTRICT ADMINISTRATIVE FUND.]

The Ramsey-Washington metro watershed district may annually levy an ad valorem tax not to exceed \$180,000 on taxable property within the district for an administrative fund. The district may levy more than \$125,000 only with the approval of the Ramsey and Washington counties boards of commissioners. The board of managers shall, in other respects, make the levy for the administrative fund in accordance with Minnesota Statutes, section 112.611.”

Page 19, after line 31, insert:

“Sec. 15. [EFFECTIVE DATE.]

Section 13 is effective for taxes levied in 1988, payable in 1989, and thereafter.”

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Sviggum and Miller moved to amend S. F. No. 1963, as amended, as follows:

Page 19, after line 29, insert:

“Sec. 13. [PORT AUTHORITY.]

Each of the cities of Cannon Falls and Redwood Falls may, by adoption of an enabling resolution in compliance with the proce-

dural requirements of section 15, establish a port authority commission that, subject to section 14, has the same powers as a port authority established under Minnesota Statutes, section 458.09, or other law, and a housing and redevelopment authority established under Minnesota Statutes, chapter 462, or other law, and is an agency that may administer one or more municipal development districts under Minnesota Statutes, section 472A.10. The port authority commission may exercise any of these powers within industrial development districts or within other property under the jurisdiction of the commission. The port authority commission may enter into agreements with nonprofit organizations or corporations, including, but not limited to, joint venture and limited partnership agreements, in order to carry out its purposes. If a city establishes a port authority commission under this section, the city shall exercise all the powers in dealing with a port authority that are granted to a city by Minnesota Statutes, chapter 458, and all powers in dealing with a housing and redevelopment authority that are granted to a city by Minnesota Statutes, chapter 462, or other law.

Sec. 14. [LIMITATION OF POWERS.]

Subdivision 1. [IN THIS SECTION.] An enabling resolution may impose the limits listed in this section on the actions of the port authority of Cannon Falls or Redwood Falls.

Subd. 2. [NOT USE SPECIFIED POWERS.] An enabling resolution may require that the port authority must not use specified powers contained in Minnesota Statutes, chapters 458 and 462, or that the port authority must not use powers without the prior approval of the city council.

Subd. 3. [TRANSFER RESERVES.] An enabling resolution may require the port authority to transfer a portion of the reserves generated by activities of the port authority that the city council determines is not necessary for the successful operation of the port authority, to the city general fund, to be used for any general purpose of the city. Reserves previously pledged by the port authority must not be transferred.

Subd. 4. [BOND APPROVAL.] An enabling resolution may require that the sale of bonds or obligations other than general obligation tax supported bonds or obligations issued by the port authority be approved by the city council before issuance.

Subd. 5. [BUDGET PROCESS.] An enabling resolution may require that the port authority follow the budget process for city departments as provided by the city and as implemented by the city council and mayor.

Subd. 6. [LEVY APPROVAL.] An enabling resolution may require

that the port authority must not levy a tax for its benefit without approval of the city council.

Subd. 7. [CONSISTENT WITH CITY PLAN.] An enabling resolution may require that all official actions of the port authority must be consistent with the adopted comprehensive plan of the city, and official controls implementing the comprehensive plan.

Subd. 8. [PROJECT APPROVAL.] An enabling resolution may require that the port authority submit to the city council for approval by resolution any proposed project as defined in Minnesota Statutes, section 273.73, subdivision 8.

Subd. 9. [GOVERNMENTAL RELATIONS.] An enabling resolution may require that the port authority submit all planned activities for influencing the action of any other governmental agency, subdivision, or body to the city council for approval.

Subd. 10. [ADMINISTRATION, MANAGEMENT.] An enabling resolution may require that the port authority submit its administrative structure and management practices to the city council for approval.

Subd. 11. [EMPLOYEE APPROVAL.] An enabling resolution may require that the port authority must not employ anyone without the approval of the city council.

Subd. 12. [OTHER LIMITS.] An enabling resolution may impose any other limit or control established by the city council.

Subd. 13. [MODIFICATIONS.] An enabling resolution may be modified at any time, subject to subdivision 16. A modification must be made according to the procedural requirements of section 15.

