

STATE OF MINNESOTA

SEVENTY-FIFTH SESSION—1988

EIGHTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 14, 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 the Reverend Robert Bergeson, Chaplain at St. Paul Ramsey Medical Center, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Quinn was excused until 2:00 p.m.

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

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1826 and 2407 and S. F. Nos. 2321, 2221 and 2465 have been placed in the members' files.

S. F. No. 2221 and H. F. No. 1933, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Olsen, S., moved that S. F. No. 2221 be substituted for H. F. No. 1933 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2321 and H. F. No. 2518, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly moved that S. F. No. 2321 be substituted for H. F. No. 2518 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2465 and H. F. No. 2691, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Voss moved that the rules be so far suspended that S. F. No. 2465 be substituted for H. F. No. 2691 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 2221, 2321 and 2465 were read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Voss moved that the rule therein be suspended and an

urgency be declared so that S. F. No. 2465 be given its third reading and be placed upon its final passage. The motion prevailed.

Voss moved that the Rules of the House be so far suspended that S. F. No. 2465 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 2465, A bill for an act relating to state agencies; amending the authority of the Minnesota amateur sports commission; correcting references; authorizing the commission and certain other state entities to establish nonprofit corporations and charitable foundations; providing for an advisory task force on martial arts instruction; amending Minnesota Statutes 1987 Supplement, sections 16A.661, subdivision 3; 240A.02, subdivision 2; 240A.03, subdivision 10, and by adding subdivisions; and 297A.44, subdivision 1; and Laws 1987, chapter 400, section 13.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Seaberg introduced:

H. F. No. 2806, A bill for an act relating to motor vehicles; providing for lifetime plates for passenger automobiles; amending Minnesota Statutes 1986, section 168.12, subdivision 1.

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

Milbert, Orenstein, Kahn and Nelson, D., introduced:

H. F. No. 2807, A bill for an act relating to air pollution; requiring a fee for certain air emissions; requiring the adoption of rules; creating a metropolitan air quality monitoring fund; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Segal introduced:

H. F. No. 2808, A bill for an act relating to human services; defining employment services for people with serious and persistent mental illness; establishing wage subsidy program; amending Minnesota Statutes 1987 Supplement, section 245.471, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Johnson, A., and Pappas introduced:

H. F. No. 2809, A bill for an act relating to occupational safety and health; requiring regulation of certain workplaces; amending Minnesota Statutes 1986, section 182.652, subdivision 3.

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

Dawkins, Kelly, Dempsey, Orenstein and Solberg introduced:

H. F. No. 2810, A bill for an act relating to criminal procedure; authorizing criminal defendants to deposit ten percent of the defendant's bail with the court as a condition of pretrial release in certain criminal cases; proposing coding for new law in Minnesota Statutes, chapter 629.

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

McKasy, Swenson, Richter, Morrison and Frederick introduced:

H. F. No. 2811, A bill for an act relating to education; specifying qualifications for University of Minnesota regents; proposing coding for new law in Minnesota Statutes, chapter 137.

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

Wenzel introduced:

H. F. No. 2812, A bill for an act relating to waters and the department of natural resources; prohibiting certain ice blocks upon the surface of frozen waters; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Pappas, Bishop, Dawkins, Kelly and Orenstein introduced:

H. A. No. 88, A proposal to study the use of polygraph tests and other scientific means of identification.

The advisory was referred to the Committee on Judiciary.

Pappas, Kelly, Vellenga, Wagenius and Seaberg introduced:

H. A. No. 89, A proposal to study violent juvenile crime.

The advisory was referred to the Committee on Judiciary.

Rest and Pappas introduced:

H. A. No. 90, A proposal to study certain correctional issues.

The advisory was referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

The following messages were received from 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. 2127, A bill for an act relating to health maintenance organizations; requiring insolvency insurance policies to be filed; requiring a deposit; creating a net worth requirement; allowing for a reduction of net worth in certain circumstances; defining admitted assets; imposing investment restrictions; requiring quarterly reports; providing for the inclusion of certain items in provider contracts; regulating rehabilitation and liquidations; including health maintenance organizations in the Life and Health Guaranty Association; requiring health maintenance organizations to maintain liabilities for unpaid claims; amending Minnesota Statutes 1986, sections 62D.02, by adding subdivisions; 62D.03, subdivision 4; 62D.041, subdivisions 1, 2, 3, 4, 7, and by adding subdivisions; 62D.05, subdivision 3; 62D.08, by adding a subdivision; 62D.12, subdivision 5, and by adding a subdivision; 62D.14, subdivision 1; 62D.18; 62D.19; 62E.02, subdivision 13; and 62E.14, subdivision 1; Minnesota Statutes 1987 Supplement, sections 62D.04, subdivision 1; and 62E.10, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Statutes 1986, section 62D.041, subdivisions 5, 6, and 8.

The Senate has appointed as such Committee:

Messrs. Brandl, Pehler and Knütson.

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. 2291, A bill for an act relating to state agencies; amending, enacting and repealing certain laws administered by the department of administration; increasing the powers of the state board for community colleges; changing the criteria for board membership; amending Minnesota Statutes 1986, sections 15.0591, subdivision 2; 15.50, by adding a subdivision; 16A.41, subdivision 1; 16B.07, subdivisions 2 and 3; 16B.08, subdivision 4; 16B.09, subdivision 3; 16B.24, by adding subdivisions; 16B.28; 16B.42, subdivision 1; 16B.48, subdivision 2; 16B.54, subdivision 8; 16B.55, subdivisions 3 and 6; 16B.65, subdivision 3; 16B.85; 94.12; 136.61, subdivision 1; 136.622; 136.67, subdivision 2; 214.07, subdivision 1; 268.0122, by adding a subdivision; and 382.153; Minnesota Statutes 1987 Supplement, sections 16B.09, subdivision 1; 16B.67; 115A.15, subdivision 6; and 168.012, subdivision 1; Laws 1987, chapter 365, section 24; proposing coding for new law in Minnesota Statutes, chapters 16B and 136; repealing Minnesota Statutes 1986, sections 15.38; 16B.29; and 214.07, subdivision 2.

The Senate has appointed as such Committee:

Messrs. Moe, D. M.; Marty and Decker.

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. 2341, A bill for an act relating to child support; authorizing parties to waive automatic income withholding when there is a child support or maintenance order; providing that a court shall stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance; amending Minnesota Statutes 1987 Supplement, section 518.613, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Forsythe moved that the House concur in the Senate amendments

to H. F. No. 2341 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2341, A bill for an act relating to child support; providing that automatic income withholding does not apply to modification of orders issued prior to the effective date; providing for a motion to implement withholding in certain cases; providing that a court shall stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance; amending Minnesota Statutes 1987 Supplement, section 518.613, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following

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

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Milbert moved that the House concur in the Senate amendments to H. F. No. 2520 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

The bill was read for the third time, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Trimble
Tunheim
Uphus

Valento
Vellenga
Voss

Wagenius
Waltman
Welle

Wenzel
Winter
Wynia

Spk. Vanasek

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

Mr. Speaker:

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

H. F. No. 2108, A bill for an act relating to state government; ratifying labor agreements, compensation plans, and salaries for state employees, and salaries for certain employees of metropolitan agencies; limiting the number of highway patrol supervisors; amending Minnesota Statutes 1986, section 299D.03, subdivision 2.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 2108 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2108, A bill for an act relating to state government; ratifying labor agreements, compensation plans, and salaries for state employees, and salaries for certain employees of metropolitan agencies.

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

The question was taken on the repassage of the bill and the roll was called. There were 125 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Dempsey	Frerichs	Hugoson	Schreiber
DeRaad	Haukoos	Quist	Thiede

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

Mr. Speaker:

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

H. F. No. 2388, A bill for an act relating to public employees; providing for assignment of University of Minnesota job classifications to appropriate units; amending Minnesota Statutes 1986, sections 179A.10, subdivision 4; and 179A.11, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rice moved that the House concur in the Senate amendments to H. F. No. 2388 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2388, A bill for an act relating to public employees; providing for reassignment of a University of Minnesota job classification to a different unit.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was 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. 2477, A bill for an act relating to retirement; local government correctional service retirement plan; clarifying coverage periods; adjusting member and employer contribution rates; clarifying annuity calculations for fractional service; clarifying the duration of initial annuity payments; providing for the augmentation of deferred annuities; clarifying certain provisions of law relating to retirement annuities and disability benefits of military affairs personnel; amending Minnesota Statutes 1987 Supplement, sections 352.85, subdivisions 1 and 2; 353C.03; 353C.05; 353C.06, subdivisions 3 and 4; and 353C.07.

PATRICK E. FLAHAVEN, Secretary of the Senate

Simoneau moved that the House refuse to concur in the Senate amendments to H. F. No. 2477, 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 following change in the membership of the Conference Committee on S. F. No. 1686:

The name of Mr. Frederickson, D. J., has been stricken, and the name of Mr. Chmielewski has been added.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1462:

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

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

Messrs. Dahl, Frank 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

Clark 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. 1462. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1590:

S. F. No. 1590, A bill for an act relating to transportation; providing that uniform relocation assistance standards comply with

recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel; repealing conflicting provision related to charges for users of air transportation services provided by the commissioner of transportation; amending Minnesota Statutes 1986, section 161.20, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 117.52, subdivision 1; 272.01, subdivision 3; and 272.121; repealing Minnesota Statutes 1986, section 360.015, subdivision 20.

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

Messrs. Vickerman, Mehrkens and Langseth.

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

Lieder 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. 1590. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 1821:

S. F. No. 1821, A bill for an act relating to crimes; police pursuit; requiring certain driver's manual information; providing for civil forfeiture of vehicle used to flee a peace officer; requiring local governments to establish pursuit procedures and training requirements by October 1, 1989; authorizing peace officer standards and training board to assist local governments in establishing procedures and training requirements; requiring reporting of all police pursuits to department of public safety; amending Minnesota Statutes 1986, sections 171.13, by adding a subdivision; 626.843, subdivision 1; and 626.845, subdivision 1; Minnesota Statutes 1987 Supplement, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Ms. Reichgott, Messrs. Ramstad and Spear.

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

Segal 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. 1821. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2055:

S. F. No. 2055, A bill for an act relating to human services; defining terms; requiring that court receive annual reviews of people with indeterminate commitments; providing for court-ordered community-based treatment; defining procedures for community-based commitment; requiring procedures for release before commitment and provisional discharge; appropriating money; amending Minnesota Statutes 1986, sections 253B.02, subdivisions 13, 19, and by adding subdivisions; 253B.03, subdivision 5; 253B.09, subdivision 1; 253B.15, subdivisions 1, 3, 5, 6, 7, and by adding a subdivision; and 253B.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1986, section 253B.09, subdivision 4.