Subd. 14. [MODIFICATION PROCEDURE.] Each year, within 60 days of the anniversary date of the first adoption of the enabling resolution, the port authority shall submit a report to the city council stating whether and how it wishes the enabling resolution to be modified. Within 30 days of receipt of the recommendation, the city council shall review the enabling resolution, consider the recommendations of the port authority, and make any modification it considers appropriate. A modification must be made according to the procedural requirements of section 15. The petition requirement does not limit the right of the port authority to petition the city council at any time.

Subd. 15. [COUNCIL ACTION CONCLUSIVE.] A determination by the city council that the limits imposed under this section have been complied with by the port authority is conclusive.

Subd. 16. [NOT TO IMPAIR BONDS, CONTRACTS.] Limits imposed under this section must not be applied in a manner that impairs the security of any bonds issued or contracts executed before the limit is imposed. The city council must not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriment of the holder of the bonds or obligations or any contracting party.

Sec. 15. [PROCEDURAL REQUIREMENT.]

(a) The creation of a port authority by the city of Cannon Falls or Redwood Falls must be by written resolution known as the enabling resolution. Before adoption of the enabling resolution, the city council shall conduct a public hearing. Notice of the time and place of hearing, a statement of the purpose of the hearing, and a summary of the resolution must be published in a newspaper of general circulation within the city once a week for two consecutive weeks. The first publication must appear within 30 days before the public hearing.

(b) A modification to the enabling resolution must be by written resolution and must be adopted after notice is given and a public hearing conducted as required for the original adoption of the enabling resolution.

Sec. 16. [GENERAL OBLIGATION BONDS.]

The port authority of Cannon Falls or Redwood Falls must not proceed with the sale of general obligation tax supported bonds until the city council by resolution approves the proposed issuance. The resolution must be published in the official newspaper. If, within 30 days after the publication, a petition signed by voters equal in number to ten percent of the number of voters at the last regular city election is filed with the city clerk, the city and port authority must not issue the general obligation tax supported bonds until the proposition has been approved by a majority of the votes cast on the question at a regular or special election.

Sec. 17. [NAME.]

The city of Cannon Falls or Redwood Falls may choose the name of its port authority commission.

Sec. 18. [REMOVAL OF COMMISSIONERS FOR CAUSE.]

A commissioner of the port authority of Cannon Falls or Redwood Falls may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. A commissioner may be removed only after a hearing. A copy of the charges must be given to the commissioner at least ten days before the hearing. The commis-

sioner must be given an opportunity to be heard in person or by counsel at the hearing. After the charges have been submitted to a commissioner, the city council may temporarily suspend the commissioner. If the city council finds that the charges have not been substantiated, the commissioner shall be immediately reinstated. If a commissioner is removed, a record of the proceedings, together with the charges and findings, must be filed in the office of the city clerk."

Page 19, after line 31, insert:

"Sec. 20. [LOCAL APPROVAL.]

Sections 13 to 18 are effective for the city of Cannon Falls the day after the city complies with Minnesota Statutes, section 645.021, subdivision 3.

Sections 13 to 18 are effective for the city of Redwood Falls the day after the city complies with Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Nelson, K., moved to amend S. F. No. 1963, as amended, as follows:

Page 1, line 15, to page 2, line 11, delete section 1 from the bill

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 99 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Greenfield	Lasley	Pappas	Simoneau
Battaglia	Hartle	Lieder	Pauly	Skoglund
Bauerly	Heap	Long	Pelowski	Solberg
Beard	Himle	McEachern	Peterson	Sparby
Begich	Hugoson	McKasy	Poppenhagen	Sviggum
Bennett	Jacobs	McLaughlin	Price	Swenson
Bertram	Jefferson	Milbert	Quinn	Tjornhom
Blatz	Jennings	Miller	Quist	Tompkins
Boo	Johnson, A.	Minne	Rest	Trimble
Burger	Johnson, R.	Morrison	Rice	Tunheim
Carlson, L.	Johnson, V.	Munger	Richter	Uphus
Carruthers	Kahn	Murphy	Rivness	Valento
Clausnitzer	Kelly	Nelson, C.	Rodosovich	Vellenga
Cooper	Kelso	Nelson, D.	Rose	Voss
Dawkins	Kinkel	O'Connor	Sarna	Wagenius
DeRaad	Kludt	Olsen, S.	Scheid	Waltman
Dille	Knickerbocker	Olson, K.	Schreiber	Wenzel
Dorn	Knuth	Onnen	Seaberg	Wynia
Forsythe	Krueger	Orenstein	Segal	Spk. Vanasek
Frerichs	Larsen	Otis	Shaver	