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

Ms. Berglin, Messrs. Spear and Ramstad.

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

Vellenga 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. 2055. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2266:

S. F. No. 2266, A bill for an act relating to child abuse; authorizing counties to establish pilot programs; allowing the appointment of a child intermediary in certain criminal child abuse proceedings; prescribing powers and duties of the intermediary.

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

Mr. Cohen, Ms. Berglin and Mr. Ramstad.

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

Carruthers moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2266. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2009.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2009

A bill for an act relating to family law; modifying and clarifying provisions for the collection and enforcement of child support; providing for cost-of-living adjustments in spousal maintenance awards; providing for grandparent visitation rights in all family law proceedings; providing for reopening of judgments; providing for custody rights; clarifying and modifying provisions relating to pension plan rights in marriage dissolutions; amending Minnesota

Statutes 1986, sections 69.62; 256.978; 257.022, subdivision 2; 270A.03, subdivision 4; 383B.51; 423A.16; 424A.02, subdivision 6; 490.126, by adding a subdivision; 518.145; 518.156, subdivision 1; 518.17, subdivision 3; 518.171, by adding a subdivision; 518.175, by adding a subdivision; 518.551, by adding a subdivision; 518.552, by adding a subdivision; 518.54, by adding a subdivision; 518.611, subdivision 10; 518.64, subdivision 2; and 518.641; Minnesota Statutes 1987 Supplement, sections 356.80; 518.54, subdivision 10; 518.58, subdivision 2; 518.581, subdivision 4; and 518.611, subdivision 2.

April 13, 1988

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2009, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 2009 be further amended as follows:

Page 2, after line 3, insert:

“Sec. 2. Minnesota Statute 1986, section 123.35, is amended by adding a subdivision to read:

Subd. 17. [NONCUSTODIAL PARENT ACCESS TO RECORDS.] Upon request, a noncustodial parent has the right of access to, and to receive copies of, school records and information, to attend conferences, and to be informed about the child's welfare, educational progress, and status, as authorized under section 518.17, subdivision 3. The school is not required to hold a separate conference for each parent.”

Page 2, line 17, delete “requested” and insert “upon written request”

Page 7, line 7, after the semicolon, insert “or”

Page 7, line 12, delete “; or” and insert a period

Page 7, delete lines 13 and 14

Pages 7 and 8, delete section 11

Page 9, line 5, after the period insert "The school is not required to hold a separate conference for each party."

Page 10, after line 9, insert:

"Sec. 17. Minnesota Statutes 1986, section 518.551, subdivision 5, is amended to read:

Subd. 5. [NOTICE TO PUBLIC AUTHORITY; GUIDELINES.] (a) The petitioner shall notify the public authority of all proceedings for dissolution, legal separation, determination of parentage or for the custody of a child, if either party is receiving aid to families with dependent children or applies for it subsequent to the commencement of the proceeding. After receipt of the notice, the court shall set child support as provided in this subdivision. The court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the child's support, without regard to marital misconduct. The court shall approve a child support agreement of the parties if each party is represented by independent counsel, unless the agreement is not in the interest of justice. In other cases the court shall order child support in accordance with the guidelines and the other factors set forth in paragraph (b) and any departure therefrom.

The court shall multiply the obligor's net income by the percentage indicated by the following guidelines:

Net Income Per Month of Obligor	Number of Children						
	1	2	3	4	5	6	7 or more
\$400 and Below	Order based on the ability of the obligor to provide support at these income levels, or at higher levels, if the obligor has the earning ability.						
\$401 - 500	14%	17%	20%	22%	24%	26%	28%
\$501 - 550	15%	18%	21%	24%	26%	28%	30%
\$551 - 600	16%	19%	22%	25%	28%	30%	32%
\$601 - 650	17%	21%	24%	27%	29%	32%	34%
\$651 - 700	18%	22%	25%	28%	31%	34%	36%
\$701 - 750	19%	23%	27%	30%	33%	36%	38%
\$751 - 800	20%	24%	28%	31%	35%	38%	40%
\$801 - 850	21%	25%	29%	33%	36%	40%	42%
\$851 - 900	22%	27%	31%	34%	38%	41%	44%
\$901 - 950	23%	28%	32%	36%	40%	43%	46%

\$951 - 1000	24%	29%	34%	38%	41%	45%	48%
\$1001- 4000	25%	30%	35%	39%	43%	47%	50%

Guidelines for support for an obligor with a monthly income of \$4001 or more shall be the same dollar amounts as provided for in the guidelines for an obligor with a monthly income of \$4000.

Net Income defined as:

Total monthly income less	*(i)	Federal Income Tax
	*(ii)	State Income Tax
	(iii)	Social Security Deductions
	(iv)	Reasonable Pension Deductions
*Standard Deductions apply- use of tax tables recommended	(v)	Union Dues
	(vi)	Cost of Dependent Insurance Coverage
	(vii)	Cost of Individual or Group Health/Hospitalization Coverage or an Amount for Actual Medical Expenses
	(viii)	A Child Support or Maintenance Order that is Currently Being Paid.

"Net income" does not include the income of the obligor's spouse.

(b) In addition to the child support guidelines, the court shall take into consideration the following factors in setting or modifying child support:

(1) all earnings, income, and resources of the parents, including real and personal property;

(2) the financial needs and resources, physical and emotional condition, and educational needs of the child or children to be supported;

(3) the standards of living the child would have enjoyed had the

marriage not been dissolved, but recognizing that the parents now have separate households;

(4) the amount of the aid to families with dependent children grant for the child or children; ~~and~~

(5) which parent receives the income taxation dependency exemption and what financial benefit the parent receives from it; and

(6) the parents' debts as provided in paragraph (c).

(c) In establishing or modifying a support obligation, the court may consider debts owed to private creditors, but only if:

(1) the right to support has not been assigned under section 256.74;

(2) the court determines that the debt was reasonably incurred for necessary support of the child or parent or for the necessary generation of income. If the debt was incurred for the necessary generation of income, the court shall consider only the amount of debt that is essential to the continuing generation of income; and

(3) the party requesting a departure produces a sworn schedule of the debts, with supporting documentation, showing goods or services purchased, the recipient of them, the amount of the original debt, the outstanding balance, the monthly payment, and the number of months until the debt will be fully paid.

Any schedule prepared under paragraph (c), clause (3), shall contain a statement that the debt will be fully paid after the number of months shown in the schedule, barring emergencies beyond the party's control.

Any further departure below the guidelines that is based on a consideration of debts owed to private creditors shall not exceed 18 months in duration, after which the support shall increase automatically to the level ordered by the court. Nothing in this section shall be construed to prohibit one or more step increases in support to reflect debt retirement during the 18-month period.

Where payment of debt is ordered pursuant to this section, the payment shall be ordered to be in the nature of child support.

(d) Nothing shall preclude the court from receiving evidence on the above factors to determine if the guidelines should be exceeded or modified in a particular case.

(e) The above guidelines are binding in each case unless the court

makes express findings of fact as to the reason for departure below or above the guidelines.”

Page 15, line 1, strike “The” and insert “An”

Page 15, line 2, after “order” insert “that provides for a cost-of-living adjustment”

Page 15, line 10, strike “It” and insert “The court”

Page 15, line 19, after the period insert “The court may waive a cost-of-living adjustment in a maintenance order if the parties so agree in writing.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the first semicolon insert “123.35, by adding a subdivision;”

Page 1, line 14, delete “518.156, subdivision 1;”

Page 1, line 16, after the comma insert “subdivision 5, and”

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

Senate Conferees: LINDA BERGLIN, FRITZ KNAAK AND EMBER D. REICHGOTT.

House Conferees: KATHLEEN O. VELLENGA AND ANN H. REST.

Vellenga moved that the report of the Conference Committee on S. F. No. 2009 be adopted and that the bill be repassed as amended by the Conference Committee.

Dempsey moved that the House refuse to adopt the report of the Conference Committee on S. F. No. 2009 and that the bill be returned to the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Dempsey motion and the roll was called. There were 52 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Bennett	Dorn	Kelly	Poppenhagen	Sparby
Bertram	Frederick	Long	Quinn	Sviggum
Bishop	Frerichs	Marsh	Quist	Thiede
Boo	Gruenes	McDonald	Redalen	Tjornhom
Burger	Gutknecht	McKasy	Richter	Tompkins
Carlson, D.	Haukoos	McPherson	Rose	Uphus
Carruthers	Heap	Miller	Schafer	Valento
Clausnitzer	Hugoson	Morrison	Schreiber	Waltman
Dempsey	Jacobs	Omann	Seaberg	
DeRaad	Johnson, V.	Onnen	Shaver	
Dille	Kahn	Pauly	Solberg	

Those who voted in the negative were:

Anderson, G.	Himle	Lasley	Orenstein	Skoglund
Battaglia	Jaros	Lieder	Osthoff	Stanius
Bauerly	Jefferson	McLaughlin	Pappas	Steensma
Beard	Jennings	Milbert	Pelowski	Swenson
Begich	Jensen	Minne	Peterson	Trimble
Blatz	Johnson, A.	Munger	Price	Tunheim
Brown	Johnson, R.	Murphy	Reding	Vellenga
Carlson, L.	Kalis	Nelson, C.	Rest	Wagenius
Clark	Kelso	Nelson, D.	Rice	Welle
Cooper	Kinkel	Nelson, K.	Riveness	Wenzel
Dauner	Kludt	Neuenschwander	Rodosovich	Winter
Dawkins	Knickerbocker	O'Connor	Rukavina	Wynia
DeBlicek	Knuth	Ogren	Sarna	Spk. Vanasek
Forsythe	Kostohryz	Olsen, S.	Scheid	
Greenfield	Krueger	Olson, E.	Segal	
Hartle	Larsen	Olson, K.	Simoneau	

The motion did not prevail.

The question recurred on the Vellenga motion that the report of the Conference Committee on S. F. No. 2009 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2009, A bill for an act relating to family law; modifying and clarifying provisions for the collection and enforcement of child support; providing for cost-of-living adjustments in spousal maintenance awards; providing for grandparent visitation rights in all family law proceedings; providing for reopening of judgments; providing for custody rights; clarifying and modifying provisions relating to pension plan rights in marriage dissolutions; amending Minnesota Statutes 1986, sections 69.62; 256.978; 257.022, subdivision 2; 270A.03, subdivision 4; 383B.51; 423A.16; 424A.02, subdivision 6; 490.126, by adding a subdivision; 518.145; 518.156, subdivision 1; 518.17, subdivision 3; 518.171, by adding a subdivision; 518.175, by adding a subdivision; 518.551, by adding a subdivision; 518.552, by adding a subdivision; 518.54, by adding a subdivision; 518.611, subdivision 10; 518.64, subdivision 2; and 518.641; Minnesota Statutes 1987 Supplement, sections 356.80; 518.54, subdivision 10; 518.58, subdivision 2; 518.581, subdivision 4; and 518.611, subdivision 2.

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 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bishop Dempsey

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

Carlson, D., was excused while in conference.

Mr. Speaker:

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

S. F. No. 2003.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2003

A bill for an act relating to state government; providing for salary ranges for certain state employees; clarifying requirements for submitting certain salaries for legislative approval; requiring certain reports; regulating emergency civil service appointments; clarifying limits on certain salaries; authorizing the governor to change the salaries of newly appointed agency heads; regulating affirmative action; regulating separation from certain bargaining units; regulating health and other fringe benefit coverages; providing duties for the commissioner of employee relations; amending Minnesota Statutes 1986, sections 43A.04, subdivision 7; 43A.15, subdivisions 2 and 11; 43A.17, subdivisions 1 and 9; 43A.18, subdivision 5; 43A.19, subdivision 1; 43A.23, subdivisions 1 and 3; 43A.27, subdivision 3, and by adding a subdivision; 175.101, by adding a subdivision; and 179A.10, subdivision 3; Minnesota Statutes 1987 Supplement, sections 15A.081, subdivisions 1 and 7b; 15A.083, subdivision 7; 43A.08, subdivision 1a; 43A.191, subdivision 3; 43A.316, subdivisions 2, 4, 8, and by adding a subdivision; 43A.421; 44A.02, subdivision 1; 79.34, subdivision 1; 176.611, subdivisions 2 and 3a; and 214.04, subdivision 3.

April 12, 1988

The Honorable Jerome M. Hughes
President of the Senate

The Honorable Robert Vanasek
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2003, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 2003 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range Effective July 1, 1987
Commissioner of finance; Commissioner of education; Commissioner of transportation; Commissioner of human services; Commissioner of revenue; Executive director, state board of investment;	\$57,500-\$78,500
Commissioner of administration; Commissioner of agriculture; Commissioner of commerce; Commissioner of corrections; Commissioner of jobs and training; Commissioner of employee relations; Commissioner of energy and economic development; Commissioner of health; Commissioner of labor and industry; Commissioner of natural resources; Commissioner of public safety; <u>Commissioner of trade and economic development;</u> Chair, waste management board; Chief administrative law judge; office of administrative hearings; Director, pollution control agency; Director, state planning agency; Executive director, housing finance agency; Executive director, public employees retirement association; Executive director, teacher's retirement association; Executive director, state retirement system; Chair, metropolitan council; Chair, regional transit board;	\$50,000-\$67,500
Commissioner of human rights; Director, department of public service; Commissioner of veterans' affairs; Director, bureau of mediation services; Commissioner, public utilities commission;	\$42,500-\$60,000

Member, transportation regulation board;
 Ombudsman for corrections;
Ombudsman for mental health and retardation.

Sec. 2. Minnesota Statutes 1987 Supplement, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS.] The state university board, the state board for community colleges, the state board of vocational technical education, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, and the executive director of the higher education coordinating board. ~~At least 30 days before the respective board adopts a salary increase according to this subdivision, the respective board shall submit the proposed salary increase to the legislative commission on employee relations for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary set for of the governor under section 15A.082, subdivision 6 3.~~

Sec. 3. Minnesota Statutes 1986, section 15A.083, subdivision 7, is amended to read:

Subd. 7. [WORKERS' COMPENSATION COURT OF APPEALS AND COMPENSATION JUDGES.] Salaries of judges of the workers' compensation court of appeals shall be 90 percent of the salary for district judges as provided in subdivision 1. Salaries of compensation judges shall be 75 percent of the salary of district court judges as provided in subdivision 1. The chief workers' compensation settlement judge at the department of labor and industry may be paid an annual salary that is up to five percent greater than the salary of workers' compensation settlement judges at the department of labor and industry.

Sec. 4. Minnesota Statutes 1986, section 43A.04, subdivision 7, is amended to read:

Subd. 7. [REPORTING.] The commissioner shall issue a written report by ~~January February 1 and July August 1~~ of each year to the chair of the legislative commission on employee relations. The report ~~shall~~ must list the number of appointments made pursuant to under each of the categories in section 43A.15, ~~subdivisions 2 to 12~~ the number made to the classified service other than under section 43A.15, and the number made pursuant to under section 43A.08,

subdivision 2a, during the six-month period covered by the report periods ending June 30 and December 31, respectively.

Sec. 5. Minnesota Statutes 1987 Supplement, section 43A.08, subdivision 1a, is amended to read:

Subd. 1a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Appointing authorities for the following agencies may designate additional unclassified positions according to this subdivision: the departments of administration; agriculture; commerce; corrections; jobs and training; education; employee relations; energy trade and economic development; finance; health; human rights; labor and industry; natural resources; office of administrative hearings; public safety; public service; public welfare human services; revenue; transportation; and veterans affairs; the housing finance, state planning, and pollution control agencies; the state board of investment; the waste management board; the offices of the secretary of state, state auditor, and state treasurer; the state board of vocational technical education; and the school and resource center for the arts.

A position designated by an appointing authority according to this subdivision must meet the following standards and criteria:

(a) (1) the designation of the position would not be contrary to other law relating specifically to that agency;

(b) (2) the person occupying the position would report directly to the agency head or deputy agency head and would be designated as part of the agency head's management team;

(c) (3) the duties of the position would involve significant discretion and substantial involvement in the development, interpretation, and implementation of agency policy;

(d) (4) the duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;

(e) (5) there would be a need for the person occupying the position to be accountable to, loyal to, and compatible with the governor and the agency head, or the employing constitutional officer;

(f) (6) the position would be at the level of division or bureau director or assistant to the agency head; and

(g) (7) the commissioner has approved the designation as being consistent with the standards and criteria in this subdivision.

Sec. 6. Minnesota Statutes 1986, section 43A.15, subdivision 2, is amended to read:

Subd. 2. [EMERGENCY APPOINTMENTS.] An appointing authority may make an emergency appointment for up to 30 working days. If necessary, the commissioner may grant an extension of the emergency appointment for 15 additional working days. No person ~~shall~~ may be employed in any one agency on an emergency basis for more than ~~30~~ 45 working days in any 12-month period.

Sec. 7. Minnesota Statutes 1986, section 43A.17, subdivision 1, is amended to read:

Subdivision 1. [SALARY LIMITS.] As used in ~~this section~~ subdivisions 1 to 8, "salary" means hourly, monthly, or annual rate of pay including any lump-sum payments and cost-of-living adjustment increases but excluding payments due to overtime worked, shift or equipment differentials, work out of class as required by collective bargaining agreements or plans established ~~pursuant to~~ under section 43A.18, and back pay on reallocation or other payments related to the hours or conditions under which work is performed rather than to the salary range or rate to which a class is assigned.

The salary, as established in section 15A.081, of the head of a state agency in the executive branch is the upper limit of compensation in the agency. The salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services. However, if an agency head is assigned a salary that is lower than the current salary of another agency employee, the employee ~~shall retain~~ retains the salary, but ~~shall~~ may not receive ~~any an~~ an increase in salary as long as the salary is above that of the agency head. The commissioner may grant exemptions from these upper limits as provided in subdivisions 3 and 4.

Sec. 8. Minnesota Statutes 1986, section 43A.17, subdivision 9, is amended to read:

Subd. 9. [POLITICAL SUBDIVISION SALARY LIMIT.] The salary of a person employed by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state, or employed ~~pursuant to~~ under section 422A.03, may not exceed 95 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. The salary of a medical doctor occupying a position that the governing body of the political subdivision has determined requires an M.D. degree is excluded from the limitation in this subdivision. The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the

state. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the legislative commission on employee relations and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have recommended approval.

Sec. 9. Minnesota Statutes 1986, section 43A.18, subdivision 5, is amended to read:

Subd. 5. [GOVERNOR TO RECOMMEND CERTAIN SALARIES.] The governor shall, ~~on or before~~ by July 1 of each odd-numbered year, submit to the legislative commission on employee relations recommendations for salaries within the salary range for the positions listed in section 15A.081, subdivisions 1 and 7. The governor may also propose additions or deletions of positions from those listed.

(a) Before submitting the recommendations, the governor shall consult with the commissioner of administration, the commissioner of finance, and the commissioner of employee relations concerning the recommendations.

(b) In making recommendations, the governor shall consider only ~~those the~~ criteria established in subdivision 8 and ~~shall~~ may not take into account performance of individual incumbents. The governor shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities, and accountabilities and in determining recommendations rate each position by this system.

(c) Before the governor's recommended salaries take effect, the recommendations shall must be reviewed and approved, rejected, or modified by the legislative commission on employee relations and the legislature in the same manner as provided for the commissioner's plan in subdivision 2. The governor may also at any time propose changes in the salary rate of any positions covered by this subdivision, which shall must be submitted and approved in the same manner as provided in this subdivision.

(d) The governor shall set the initial salary of a head of a new agency or a chair of a new metropolitan board or commission hereafter established whose salary is not specifically prescribed by law shall be fixed by the governor, after consultation with the commissioner, whose recommendation shall be is advisory only; in an. The amount of the new salary must be comparable to the salary of an agency head or commission chair having similar duties and responsibilities.

(e) The salary of a newly appointed head of an agency or chair of a metropolitan agency listed in section 15A.081, subdivision 1 or 7,

may be increased or decreased by the governor from the salary previously set for that position within 30 days of the new appointment after consultation with the commissioner. If the governor increases a salary under this paragraph, the governor shall submit the new salary to the legislative commission on employee relations and the full legislature for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. If the legislature rejects an increased salary or adjourns without action during the following legislative session, the salary for the position reverts to the level in effect before the governor proposed the change.

Sec. 10. Minnesota Statutes 1986, section 43A.19, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE AFFIRMATIVE ACTION PROGRAM.] (a) To assure that positions in the executive branch of the civil service are equally accessible to all qualified persons, and to eliminate the underutilization of qualified members of protected groups, the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative action program. The statewide affirmative action program shall must consist of at least the following:

- (1) objectives, ~~long-range and interim~~ goals, and policies;
- (2) procedures, standards and assumptions to be used by agencies in the preparation of agency affirmative action plans, including methods by which goals and timetables ~~shall be~~ are established; and
- (3) requirements for annual objectives and submission of affirmative action progress reports from heads of agencies.

(b) The commissioner shall base ~~interim~~ affirmative action goals on at least the following factors:

- (1) the percentage of members of each protected class in the recruiting area population who have the necessary skills;
- (2) the availability for promotion or transfer of members of protected classes in the recruiting area population;
- (3) the extent of unemployment of members of protected classes in the recruiting area population;
- (4) the existence of training programs in needed skill areas offered by employing agencies and other institutions; and
- (5) the expected number of available positions to be filled.

(c) The commissioner shall designate a state director of equal employment opportunity who may be delegated the preparation, revision, implementation and administration of the program. The commissioner of employee relations may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Sec. 11. Minnesota Statutes 1987 Supplement, section 43A.191, subdivision 3, is amended to read:

Subd. 3. [SANCTIONS AND INCENTIVES.] (a) The director of equal employment opportunity shall annually audit the record of each agency to determine the rate of compliance with annual hiring goals of each goal unit and to evaluate the agency's overall progress toward its affirmative action goals and objectives.

(b) By ~~February~~ March 1 of each year, the commissioner shall submit a report on affirmative action progress of each agency and the state as a whole to the governor and to the finance committee of the senate, the appropriations committee of the house of representatives, and the governmental operations committees of both houses of the legislature, and the legislative commission on employee relations. The report must include noncompetitive appointments made under section 43A.08, subdivision 2a, or 43A.15, and cover each agency's rate of compliance with annual hiring goals. In addition, any agency that has not met its affirmative action hiring goals, that fails to make an affirmative action hire, or fails to justify its nonaffirmative action hire in 25 percent or more of the appointments made in the previous calendar year must be designated in the report as an agency not in compliance with affirmative action requirements.

(c) The commissioner shall study methods to improve the performance of agencies not in compliance with affirmative action requirements. ~~By January 15, 1986, the commissioner shall submit to the legislature a proposal for improving compliance rates. This proposal must include penalties for noncompliance.~~

(d) The commissioner shall establish a program to recognize agencies that have made significant and measurable progress toward achieving affirmative action objectives.

Sec. 12. Minnesota Statutes 1986, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The commissioner is authorized to request bids from carriers or to negotiate with carriers and to enter into contracts with carriers which in the judgment of the commissioner are best qualified to underwrite and service the benefit plans. The commissioner may negotiate premium rates and coverage provisions with all carriers licensed under chapters 62A, 62C, and

62D. The commissioner may also negotiate reasonable restrictions to be applied to all carriers under chapters 62A, 62C, and 62D. Contracts to underwrite the benefit plans shall must be bid or negotiated separately from contracts to service the benefit plans, which shall may be awarded only on the basis of competitive bids. The commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers and any other factors which the commissioner deems appropriate. Each benefit contract shall must be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. The commissioner shall, to the extent feasible, make hospital and medical benefits available from at least one carrier licensed to do business pursuant to each of chapters 62A, 62C and 62D. The commissioner need not provide health maintenance organization services to an employee who resides in an area which is not served by a licensed health maintenance organization. The commissioner may refuse to allow a health maintenance organization to continue as a carrier if it was selected by less than 200 employees in the preceding benefit year. The commissioner may elect not to offer all three types of carriers if there are no bids or no acceptable bids by that type of carrier or if the offering of additional carriers would result in substantial additional administrative costs. Any A carrier licensed pursuant to under chapter 62A shall be is exempt from the tax imposed by section 60A.15 on premiums paid to it by the state.

Sec. 13. Minnesota Statutes 1986, section 43A.23, subdivision 3, is amended to read:

Subd. 3. [CONTRACT WITH INSURANCE CARRIERS.] The commissioner of ~~labor and industry~~ employee relations may contract with carriers authorized to provide coverage under the state employees group insurance plan to extend coverage to eligible employees who incur medical expenses due to a personal injury which results from their state employment which is compensable under chapter 176.

Sec. 14. Minnesota Statutes 1986, section 43A.27, subdivision 3, is amended to read:

Subd. 3. [RETIRED EMPLOYEES.] A retired employee of the state who receives an annuity under a state retirement program may elect to purchase at personal expense individual and dependent hospital, medical and dental coverages that are actuarially equivalent to those made available through collective bargaining agreements or plans established pursuant to section 43A.18 to employees in positions equivalent to that from which retired. A spouse of a deceased retired employee who received an annuity under a state retirement program may purchase the coverage listed in this subdivision if the spouse was a dependent under the retired employee's

coverage at the time of the employee's death. Coverages shall must be coordinated with relevant health insurance benefits provided through the federally sponsored medicare program. Appointing authorities shall provide notice to employees no later than the effective date of their retirement of the right to exercise the option provided in this subdivision. The retired employee must notify the commissioner or designee of the commissioner within 30 days after the effective date of the retirement of intent to exercise this option.

Sec. 15. Minnesota Statutes 1986, section 43A.27, is amended by adding a subdivision to read:

Subd. 6. [FOOD SERVICE EMPLOYEES.] Employees of a contracted food service operation at a member institution of the state university system, if the food service was operated by the institution itself before it was turned over to a contractor and if the employer and the representative of employees, defined under section 179.01, subdivision 5, agree, may, before January 1, 1990, elect to enroll themselves and their dependents at their own or their employer's expense in the appropriate state plans for life insurance, hospital, medical, and dental benefits, and optional coverages at the time, in the manner, and under the conditions of eligibility the commissioner prescribes and otherwise approves.

Sec. 16. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) [COMMISSIONER.] "Commissioner" means the commissioner of employee relations.

(b) [EMPLOYEE.] "Employee" means (1) a person who is a public employee within the definition of section 179A.03, subdivision 14, who is insurance eligible and is employed by an eligible employer or (2) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner.

(c) [ELIGIBLE EMPLOYER.] "Eligible employer" means

(1) a public employer within the definition of section 179A.03, subdivision 15, that is a town, county, city, school district as defined in section 120.02, educational cooperative service unit as defined in section 123.58, intermediate district as defined in section 136C.02, subdivision 7, cooperative center for vocational education as defined in section 123.351, regional management information center as

defined in section 121.935, or an education unit organized under the joint powers action, section 471.59; or

(2) an exclusive representative of employees, as defined in paragraph (b); or

(3) another public employer approved by the commissioner.

(d) [EXCLUSIVE REPRESENTATIVE.] "Exclusive representative" means an exclusive representative as defined in section 179A.03, subdivision 8.

(e) [LABOR-MANAGEMENT COMMITTEE.] "Labor-management committee" means the committee established by subdivision 4.

(f) [PLAN.] "Plan" means the statewide public employees insurance plan created by subdivision 3.

Sec. 17. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 4, is amended to read:

Subd. 4. [LABOR-MANAGEMENT COMMITTEE.] There is created a ~~The~~ labor-management committee consists of ten members appointed by the commissioner. The labor-management committee ~~shall consist of~~ must comprise five members who represent employees, including at least one retired employee, and five members who represent eligible employers. Committee members are eligible for expense reimbursement in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. The commissioner shall consult with the labor-management committee in major decisions that affect the plan. The committee shall study issues relating to the insurance plan including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency.

Sec. 18. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 8, is amended to read:

Subd. 8. [CONTINUATION OF COVERAGE.] (a) A participating employee who is laid off or is on ~~unrequested~~ leave may elect to continue the plan coverage. This coverage is at the expense of the employee unless otherwise provided by a collective bargaining agreement. Premiums for these employees ~~shall~~ must be established by the commissioner. Coverage continues until one of the following occurs:

(1) the employee is reemployed and eligible for health care coverage under a group policy; or

(2) the insurance continuation periods required by state and federal laws expire.

(b) A participating employee who retires and is receiving an annuity or is eligible for and has applied for an annuity under chapter 352, 352B, 352C, 352D, 353, 354, 354A, 356, 422A, 423, 423A, 424, or 490 is eligible to continue participation in the plan. Any employer's contribution must cease when the retiree reaches age 65. These employees, and employees who have already retired prior to the group from which they retired entering the plan, are eligible to participate as long as their group continues to participate. This participation is at the retiree's expense unless a collective bargaining agreement provides otherwise. Premiums for these participants must be established by the commissioner. An employer shall notify an employee of this option no later than the effective date of retirement. The retired employee shall notify the employer within 30 days of the effective date of retirement of intent to exercise this option.

(c) The spouse of a deceased, active, or retired employee may purchase the benefits provided at premiums established by the commissioner if the deceased retired employee received an annuity under chapter 352, 353, 354, 354A, 356, 422A, 423, 423A, or 424 and if the spouse was a dependent under the active or retired employee's coverage under this section at the time of the death of the retired employee. These participants are eligible to participate as long as the group which included their spouse participates. Coverage under this clause shall must be coordinated with relevant insurance benefits provided through the federally sponsored Medicare program.

(e) (d) The plan benefits shall must continue in the event of strike permitted by section 179A.18, if the exclusive representative chooses to have coverage continue and the employee pays the total monthly premiums when due.

(d) (e) A person who desires to participate under paragraphs (a) to (e) (d) shall notify the eligible employer or former employer of intent to participate according to rules established by the commissioner. The eligible employer shall notify the commissioner, and coverage shall begin begins as soon as the commissioner permits.

Persons participating under these paragraphs shall make appropriate premium payments in the time and manner established by the commissioner.

Sec. 19. Minnesota Statutes 1987 Supplement, section 43A.316, is amended by adding a subdivision to read:

Subd. 10. [BIDDING REQUIREMENT EXEMPTION.] The public

employee insurance plan is exempt from the requirements imposed by section 471.616, subdivision 1.

Sec. 20. Minnesota Statutes 1987 Supplement, section 43A.421, is amended to read:

43A.421 [SUPPORTED WORK PROGRAM.]

A total of 50 additional full-time positions within agencies of state government may be selected for inclusion for a supported work program for persons with severe disabilities. A full-time position may be shared by up to three persons with severe disabilities and their job coach. The job coach is not a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14, unless the job coach holds another position within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14.

Sec. 21. Minnesota Statutes 1987 Supplement, section 44A.02, subdivision 1, is amended to read:

Subdivision 1. [SELECTION.] The president of the world trade center corporation is selected by a majority of the board and serves at the pleasure of the board. The president must be familiar with the international business community, and have demonstrated proficiency in communication skills, administration, and management. The salary of the president is set by the board, but may not exceed the top of the salary range set for the commissioner of finance under section 15A.081, subdivision 1.

Sec. 22. Minnesota Statutes 1987 Supplement, section 79.34, subdivision 1, is amended to read:

Subdivision 1. A ~~The~~ nonprofit association known as the workers' compensation reinsurance association is ~~created, which~~ may be incorporated under chapter 317 with all the powers of a corporation formed under that chapter, except that if the provisions of that chapter are inconsistent with sections 79.34 to 79.40 ~~or any amendments thereto~~, sections 79.34 to 79.40 shall govern. Each insurer as defined by section 79.01, subdivision 2, shall, as a condition of its authority to transact workers' compensation insurance in this state, be a member of the reinsurance association and ~~shall be~~ is bound by the plan of operation of the reinsurance association; provided, that all affiliated insurers within a holding company system as defined in sections 60D.01 to 60D.13 ~~shall be~~ are considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association. Each self-insurer approved ~~pursuant to~~ under section 176.181 and each political subdivision ~~which~~ that self-insures shall, as a condition of its authority to self-insure workers' compensation liability in this state, be a member of the reinsurance association and ~~shall be~~ is bound by its plan of operation; provided, that:

(a) (1) all affiliated companies within a holding company system, as determined by the commissioner in a manner consistent with the standards and definitions in sections 60D.01 to 60D.13, shall be considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association; and

(b) (2) all group self-insurers granted authority to self-insure pursuant to section 176.181 shall be considered a single entity for purposes of the exercise of all the rights and duties of membership in the reinsurance association. As a condition of its authority to self-insure workers' compensation liability, and for losses incurred on or after January 1, 1984 December 31, 1983, the state shall be is a member of the reinsurance association and is bound by its plan of operation. The commissioner of labor and industry employee relations represents the state in the exercise of all the rights and duties of membership in the reinsurance association. The state treasurer shall pay the premium to the reinsurance association from the state compensation revolving fund upon warrants of the commissioner of labor and industry employee relations. For the purposes of this section "state" means the administrative branch of state government, the legislative branch, the judicial branch, the University of Minnesota, and any other entity whose workers' compensation liability is paid from the state revolving fund. The commissioner of finance may calculate, prorate, and charge a department or agency the portion of premiums paid to the reinsurance association for employees who are paid wholly or in part by federal funds, dedicated funds, or special revenue funds. The reinsurance association is not a state agency. Actions of the reinsurance association and its board of directors and actions of the commissioner of labor and industry with respect to the reinsurance association are not subject to chapters 13, 14, and 15. All property owned by the association is exempt from taxation. The reinsurance association is not obligated to make any payments or pay any assessments to any funds or pools established pursuant to this chapter or chapter 176 or any other law.

Sec. 23. Minnesota Statutes 1986, section 175.101, is amended by adding a subdivision to read:

Subd. 4. The commissioner may designate a workers' compensation settlement judge at the department of labor and industry to serve as chief workers' compensation settlement judge. The commissioner may revoke the designation at any time. A revocation does not affect the revoked designee's status as a workers' compensation settlement judge.

Sec. 24. Minnesota Statutes 1987 Supplement, section 176.611, subdivision 2, is amended to read:

Subd. 2. [STATE DEPARTMENTS.] Every department of the state, including the University of Minnesota, shall reimburse the

fund for money paid for its claims and the costs of administering the revolving fund at such times and in such amounts as the commissioner of labor and industry employee relations shall certify has been paid out of the fund on its behalf. The heads of the departments shall anticipate these payments by including them in their budgets. In addition, the commissioner of labor and industry employee relations, with the approval of the commissioner of finance, may require an agency to make advance payments to the fund sufficient to cover the agency's estimated obligation for a period of at least 60 days. Reimbursements and other money received by the commissioner of labor and industry employee relations under this subdivision must be credited to the state compensation revolving fund.

Sec. 25. Minnesota Statutes 1987 Supplement, section 176.611, subdivision 3a, is amended to read:

Subd. 3a. [LOANS.] To maintain an ongoing balance sufficient to pay sums currently due for benefits and administrative costs, the commissioner of finance, upon request of the commissioner of labor and industry employee relations, may transfer money from the general fund to the state compensation revolving fund. Before requesting the transfer, the commissioner of labor and industry employee relations must decide there is not enough money in the fund for an immediate, necessary expenditure. The amount necessary to make the transfer is appropriated from the general fund to the commissioner of finance. The commissioner of labor and industry employee relations shall make schedules to repay the transferred money to the general fund. The repayment may not extend beyond five years.

Sec. 26. Minnesota Statutes 1986, section 179A.10, subdivision 3, is amended to read:

Subd. 3. [STATE EMPLOYEE SEVERANCE.] Each of the following groups of employees has the right, as specified in this subdivision, to separate from the general professional, health treatment, or general supervisory units provided for in subdivision 2: attorneys, physicians, professional employees of the higher education coordinating board who are compensated pursuant to under section 43A.18, subdivision 4, state patrol-supervisors, regional enforcement officers employed by the department of natural resources, and criminal apprehension investigative-supervisors. This right shall must be exercised by petition during the 60-day period commencing 270 days prior to the termination of a contract covering the units. If one of these groups of employees exercises the right to separate from the units they shall have no right to meet and negotiate, but shall retain the right to meet and confer with the commissioner of employee relations and with the appropriate appointing authority on any matter of concern to them. The manner of exercise of the right to separate shall be must be exercised as follows: An employee organization or group of employees claiming that a majority of any

one of these groups of employees on a statewide basis wish to separate from their units may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from the units provided in subdivision 2. This election ~~shall~~ must be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from the unit in favor of separate meet and confer status for any one of these groups of employees, the director shall certify that result. This election ~~shall~~, where not inconsistent with other provisions of this section, be is governed by section 179A.16. If a group of employees elects to sever ~~they~~, the group may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.

Sec. 27. Minnesota Statutes 1987 Supplement, section 214.04, subdivision 3, is amended to read:

Subd. 3. The executive secretary of each health-related and non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) dentistry;
- (2) medical examiners;
- (3) nursing;
- (4) pharmacy;
- (5) accountancy;
- (6) architecture, engineering, land surveying and landscape architecture;
- (7) barber examiners;
- (8) cosmetology;
- (9) electricity;
- (10) teaching;

- (11) peace officer standards and training;
- (12) social work;
- (13) marriage and family therapy;
- (14) unlicensed mental health service providers; and
- (15) office of social work and mental health boards.

The board of medical examiners shall set the salary of its executive director, which may not exceed 95 percent of the top of the salary range set for the commissioner of health in section 15A.081, subdivision 1. ~~In June of the year in which a salary increase is to be adopted, and at least 30 days before the board of medical examiners adopts a salary increase for its executive director,~~ The board shall submit the a proposed salary increase to the legislative commission on employee relations and the full legislature for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2.

The executive secretaries serving the remaining boards shall be are hired by those boards, and ~~shall be~~ are in the unclassified civil service, except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive secretary ~~secretaries~~ may employ such services ~~them~~ on a part-time basis. To the extent practicable, the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, ~~shall be~~ are classified civil service employees of the department servicing the board. To the extent practicable, the commissioner shall ensure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Sec. 28. [WASTE MANAGEMENT BOARD EMPLOYEES.]

By January 1, 1989, the commissioner of employee relations shall transfer employees of the waste management board in the unclassified service to the classified service of the state without competitive or qualifying examination and shall place them in their proper classifications. A transferred employee with less than six months of service in the employee's position at the time of the transfer shall serve a probationary period appropriate for the employee's classification under section 43A.16. The probation period must include the time since the employee's hire in the unclassified position from which the employee was transferred. This section does not apply to

the chair of the board, the assistant to the chair, and one confidential secretary to the board.

Sec. 29. [CERTAIN FOOD SERVICE EMPLOYEES.]

Food service employees covered by section 15 who participate in the state group insurance plan are transferred to the public employees insurance plan under Minnesota Statutes, section 43A.316, effective January 1, 1990, or when the commissioner of employee relations certifies that the plan is able to enroll and provide coverage for groups, whichever is later. Food service employees covered by section 15 who do not participate in the state group insurance plan are eligible to participate in the public employees insurance plan under Minnesota Statutes, section 43A.316, effective September 1, 1989."

Amend the title as follows:

Page 1, line 13, after "sections" insert "15A.083, subdivision 7;"

Page 1, line 14, delete "subdivisions 2 and 11" and insert "subdivision 2"

Page 1, lines 20 and 21, delete "15A.083, subdivision 7;"

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

Senate Conferees: DONALD M. MOE, GEN OLSON AND DARRIL WEGSCHEID.

House Conferees: RICHARD JEFFERSON, GERALD KNICKERBOCKER AND WAYNE SIMONEAU.

Jefferson moved that the report of the Conference Committee on S. F. No. 2003 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2003, A bill for an act relating to state government; providing for salary ranges for certain state employees; clarifying requirements for submitting certain salaries for legislative approval; requiring certain reports; regulating emergency civil service appointments; clarifying limits on certain salaries; authorizing the governor to change the salaries of newly appointed agency heads; regulating affirmative action; regulating separation from certain bargaining units; regulating health and other fringe benefit coverages; providing duties for the commissioner of employee relations;

amending Minnesota Statutes 1986, sections 43A.04, subdivision 7; 43A.15, subdivisions 2 and 11; 43A.17, subdivisions 1 and 9; 43A.18, subdivision 5; 43A.19, subdivision 1; 43A.23, subdivisions 1 and 3; 43A.27, subdivision 3, and by adding a subdivision; 175.101, by adding a subdivision; and 179A.10, subdivision 3; Minnesota Statutes 1987 Supplement, sections 15A.081, subdivisions 1 and 7b; 15A.083, subdivision 7; 43A.08, subdivision 1a; 43A.191, subdivision 3; 43A.316, subdivisions 2, 4, 8, and by adding a subdivision; 43A.421; 44A.02, subdivision 1; 79.34, subdivision 1; 176.611, subdivisions 2 and 3a; and 214.04, subdivision 3.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 2025:

S. F. No. 2025, A bill for an act relating to financial institutions; regulating the business of mortgage bankers, loan officers, general

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

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

Mr. Freeman; Ms. Peterson, D. C.; Mr. Peterson, R. W.; Mrs. Lantry and Mr. Belanger.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Voss and Skoglund moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2025. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 2163, 2428 and 2473.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2163, A bill for an act relating to metropolitan government; limiting the metropolitan council's taxing authority; amending Minnesota Statutes 1986, sections 473.167, subdivision 2, and by adding a subdivision; and 473.249, by adding a subdivision.

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

S. F. No. 2428, A bill for an act relating to workers' compensation; regulating workers' compensation benefits and administration; reg-

ulating workers' compensation insurance; providing for the appointment of actuaries; abolishing the workers' compensation court of appeals and transferring its jurisdiction to the court of appeals; requiring certain reports relating to workers' compensation; appropriating money; amending Minnesota Statutes 1986, sections 79.095; 79.55, subdivision 2; 79.56, by adding a subdivision; 79.61, subdivision 1; 176.011, subdivisions 11a, 18, and by adding a subdivision; 176.021, subdivision 3; 176.061, subdivision 10; 176.081, subdivisions 1 and 3; 176.101, subdivisions 1, 2, 4, 5, and by adding subdivisions; 176.102, subdivisions 1, 7, and 11; 176.105, subdivision 1; 176.111, subdivisions 6, 7, 8, 12, 14, and 20; 176.131, subdivisions 1a, 2, and by adding a subdivision; 176.132, subdivisions 1, 2, and 3; 176.136, subdivision 1, and by adding a subdivision; 176.421, subdivisions 1 and 6; 176.645, subdivisions 1 and 2; 176.66, subdivision 11; 176A.03, by adding a subdivision; and 480A.06, subdivisions 3 and 4; Minnesota Statutes 1987 Supplement, sections 176.041, subdivision 4; 176.081, subdivision 2; 176.102, subdivisions 2, 3, 3a, 4, and 6; 176.111, subdivisions 15 and 21; 176.131, subdivisions 1 and 8; 176.221, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 79 and 176; repealing Minnesota Statutes 1986, sections 79.54; 79.57; 79.58; 175A.01; 175A.02; 175A.03; 175A.04; 175A.05; 175A.06; 175A.07, subdivisions 1, 3, and 4; 175A.08; 175A.09; 175A.10; 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, 3u, and 6; and Minnesota Statutes 1987 Supplement, section 175A.07, subdivision 2.

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

S. F. No. 2473, A bill for an act relating to workers' compensation; regulating self-insurance; establishing a self-insurer guaranty fund; prescribing a penalty; amending Minnesota Statutes 1986, sections 176.181, subdivision 2; 176.183, subdivision 3; Minnesota Statutes 1987 Supplement, section 176.183, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 79B; repealing Minnesota Statutes 1987 Supplement, sections 60A.101; and 176.183, subdivision 1a.

The bill was read for the first time.

Simoneau moved that S. F. No. 2473 and H. F. No. 2688, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 63:

Simoneau; Johnson, A., and Knickerbocker.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2477:

Simoneau, Rukavina and Knickerbocker.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2055:

Vellenga, Stanius and Carruthers.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1462:

Clark, Otis and Morrison.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1590:

Lieder, Kalis and Johnson, V.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1821:

Segal, Kelly and Seaberg.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2025:

Voss, Skoglund, Boo, Scheid and Hartle.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1795

A bill for an act relating to human services; creating a task force to study building code standards for family and group family day care homes; changing building code requirements concerning certain child care facilities; amending Minnesota Statutes 1987 Supplement, sections 16B.61, subdivision 3; and 245A.09, by adding a subdivision.

April 12, 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. 1795, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 1795 be further amended as follows:

Page 2, line 27, delete "R" and insert "R-3"

Page 3, after line 6, insert:

"(h) No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger."

Page 3, delete lines 7 to 18, and insert:

"Sec. 2. Minnesota Statutes 1987 Supplement, section 245A.04, is amended by adding a subdivision to read:

Subd. 9. [VARIANCES.] The commissioner may grant variances to rules that do not affect the health or safety of persons in a licensed program if the following conditions are met:

(1) the variance must be requested by an applicant or license holder on a form and in a manner prescribed by the commissioner;

(2) the request for a variance must include the reasons that the applicant or license holder cannot comply with a requirement as stated in the rule and the alternative equivalent measures that the applicant or license holder will follow to comply with the intent of the rule; and

(3) the request must state the period of time for which the variance is requested.

The commissioner's decision to grant or deny a variance request is final and not subject to appeal under the provisions of chapter 14.

Sec. 3. Minnesota Statutes 1987 Supplement, section 245A.14, is amended by adding a subdivision to read:

Subd. 4. [SPECIAL FAMILY DAY CARE HOMES.] Nonresidential child care programs that are conducted at a location other than the license holder's own residence shall be licensed under the rules governing family day care or group family day care if:

(a) the license holder is the primary provider of care;

(b) the nonresidential child care program is conducted in a dwelling that is located on a residential lot; and

(c) the license holder complies with all other requirements of sections 245A.01 to 245A.15 and the rules governing family day care or group family day care.

Sec. 4. Minnesota Statutes 1987 Supplement, section 245A.14, is amended by adding a subdivision to read:

Subd. 5. [RULES GOVERNING STAFF QUALIFICATIONS IN NONRESIDENTIAL CHILD CARE CENTERS.] The education and training requirements for nonresidential child care center staff contained in the rules that were in effect on January 1, 1988, shall be the minimum qualifications until July 1, 1991."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "allowing variance to rules for child care facilities in some circumstances; allowing use of double cylinder dead bolt locks in certain instances;"

Page 1, line 7, delete everything after the semicolon and insert "245A.04, by adding a subdivision;"

Page 1, line 8, before the period insert "; and 245A.14, by adding subdivisions"

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

House Conferees: PAUL ANDERS OGREN, STEVE A. SVIGGUM AND ROGER M. COOPER

Senate Conferees: LINDA BERGLIN, DONALD A. STORM AND PAT PIPER

Ogren moved that the report of the Conference Committee on H. F. No. 1795 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1795, A bill for an act relating to human services; creating a task force to study building code standards for family and group family day care homes; changing building code requirements concerning certain child care facilities; amending Minnesota Statutes 1987 Supplement, sections 16B.61, subdivision 3; and 245A.09, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1817

A bill for an act relating to watercraft; requiring lifesaving devices in duck boats; amending Minnesota Statutes 1986, section 361.141, subdivision 1.

April 13, 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. 1817, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 1817 be further amended as follows:

Delete everything after the enacting clause and insert:

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

97B.425 [BAITING BEARS.]

Notwithstanding section 609.68, a person placing may place bait to take bear and must display a tag at each site where bait is placed and register the sites. The commissioner shall prescribe the method of tagging and registering the sites. A person may not use solid waste containing bottles, cans, plastic, paper, metal, or other materials that are not readily biodegradable as a bait to attract bear. To attract bear a person may not use a bait with:

(1) a carcass from a mammal, if the carcass contains more than 25 percent of the intact carcass;

(2) solid waste containing bottles, cans, plastic, paper, or metal; or

(3) materials that are not readily biodegradable.

Sec. 2. Minnesota Statutes 1986, section 97B.811, is amended to read:

97B.811 [DECOYS AND BLINDS ON PUBLIC LANDS AND WATERS.]

Subdivision 1. [BLINDS AND DECOYS PROHIBITED BEFORE SEASON.] A person may not erect a blind or place decoys in public waters or on public land more than one hour before the open season for waterfowl.

Subd. 2. [HOURS FOR PLACING DECOYS.] Except as provided in subdivisions 3 and 4, a person may not place decoys in public

waters or on public lands more than one hour before sunrise during the open season lawful shooting hours for waterfowl.

Subd. 3. [RESTRICTIONS ON LEAVING DECOYS OVERNIGHT.] During the open season for waterfowl, a person may not leave decoys in public waters between sunset and one hour before sunrise lawful shooting hours unless:

(1) the decoys are in waters adjacent to private land under the control of the hunter; and

(2) there is not natural vegetation growing in water sufficient to partially conceal a hunter.

Subd. 4. [DECOYS THAT ARE NAVIGATIONAL HAZARD PROHIBITED.] A person may not leave decoys in public waters between sunset and one hour before sunrise lawful shooting hours if the decoys constitute a navigational hazard.

Sec. 3. Minnesota Statutes 1986, section 361.141, subdivision 1, is amended to read:

Subdivision 1. [PERSONAL FLOTATION OR LIFESAVING DEVICES.] Watercraft and duck boats using the waters of this state shall be equipped with the number and type of personal flotation or lifesaving devices prescribed by the commissioner. The commissioner shall not require sailboards to be equipped with personal flotation or lifesaving devices. Nor shall the commissioner require persons on sailboards to wear those devices or have them readily available."

Delete the title and insert:

"A bill for an act relating to game and fish; prohibiting the use of certain meat in baiting bears; regulating placing decoys in public waters or on public lands; requiring lifesaving devices in duckboats; amending Minnesota Statutes 1986, sections 97B.425; 97B.811; and 361.141, subdivision 1."

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

House Conferees: BRAD G. STANIUS, LEO J. REDING AND BOB NEUENSCHWANDER.

Senate Conferees: DARRIL WEGSCHEID, JOHN BERNHAGEN AND BOB LESSARD.

Stanius moved that the report of the Conference Committee on H. F. No. 1817 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1817, A bill for an act relating to watercraft; requiring lifesaving devices in duck boats; amending Minnesota Statutes 1986, section 361.141, subdivision 1.

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 125 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carruthers	Johnson, R.	Kinkel	Marsh
------------	-------------	--------	-------

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

CONFERENCE COMMITTEE REPORT ON 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.

April 12, 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. 1851, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment.

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

House Conferees: JERRY J. BAUERLY, BOB ANDERSON AND LOREN G. JENNINGS.

Senate Conferees: JIM M. VICKERMAN, DENNIS R. FREDERICKSON AND ROBERT J. SCHMITZ.

Bauerly moved that the report of the Conference Committee on H. F. No. 1851 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

Those who voted in the affirmative were:

Anderson, G.	Begich	Boo	Clark	DeBlieck
Anderson, R.	Bennett	Brown	Clausnitzer	Dempsey
Battaglia	Bertram	Burger	Cooper	DeRaad
Bauerly	Bishop	Carlson, L.	Dauner	Dille
Beard	Blatz	Carruthers	Dawkins	Dorn

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1966

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

April 13, 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. 1966, 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: KATHLEEN A. BLATZ, JERRY J. BAUERLY AND LOREN G. JENNINGS.

Senate Conferees: WILLIAM B. BELANGER, JR., DAVID J. FREDERICKSON AND BETTY A. ADKINS.

Blatz moved that the report of the Conference Committee on H. F. No. 1966 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1966, A bill for an act relating to zoning; providing for filing requirements of variances and certain official maps to real property; amending Minnesota Statutes 1986, section 462.36, subdivision 1.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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	Steenasma
Bertram	Himle	McKasy	Peterson	Sviggum
Bishop	Hugoson	McLaughlin	Poppenhagen	Swenson
Blatz	Jacobs	McPherson	Price	Thiede
Boo	Jaros	Milbert	Quinn	Tjorahom
Brown	Jefferson	Miller	Quist	Tompkins
Burger	Jennings	Minne	Redalen	Trimble
Carlson, L.	Jensen	Morrison	Reding	Tunheim
Carruthers	Johnson, A.	Munger	Rest	Uphus
Clark	Johnson, R.	Murphy	Rice	Valento
Clausnitzer	Johnson, V.	Nelson, C.	Richter	Vellenga
Cooper	Kahn	Nelson, D.	Riveness	Voss
Dauner	Kalis	Nelson, K.	Rodosovich	Wagenius
Dawkins	Kelly	Neuenschwander	Rose	Waltman
DeBlick	Kelso	O'Connor	Rukavina	Welle
Dempsey	Kinkel	Ogren	Sarna	Wenzel
DeRaad	Kludt	Olsen, S.	Schafer	Winter
Dille	Knickerbocker	Olsen, E.	Scheid	Wynta
Dorn	Knuth	Olson, K.	Schreiber	Spk. Vanasek
Forsythe	Kostohryz	Omann	Seaberg	
Frederick	Krueger	Onnen	Segal	

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

CONFERENCE COMMITTEE REPORT ON 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.

April 12, 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. 2036, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2036 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 609.50, is amended to read:

609.50 [OBSTRUCTING LEGAL PROCESS OR ARREST.]

Whoever intentionally obstructs, hinders or prevents the lawful execution of any legal process, civil or criminal, or apprehension of another on a charge or conviction of a criminal offense or obstructs, resists or interferes with a peace officer while the officer is engaged in the performance of official duties, or by force or threat of force endeavors to obstruct any employee of the department of revenue while the employee is lawfully engaged in the performance of official duties for the purpose of deterring or interfering with the performance of those duties, may be sentenced as follows:

(1) If the act was accompanied by force or violence or the threat thereof, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or

(2) In other cases to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both.

Sec. 2. Minnesota Statutes 1986, section 624.20, is amended to read:

624.20 [FIREWORKS.]

Subdivision 1. As used in sections 624.20 to 624.25, the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, Roman

candles, daygo bombs, sparklers, or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks. The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25 hundredths grains or less of explosive compound are used and toy pistol caps which contain less than 20 hundredths grains of explosive mixture.

Subd. 2. As used in sections 624.20 to 624.25, the term "explosive fireworks" means any fireworks that contain pyrotechnic or flash powder, gunpowder, black powder, or any other explosive compound constructed to produce detonation or deflagration.

Sec. 3. Minnesota Statutes 1986, section 624.21, is amended to read:

624.21 [SALE, POSSESSION, AND USE OF FIREWORKS PROHIBITED.]

Except as otherwise provided in sections 624.20 to 624.25, it shall be unlawful for any person to offer for sale, expose for sale, sell at retail, or wholesale, or possess, use, or explode any fireworks. This section shall not be construed to prohibit the possession, use, or explosion of fireworks by an engineer licensed pursuant to sections 326.02 and 326.03 or a person under the engineer's direct supervision when undertaking acoustical testing; or sales at wholesale to those persons holding valid permits for a fireworks display from a governmental subdivision of the state; or sales outside the state or sales to licensed professional engineers for acoustical testing purposes only.

Sec. 4. [624.221] [EXEMPTIONS FOR LICENSE OR PERMIT HOLDER.]

Sections 624.20, 624.21, and 624.23 to 624.25 do not apply to:

(a) the holders of a federal explosives license or permit issued pursuant to United States Code, title 18, chapter 40, or their agents when the holder or agent is acting in compliance with the conditions of licensure; or

(b) the holders of permits issued pursuant to section 624.22 or their agents, from the date of issuance until 20 days after the date of exhibition authorized by the permit, when the holder or agent is acting in compliance with the conditions of the permit and section 624.22.

Sec. 5. Minnesota Statutes 1986, section 624.23, is amended to read:

624.23 [CONSTRUCTION OF SECTIONS 624.20 TO 624.25.]

Nothing in sections 624.20 to 624.25 shall be construed to prohibit any resident wholesaler, dealer, or jobber, from possessing or selling at wholesale ~~such~~ fireworks as which are not ~~herein~~ prohibited; or the possession or sale of any kind of fireworks for shipment directly out of the state; or the possession or use of fireworks by airplanes and railroads, or other transportation agencies for signal purposes or illumination; or the possession, sale, or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations or for use as a bird or animal repelling device.

Sec. 6. Minnesota Statutes 1986, section 624.25, is amended to read:

624.25 [VIOLATION.]

Any person violating the provisions of sections 624.20 to 624.24 ~~shall~~ may be guilty of a misdemeanor sentenced as follows:

(1) if the violation involves explosive fireworks in an amount of 35 pounds gross container weight or more, to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both;

(2) if the violation involves explosive fireworks in an amount of less than 35 pounds gross container weight, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$700, or both; and

(3) if the violation involves any amount of fireworks other than explosive fireworks, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$700, or both.

Sec. 7. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. Sections 2 to 6 are effective August 1, 1988, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; clarifying the crime of obstructing legal process or arrest; defining explosive fireworks; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 609.50; 624.20; 624.21; 624.23; and 624.25; proposing coding for new law in Minnesota Statutes, chapter 624."

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

House Conferees: PHIL CARRUTHERS, RANDY C. KELLY AND BOB MILBERT.

Senate Conferees: WILLIAM P. LUTHER, HOWARD A. KNUTSON AND JOHN J. MARTY.

Carruthers moved that the report of the Conference Committee on H. F. No. 2036 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 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 116 yeas and 17 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	DeBlieck	Olson, K.	Sparby	Winter
Bishop	McDonald	Onnen	Steensma	
Brown	Nelson, C.	Quißt	Thiede	
Dauner	Olson, E.	Richter	Tunheim	

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2265

A bill for an act relating to natural resources; correcting certain provisions for net size for the taking of ciscoes; amending Minnesota Statutes 1986, section 97C.805, subdivision 2.

April 12, 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. 2265, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2265 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1986, section 97A.015, subdivision 52, is amended to read:

Subd. 52. [UNPROTECTED BIRDS.] “Unprotected birds” means English sparrow, blackbird, ~~erow~~, starling, magpie, cormorant, common pigeon, and great horned owl.

Sec. 2. Minnesota Statutes 1986, section 97A.121, subdivision 2, is amended to read:

Subd. 2. [SEASON.] The open season for hunting in private shooting preserves is from ~~September 1~~ July 15 through ~~March 31~~ April 15. Sanctioned registered field trials in private shooting preserves may be held from April 16 to July 14 after notification to the commissioner. The commissioner may restrict the open season after receiving a complaint, holding a public hearing, and finding that the population of wild game birds is in danger by hunting in the preserve.

Sec. 3. Minnesota Statutes 1986, section 97A.121, is amended by adding a subdivision to read:

Subd. 4a. [PHEASANTS.] A private shooting preserve licensed to release pheasants must release at least 500 pheasants on the licensed shooting preserve area during the private shooting preserve hunting season. At least 20 pheasants must be released within 14 days before a day that pheasants are hunted. The number of pheasants harvested may not exceed 95 percent of the number of pheasants released during the private shooting preserve hunting season.

Sec. 4. Minnesota Statutes 1986, section 97A.435, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] Persons eligible for a turkey license shall be determined by this section and commissioner's order. A person is eligible for a turkey license only if the person is a resident and at least age 16 before the season opens or possesses a firearms safety certificate.

Sec. 5. Minnesota Statutes 1986, section 97A.445, subdivision 2, is amended to read:

Subd. 2. [ANGLING; INSTITUTIONAL RESIDENTS.] A license is not required to take fish by angling with the written consent of the superintendent or chief executive of the institution for the following persons:

- (1) a resident of a state hospital;
- (2) a patient of a United States Veterans Administration hospital;
and
- (3) an inmate of a state correctional facility; and
- (4) a resident of a nursing home.

Sec. 6. [97B.106] [CROSSBOW PERMITS FOR HUNTING.]

The commissioner may issue a special permit, without a fee, to take deer or turkey with a crossbow to a person that is unable to hunt by archery because of a permanent physical disability. The disability, established by medical evidence, and the inability to hunt by archery must be verified in writing by a licensed physician. The person must obtain the appropriate license. The crossbow must:

- (1) be fired from the shoulder;
- (2) deliver at least 42 foot-pounds of energy at a distance of ten feet;
- (3) have a stock at least 30 inches long;

(4) have a working safety; and

(5) be used with arrows or bolts at least ten inches long with a broadhead.

Sec. 7. Minnesota Statutes 1986, section 97B.715, subdivision 1, is amended to read:

Subdivision 1. [STAMP REQUIRED.] (a) Except as provided in paragraph (b), a person required to possess a small game license may not hunt pheasants without a pheasant stamp in possession.

(b) The following persons are exempt from this subdivision:

(1) residents under age 18 or over age 65; and

(2) persons hunting on licensed private shooting preserves in Norman, Becker, Wadena, Cass, Crow Wing, Aitkin, or Carlton county, and locations north of the northern boundaries of these counties.

Sec. 8. Minnesota Statutes 1986, section 97B.731, is amended by adding a subdivision to read:

Subd. 3. [CROW SEASON.] The commissioner shall prescribe a 124-day open season and restrictions for taking crows. The open season may not be shorter than the maximum season allowed under federal law. The remainder of the year crows may be taken as allowed by federal law.

Sec. 9. [97C.347] [LANDING NETS.]

Subdivision 1. [USE AND POSSESSION.] A person may use and possess a landing net to net a fish taken by angling.

Subd. 2. [ELECTRIC LANDING NETS.] A person may net fish taken by angling with a battery powered landing net that discharges an electric current if the net is designed to temporarily immobilize the fish so that it can be safely released, provided the batteries do not exceed nine volts and the current produced does not exceed 40 milliamps.

Subd. 3. [STUDY; LIMITATION.] The commissioner must conduct a study to determine how electric landing nets affect the fishery resource, including proper law enforcement. The study must be completed by January 1, 1990.

Sec. 10. [97C.403] [RAINY RIVER WALLEYE RESTRICTIONS.]

Subdivision 1. [POSSESSION LIMIT.] The possession limit for walleyes taken from the Rainy River is six per day.

Subd. 2. [SIZE LIMIT.] (a) Except as provided in paragraph (b), only one walleye over 19½ inches in length may be included in the limit taken from the Rainy River each day.

(b) From March 1 until April 14, a person may take walleyes from the Rainy River but the walleyes possessed for a limit may not exceed 19½ inches.

Subd. 3. [OPEN SEASON.] The open season for walleye in the Rainy River is from the third Saturday in May until April 14.

Subd. 4. [COMMISSIONER'S RESTRICTIONS.] The commissioner shall attempt to negotiate an agreement with the province of Ontario for walleye seasons and limits that substantially comply with subdivisions 1, 2, and 3, and make every effort to bilaterally close the Rainy River during the spawning season between March 1 and April 14. If an agreement is made, the commissioner may, by order, set different limits and seasons for taking walleyes from the Rainy River in accordance with the agreement, provided the size limits in subdivision 2 are not exceeded.

Sec. 11. Minnesota Statutes 1987 Supplement, section 97C.211, subdivision 1, is amended to read:

Subdivision 1. [LICENSE REQUIRED.] A person may not operate a private fish hatchery without a private fish hatchery license. A private fish hatchery is a facility for raising fish, including minnows, for sale for, stocking waters or for, angling, or processing.

Sec. 12. Minnesota Statutes 1987 Supplement, section 97C.211, subdivision 2a, is amended to read:

Subd. 2a. [ACQUISITION OF FISH.] (a) A private fish hatchery may not obtain fish outside of the state unless the fish or the source of the fish are approved by the commissioner. The commissioner may apply more stringent requirements to fish or a source of fish from outside the state than are applied to fish and sources of fish from within the state. The commissioner must either approve or deny the acquisition within 30 days after receiving a written request for approval. Minnows acquired must be processed and not released into public waters, except as provided in section 97C.515, subdivision 4. A request may be for annual acquisition.

(b) If the commissioner denies approval, a written notice must be submitted to the applicant stating the reasons for the denial and the commissioner must:

(1) designate approved sources to obtain the desired fish or fish eggs; or

(2) sell the fish or fish eggs from state fish hatcheries at fair market value.

Sec. 13. Minnesota Statutes 1986, section 97C.515, is amended by adding a subdivision to read:

Subd. 4. [PRIVATE FISH HATCHERY.] A person with a private fish hatchery license may transport minnows from contiguous states to the private fish hatchery, provided the minnows are used for processing or feeding hatchery fish. The commissioner may require inspection of minnows transported from outside the state.

Sec. 14. Minnesota Statutes 1986, section 97C.805, subdivision 2, is amended to read:

Subd. 2. [RESTRICTIONS.] (a) The netting of lake whitefish and ciscoes is subject to the restrictions in this subdivision.

(b) A person may not use:

(1) more than two nets;

(2) a net more than 100 feet long; or

(3) a net more than three feet wide.

(c) The mesh size of the nets may not be less than:

(1) 1¾ inches, extension measure, for nets used to take ciscoes in Lake Superior; and

(2) 3½ inches, extension measure, for all other nets.

(d) A net may not be set in water, including ice thickness, deeper than six feet.

(e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the commissioner to protect game fish. A pole or stake must project at least two feet above the surface of the water or ice at one end of each net.

(f) A net may not be set within 50 feet of another net.

Sec. 15. Minnesota Statutes 1987 Supplement, section 378.22, subdivision 2, is amended to read:

Subd. 2. [POSTING REQUIREMENTS.] (a) Where an aeration system is used on the ice of public waters, signs shall be posted by the permittee at a height of from four to six feet in a rectangular pattern at each corner of the open water, and additional signs between the corner signs so that a sign is posted at least every 100 feet.

(b) Additional signs shall be posted by the permittee on the shoreline of the public waters at each public access point and other areas commonly used by the public for access to the lake.

(c) The signs shall comply with the applicable order of the commissioner of natural resources.

Sec. 16. Minnesota Statutes 1986, section 378.22, is amended by adding a subdivision to read:

Subd. 6. [PUBLIC WATERS WITHOUT ACCESS.] (a) A riparian landowner may aerate public waters with a permit under this subdivision if the public waters do not have a public access and the person aerating the public waters owns all of the riparian land or all of the possessory rights to the riparian lands.

(b) The provisions of this section do not apply to the aeration under this subdivision except the public waters must be posted as provided under subdivision 2, paragraphs (a) and (c).

Sec. 17. [REPEALER.]

Section 9 is repealed December 1, 1990. Minnesota Statutes 1987 Supplement, sections 97B.315 and 97C.402, are repealed.

Sec. 18. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert

"A bill for an act relating to game and fish; affording protection to and authorizing a season on crows; regulating seasons and release and taking of pheasants on private shooting preserves; authorizing residents under 16 to take turkeys if they possess a firearms safety certificate; authorizing nursing home residents to fish without a license and disabled hunters to take deer or turkey with crossbows; exempting hunters on shooting preserves from the pheasant stamp requirement; authorizing use of battery powered landing nets in taking fish; regulating the taking of walleyed pike in the Rainy River; redefining a private fish hatchery for licensing purposes and regulating the acquisition of fish and acquisition and transportation of minnows; regulating the mesh size of Lake Superior ciscoe nets

and authorizing aeration of public waters by riparian landowners under permit; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; 97A.121, subdivision 2, and by adding a subdivision; 97A.435, subdivision 2; 97A.445, subdivision 2; 97B.715, subdivision 1; 97B.731, by adding a subdivision; 97C.515, by adding a subdivision; 97C.805, subdivision 2; 378.22, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 97C.211, subdivisions 1 and 2a; and 378.22, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 97B and 97C; repealing Minnesota Statutes 1987 Supplement, sections 97B.315 and 97C.402."

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

House Conferees: LEO J. REDING, DAVID P. BATTAGLIA, MARCUS M. MARSH, BRAD G. STANIUS AND BOB A. JOHNSON.

Senate Conferees: CHARLES A. BERG, GENE MERRIAM, BOB LESSARD, ROGER D. MOE AND DENNIS R. FREDERICKSON.

Reding moved that the report of the Conference Committee on H. F. No. 2265 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2265, A bill for an act relating to natural resources; correcting certain provisions for net size for the taking of ciscoes; amending Minnesota Statutes 1986, section 97C.805, subdivision 2.

The bill was read for the third time, 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 127 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Dauner Kostohryz Sparby

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

Anderson, R., was excused while in conference.

CONFERENCE COMMITTEE REPORT ON 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.

April 12, 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. 2185, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2185 be further amended as follows:

Page 1, line 12, delete "12" and insert "16"

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

House Conferees: WALLY A. SPARBY, WILLARD MUNGER AND PHYLLIS KAHN.

Senate Conferees: LeROY A. STUMPF, BOB LESSARD AND GENE MERRIAM.

Sparby moved that the report of the Conference Committee on H. F. No. 2185 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2568

A bill for an act relating to agriculture; providing for terms and compensation for members of the Minnesota agricultural and eco-

conomic 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.

April 13, 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. 2568, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 2568 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1987 Supplement, section 41A.02, subdivision 3, is amended to read:

Subd. 3. [MINNESOTA AGRICULTURAL AND ECONOMIC DEVELOPMENT BOARD; BOARD.] “Minnesota agricultural and economic development board” or “board” consists of the commissioner of finance as chair, the commissioner of agriculture, the commissioner of energy and economic development, the director of the pollution control agency, the president of the Greater Minnesota Corporation or the president’s designee, and two public members with experience in finance, appointed by the Greater Minnesota Corporation. The membership terms, compensation, removal, and filling of vacancies of public members of the board are as provided in section 15.0575.

Sec. 2. Minnesota Statutes 1987 Supplement, section 41A.02, subdivision 16, is amended to read:

Subd. 16. [ELIGIBLE SMALL BUSINESS.] “Eligible small business” means:

(1) an enterprise determined by the board to constitute a small business concern as defined in regulations of the United States Small Business Administration under United States Code, title 15, sections 631 to 647; or

(2) a business an enterprise eligible to receive assistance under section ~~12~~ 41A.036.

Sec. 3. Minnesota Statutes 1987 Supplement, section 41A.036, is amended by adding a subdivision to read:

Subd. 4. [EXEMPTION FROM LIMITATION.] If the board determines that a revenue-producing enterprise is eligible for special assistance, the \$1,000,000 limitation established in subdivision 1 does not apply.

Sec. 4. Minnesota Statutes 1987 Supplement, section 41A.036, is amended by adding a subdivision to read:

Subd. 5. [DESIGNATION; CRITERIA.] A revenue-producing enterprise is not eligible to receive special assistance unless the board has passed a resolution designating the revenue-producing enterprise as being in need of special assistance. The resolution must include findings that the designation and receipt of the special assistance will be of exceptional benefit to the state of Minnesota in that at least three of the following criteria are met:

(1) to expand or remain in Minnesota, the revenue-producing enterprise has demonstrated that it cannot obtain suitable financing from other sources;

(2) special assistance will enable a revenue-producing enterprise not currently located in Minnesota to locate a facility in Minnesota that directly increases the number of jobs in the state;

(3) the revenue-producing enterprise will create or retain significant numbers of jobs in a Minnesota community;

(4) the revenue-producing enterprise has a significant potential for growth in jobs or economic activities in Minnesota during the ensuing five-year period; and

(5) the revenue-producing enterprise will maintain a significant level of productivity in Minnesota during the ensuing five-year period.

Sec. 5. Minnesota Statutes 1987 Supplement, section 41A.036, is amended by adding a subdivision to read:

Subd. 6. [SET ASIDE.] The board shall reserve at least \$3,000,000 for the purpose of making or purchasing small business development loans not exceeding \$250,000 in principal amount with respect to small business loans made or purchased by the board and not exceeding \$250,000 in principal amount with respect to the board's share when the board participates in making or purchasing small business loans.

Sec. 6. Minnesota Statutes 1987 Supplement, section 116N.08, subdivision 8, is amended to read:

Subd. 8. [LOCAL GOVERNMENTAL UNIT LOANS.] A local governmental unit may receive a loan under this section if the local governmental unit has established a local revolving loan fund and can provide at least an equal match to the loan received from a regional organization. For the purpose of providing the match to establish the local revolving loan fund, the local governmental unit may use any unencumbered money in the general fund of the unit. Revenues from tax increments derived from a district located within the boundaries of the local governmental unit may be used to fund a second local revolving loan fund only if (1) those revenues are loaned in a manner authorized in the district's tax increment financing plan to a business located within the tax increment district, and (2) the revenues are deposited in a loan fund that is separate from the loan fund in which general fund money is established. The local governmental unit may deposit up to \$50,000 of local public money in each of the local revolving funds that may be established under this subdivision. The maximum loan available to a local governmental unit under this section is \$50,000. The money loaned to a local governmental unit by a regional organization must be matched by the local revolving loan fund and used to provide loans to businesses to promote local economic development. One-half of the money loaned to a local governmental unit under this section by a regional organization must be repaid to the rural rehabilitation revolving fund. One-half of the money may be retained by the local governmental unit's revolving loan fund for further distribution by the local governmental unit.

Sec. 7. [REPEALER.]

Section 5 is repealed July 1, 1989.

Sec. 8. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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

House Conferees: KATY OLSON, ROGER M. COOPER AND ELTON R. REDALEN.

Senate Conferees: TRACY L. BECKMAN, JIM M. VICKERMAN AND DAVID J. FREDERICKSON.

Olson, K., moved that the report of the Conference Committee on

H. F. No. 2568 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2266:

Carruthers, Kelly and Blatz.

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

Wynia moved that the 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.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 1:00 p.m., Friday, April 15, 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., Friday, April 15, 1988.

EDWARD A. BURDICK, Chief Clerk, House of Representatives