Those who voted in the negative were:

Anderson, G.	Dempsey	Kostohryz	Reding	Winter
Brown	Frederick	Marsh	Rukavina	
Clark	Gruenes	McPherson	Schafer	
Dauner	Jensen	Olson, E.	Steenma	
DeBlick	Kalis	Omann	Welle	

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

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

GENERAL ORDERS

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1000:

Wenzel; Sparby; Krueger; Olson, E., and Dille.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2396:

Carlson, L.; Price and Rose.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1727:

Clark, Greenfield and Stanius.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1661:

Reding, Boo and Kostohryz.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1742:

Sparby, Steensma and Redalen.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1871:

Blatz, Kelly and Wagenius.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2119:

Blatz, Kelly and Vellenga.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2323:

Bertram, Scheid and Knickerbocker.

MOTIONS AND RESOLUTIONS

Long moved that the name of Rest be added as an author on H. F. No. 2799. The motion prevailed.

Long moved that the name of Rest be added as an author on H. F. No. 2800. The motion prevailed.

Wynia, Vanasek, Schreiber, Greenfield and Anderson, G., introduced:

House Concurrent Resolution No. 27, A House concurrent resolution relating to the governor's item veto power; clarifying the effect of the governor's veto of H. F. No. 243, article 2, section 157, enacted by the 1987 legislature.

The concurrent resolution was referred to the Committee on Rules and Legislative Administration.

Pappas moved that H. F. No. 2042 be returned to its author. The motion prevailed.

Schreiber, Voss, Dempsey, Long and McKasy introduced:

House Resolution No. 60, A House resolution relating to the position of the House on House File No. 2590 in Tax Conference Committee.

SUSPENSION OF RULES

Schreiber moved that the rules be so far suspended that House Resolution No. 60 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Schreiber motion and the roll was called. There were 47 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Knickerbocker	Poppenhagen	Swenson
Bennett	Frerichs	Marsh	Quist	Thiede
Blatz	Gruenes	McKasy	Richter	Tjornhom
Boo	Hartle	McPherson	Rose	Tompkins
Burger	Haukoos	Miller	Schafer	Uphus
Clausnitzer	Heap	Morrison	Schreiber	Valento
Dempsey	Himle	Olsen, S.	Seaberg	Waltman
DeRaad	Hugoson	Omann	Shaver	
Dille	Johnson, R.	Ozment	Stanius	
Forsythe	Johnson, V.	Pauly	Sviggum	

Those who voted in the negative were:

Anderson, G.	Bertram	Dauner	Jaros	Kahn
Battaglia	Brown	Dawkins	Jefferson	Kalis
Bauerly	Carruthers	DeBlicke	Jennings	Kelly
Beard	Clark	Greenfield	Jensen	Kelso
Begich	Cooper	Jacobs	Johnson, A.	Kinkel

Kludt	Munger	Otis	Rodosovich	Tunheim
Knuth	Murphy	Pappas	Rukavina	Vellenga
Kostohryz	Nelson, C.	Pelowski	Scheid	Voss
Larsen	Nelson, D.	Peterson	Segal	Welle
Lasley	Nelson, K.	Price	Simoneau	Wenzel
Lieder	Olson, E.	Quinn	Skoglund	Winter
Long	Olson, K.	Reding	Sparby	Wynia
McLaughlin	Orenstein	Rice	Steensma	Spk. Vanasek
Minne	Osthoff	Riveness	Trimble	

The motion did not prevail.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 1:00 p.m., Tuesday, April 12, 1988. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Tuesday, April 12, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives