

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION — 1989

SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 23, 1989

The House of Representatives convened at 2:30 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Steven L. McKinley of Grace Lutheran Church, Andover, Minnesota.

The roll was called and the following members were present:

Abrams	Frederick	Knickerbocker	Olson, E.	Schafer
Anderson, G.	Frerichs	Kostohryz	Olson, K.	Scheid
Anderson, R.	Girard	Krueger	Omam	Schreiber
Battaglia	Greenfield	Lasley	Onnen	Seaberg
Bauerly	Gruenes	Lieder	Orenstein	Segal
Beard	Gutknecht	Limmer	Osthoff	Skoglund
Begich	Hartle	Long	Ostrom	Sparby
Bennett	Hasskamp	Lynch	Otis	Stanius
Bertram	Haukoos	Macklin	Ozment	Steensma
Bishop	Heap	Marsh	Pappas	Swiggum
Blatz	Henry	McDonald	Pauly	Swenson
Boo	Himle	McEachern	Pellow	Tjornhom
Brown	Hugoson	McGuire	Pelowski	Tompkins
Burger	Jacobs	McLaughlin	Peterson	Trimble
Carlson, D.	Janezich	McPherson	Poppenhagen	Tunheim
Carlson, L.	Jaros	Milbert	Price	Uphus
Carruthers	Jefferson	Miller	Pugh	Valento
Clark	Jennings	Morrison	Quinn	Vellenga
Conway	Johnson, A.	Munger	Redalen	Wagenius
Cooper	Johnson, R.	Murphy	Reding	Waltman
Dauner	Johnson, V.	Nelson, C.	Rest	Weaver
Dawkins	Kahn	Nelson, K.	Rice	Welle
Dempsey	Kalis	Neuenschwander	Richter	Wenzel
Dille	Kelly	O'Connor	Rodosovich	Williams
Dorn	Kelso	Ogren	Rukavina	Winter
Forsythe	Kinkel	Olsen, S.	Sarna	Wynia
				Spk. Vanasek

A quorum was present.

Simoneau was excused.

Solberg was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 40 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 14, A bill for an act relating to crimes; restitution; revising current procedures relating to the ordering and collection of restitution; amending Minnesota Statutes 1988, sections 260.185, subdivisions 1 and 3a; 609.135, subdivision 1a; 611A.04, subdivisions 1 and 2; and 611A.045.

Reported the same back with the following amendments:

Page 3, line 25, after "may" insert ", on the officer's own motion or at the request of the victim,"

Page 4, line 4, after "may" insert ", on the officer's own motion or at the request of the victim,"

Page 5, line 15, after the period insert "The court shall not require that the victim waive or otherwise forfeit any rights or causes of action as a condition of granting or partially granting restitution."

Page 5, after line 29, insert:

"Sec. 6. Minnesota Statutes 1988, section 611A.04, subdivision 3, is amended to read:

Subd. 3. [EFFECT OF ORDER FOR RESTITUTION.] An order of restitution may be enforced by any person named in the order to receive the restitution in the same manner as a judgment in a civil action. An order of restitution shall be docketed as a civil judgment by the court administrator of the district court in the county in which the order of restitution was entered. A juvenile court is not required to appoint a guardian ad litem for a juvenile offender before docketing a restitution order. Interest shall accrue on the unpaid balance of the judgment as provided in section 549.09. A decision for or against restitution in any criminal or juvenile proceeding is not a bar to any civil action by the victim or by the state pursuant to section 611A.61 against the offender. The offender

shall be given credit, in any order for judgment in favor of a victim in a civil action, for any restitution paid to the victim for the same injuries for which the judgment is awarded."

Page 6, after line 28, insert:

"Sec. 8. [611A.046] [VICTIM'S RIGHT TO REQUEST PROBATION REVIEW HEARING.]

A victim has the right to ask the offender's probation officer to request a probation review hearing if the offender fails to pay restitution as required in a restitution order."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 6, delete "and 2" and insert ", 2, and 3"

Page 1, line 7, before the period insert "; proposing coding for new law in Minnesota Statutes, chapter 611A"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 22, A bill for an act relating to crimes; prohibiting unauthorized access to computers; imposing penalties; amending Minnesota Statutes 1988, sections 609.531, subdivision 1; and 609.87, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 3, line 36, after "to" insert "government"

Page 4, line 7, delete everything after the first "a" and insert "gross misdemeanor."

Page 4, delete lines 8 and 9

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 27, A bill for an act relating to crimes; expanding the definition of "bodily harm" in the crime of third degree assault of an unborn child to include premature birth; amending Minnesota Statutes 1988, section 609.2672.

Reported the same back with the following amendments:

Page 1, line 17, before the period insert "if the child weighs 2,500 grams or less at the time of birth. "Bodily harm" does not include the inducement of the unborn child's birth when done for bona fide medical purposes"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 14, 22 and 27 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Beard; Nelson, C.; Cooper; Kostohryz and Price introduced:

H. F. No. 120, A bill for an act relating to motor vehicles; providing for the transfer of "EX-POW" license plates to surviving spouses; amending Minnesota Statutes 1988, section 168.125, subdivision 1.

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

Beard; Nelson, C.; Cooper; Price and Kostohryz introduced:

H. F. No. 121, A bill for an act relating to veterans; requiring the commissioner of veterans affairs to provide certain grave markers; appropriating money; amending Minnesota Statutes 1988, section 197.23.

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

Beard, Price and Quinn introduced:

H. F. No. 122, A bill for an act relating to crimes; providing for an exception to certain activities prohibited on buses; amending Minnesota Statutes 1988, section 609.855, subdivision 3.

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

Sparby, Tunheim, Lieder and Ogren introduced:

H. F. No. 123, A bill for an act relating to courts; creating a new judicial district; amending Minnesota Statutes 1988, section 2.722, subdivision 1.

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

Bauerly, Weaver, Rest, McEachern and Ostrom introduced:

H. F. No. 124, A bill for an act relating to education; authorizing the use of community education funds to acquire equipment to be used exclusively in community education programs; amending Minnesota Statutes 1988, section 124.271, subdivision 4.

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

Nelson, K., introduced:

H. F. No. 125, A bill for an act relating to retirement; Minneapolis employees retirement fund; defining salary and final average salary to accommodate back payments under delayed collective bargaining agreements; providing for retroactive application for certain persons; amending Minnesota Statutes 1988, section 422A.01, by adding subdivisions.

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

Nelson, K., introduced:

H. F. No. 126, A bill for an act relating to education; expanding the uses of capital expenditure equipment revenue; amending Minnesota Statutes 1988, section 124.244, subdivision 4.

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

Milbert introduced:

H. F. No. 127, A bill for an act relating to corporations; providing for the simplification of certain filings made with the office of the secretary of state; changing the recipients of certain notices; modifying the definition of address to include zip codes; appropriating money; amending Minnesota Statutes 1988, sections 302A.011, subdivision 3; 302A.123, subdivision 1; 302A.821, subdivision 1; 303.02, subdivision 5; 303.10, subdivision 2; 303.13, subdivision 2; 303.14, subdivision 1; and 303.17, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 5.

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

Carlson, D., introduced:

H. F. No. 128, A bill for an act relating to local government; delaying the effective date of the historical society levy for Chisago, Kanabec, Pine, and Carlton counties; amending Laws 1988, chapter 640, section 4.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Carlson, D., introduced:

H. F. No. 129, A bill for an act relating to taxation; requiring a registration certificate for park trailers; imposing a registration tax on park trailers; requiring owners of unregistered park trailers to pay property tax; imposing motor vehicle excise tax on park trailers; providing that motor vehicle dealers may sell park trailers; amending Minnesota Statutes 1988, sections 168.011, subdivisions 4 and 8; 168.012, subdivision 9; 168.013, subdivision 1, and by adding a subdivision; 168.053, subdivision 2; 168.27, subdivision 1; and 297B.01, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Clark and Skoglund introduced:

H. F. No. 130, A bill for an act relating to health; amending the bill

of rights for patients and residents of health facilities; requiring health facilities to notify family members of the admission of a patient or resident under certain circumstances; amending Minnesota Statutes 1988, section 144.651, subdivision 10.

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

Sviggum, Bertram and Heap introduced:

H. F. No. 131, A bill for an act relating to workers' compensation; eliminating supplemental benefits for new claims; amending Minnesota Statutes 1988, section 176.132, subdivision 1.

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

Bertram; Olson, K.; Krueger; Wenzel and Uphus introduced:

H. F. No. 132, A bill for an act relating to animals; clarifying the liability for certain damages; increasing a penalty; amending Minnesota Statutes 1988, section 346.56.

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

Johnson, R.; Bertram; Tompkins; Dille and Simoneau introduced:

H. F. No. 133, A bill for an act relating to retirement; public employees retirement association; adding employees of the Minnesota association of townships as members; amending Minnesota Statutes 1988, section 353.01, subdivision 2a.

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

Johnson, R., and Tunheim introduced:

H. F. No. 134, A bill for an act relating to Beltrami county; authorizing the Beltrami county board to regulate dogs and cats within the county by ordinance.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Pappas, Vellenga, Seaberg and Bishop introduced:

H. F. No. 135, A bill for an act relating to juvenile court; clarifying the grounds for terminating parental rights to a child; authorizing the filing of a CHIPS petition when a child is engaging repeatedly in sexually aggressive behavior and the person responsible for the child fails or refuses to intervene; authorizing the detention of chronic runaways in secure custody within a shelter care facility; amending Minnesota Statutes 1988, sections 260.015, subdivision 2a; 260.155, subdivision 4; 260.173, subdivision 3; and 260.221, subdivisions 1 and 3.

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

Dawkins, Clark and Burger introduced:

H. F. No. 136, A bill for an act relating to landlord and tenant relations; providing standing for certain associations to bring an action for tenant remedies; providing for actions against certain unoccupied buildings; amending Minnesota Statutes 1988, sections 566.18, subdivision 7, and by adding a subdivision; 566.19; 566.20, subdivision 1; 566.25; 566.28; and 566.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 566.

The bill was read for the first time and referred to the Committee on Financial Institutions and Housing.

Quinn, Kinkel, Jaros, Pelowski and Dorn introduced:

H. F. No. 137, A bill for an act relating to education; fixing the costs of tuition; amending Minnesota Statutes 1988, sections 135A.03, subdivision 1; and 135A.04.

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

Quinn, Jaros, Pelowski and Trimble introduced:

H. F. No. 138, A bill for an act relating to education; waiving first-year tuition for eligible post-secondary students; requiring public post-secondary governing boards to develop procedures to determine eligibility; requiring the higher education coordinating board to report; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Quinn, Cooper, Gutknecht and McDonald introduced:

H. F. No. 139, A bill for an act relating to veterans; requiring the commissioner of administration to provide space in the veterans service building to the county veterans service officers association; amending Minnesota Statutes 1988, section 197.58.

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

Dawkins; Osthoff; O'Connor; Anderson, G., and Krueger introduced:

H. F. No. 140, A bill for an act relating to housing; authorizing nonprofit neighborhood corporations to buy, rehabilitate, and sell housing to members of the community; establishing pilot programs for nonprofit neighborhood corporations; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 462A.

The bill was read for the first time and referred to the Committee on Financial Institutions and Housing.

Nelson, K., and McEachern introduced:

H. F. No. 141, A bill for an act relating to education; correcting, clarifying, repealing, and changing certain education statutes; amending Minnesota Statutes 1988; sections 120.062, subdivisions 1 and 12; 121.88, subdivision 10; 121.904, subdivision 4a; 121.912, subdivision 1; 123.36, subdivision 13; 123.705, subdivision 1; 124.155, subdivision 2; 124.214, subdivisions 2 and 3; 124.225, subdivisions 1, 4b, 7a, 7b, 8a, 8b, 8i, 8j, 8k, 8l, 10, and by adding a subdivision; 124.245, subdivision 6; 124.575, subdivision 1; 124A.24; 126.22, subdivisions 2 and 3; and 275.125, subdivisions 5b, 5c, 5e, and 9; repealing Minnesota Statutes 1988, sections 120.02, subdivisions 2, 3, 4, 5, 6, 8, 9, 12, and 18; 120.05, subdivision 1; 120.075; 120.0751; 120.0752; 120.13; 120.14; 120.15; 120.16; 120.77; 121.09; 121.11, subdivision 13; 121.12; 121.151; 121.19; 121.28; 121.35; 121.49, subdivision 1; 121.496, subdivision 1; 121.83; 121.84; 121.845; 121.85; 121.86; 121.882, subdivisions 6 and 10; 121.902, subdivision 2; 121.9121, subdivision 6; 122.86; 122.87; 122.88; 123.35, subdivisions 8a, 8b, and 8c; 123.3511; 123.3512; 123.39, subdivision 5; 123.581, subdivisions 1 and 6; 123.60; 123.601; 123.61; 123.68; 123.701; 123.744; 124.12, subdivision 1; 124.18, subdivisions 2 and 3; 124.2138, subdivisions 3 and 4; 124.225, subdivisions 8i and 8j; 124.496; 124.573, subdivision 2; 124A.27, subdivision 7; 125.02; 125.231, subdivision 3; 125.241, subdivision 3; 125.60, subdivision 7; 126.02; 126.025; 126.03; 126.05; 126.07; 126.10; 126.11; 126.268, subdivision 2; 126.39, subdivision 11;

126.52, subdivision 11; 126.70, subdivision 3; 126.80; 127.08; 129B.52, subdivision 3; and 275.128.

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

Johnson, R., and Tunheim introduced:

H. F. No. 142, A bill for an act relating to health; creating an exception to the nursing home moratorium; amending Minnesota Statutes 1988, section 144A.071, subdivision 3.

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

Beard; Nelson, C.; Cooper and Sparby introduced:

H. F. No. 143, A bill for an act relating to motor vehicles; allowing second set of handicapped license plates to be issued to physically handicapped person who is furnished a vehicle as part of employment; allowing commissioner of public safety to accept photograph instead of physician's statement as evidence of physical handicap in certain circumstances; amending Minnesota Statutes 1988, sections 168.021, subdivision 1; and 169.345, subdivisions 2a and 3.

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

Trimble, Pelowski, Quinn, Rest and Pauly introduced:

H. F. No. 144, A bill for an act relating to libraries; removing the sales tax from the sale or use of certain public library materials, equipment, services, and facilities; removing the motor vehicle excise tax from the purchase of bookmobiles; amending Minnesota Statutes 1988, sections 297A.25, by adding a subdivision; and 297B.03.

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

Sarna, Williams, Simoneau, Knickerbocker and Janezich introduced:

H. F. No. 145, A bill for an act relating to retirement; giving employing units an option on the rule of 85; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Wagenius; Johnson, A.; McEachern and Swenson introduced:

H. F. No. 146, A bill for an act relating to the education code; revising the text of certain chapters of the code without changing their meaning; amending Minnesota Statutes 1988, chapters 128; 128A; 128B; and 129; repealing Minnesota Statutes 1988, sections 128.04; 128.06; 128.069; 128A.04; 129.02; and 129.05 to 129.10.

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

Johnson, R.; Dauner; Williams; Conway and Winter introduced:

H. F. No. 147, A bill for an act relating to taxation; sales and use; repealing accelerated payment of June liability; amending Minnesota Statutes 1988, section 297A.27, subdivision 1; repealing Minnesota Statutes 1988, section 297A.275.

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

Price, Beard, Swenson and McPherson introduced:

H. F. No. 148, A bill for an act relating to Washington county; permitting the county board to establish certain payment procedures.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Omann, Wenzel, Uphus, Bertram and Girard introduced:

H. F. No. 149, A bill for an act relating to agriculture; providing for milk in the schools; appropriating money; amending Minnesota Statutes 1988, section 124.648.

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

Ogren; Anderson, R.; Greenfield; Wynia and Seaberg introduced:

H. F. No. 150, A bill for an act relating to health care; providing a program of affordable health care coverage for Minnesota residents;

creating a health care access commission to implement and administer the program; establishing eligibility requirements and funding sources; modifying income eligibility requirements for medical assistance; imposing penalties; appropriating money; amending Minnesota Statutes 1988, section 256B.056, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 62J.

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

Skoglund, Quinn, Sarna, Tompkins and Trimble introduced:

H. F. No. 151, A bill for an act relating to health care; providing a program of affordable health care coverage for Minnesota residents; creating a health care access commission to implement and administer the program; establishing eligibility requirements and funding sources; modifying income eligibility requirements for medical assistance; imposing penalties; appropriating money; amending Minnesota Statutes 1988, section 256B.056, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 62J.

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

Uphus, Rukavina, Jennings, Begich and Dille introduced:

H. F. No. 152, A bill for an act relating to unemployment compensation; regulating the amount of benefits; increasing the amount which can be earned before reducing benefits; amending Minnesota Statutes 1988, section 268.07, subdivision 2.

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

Simoneau, Rice, Vanasek, Reding and Knickerbocker introduced:

H. F. No. 153, A bill for an act relating to retirement; judges' retirement fund; providing coverage under the combined service annuity, disability, and survivor benefit provisions; amending Minnesota Statutes 1988, sections 356.30, subdivision 3; 356.302, subdivision 7; and 356.303, subdivision 4.

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

Lasley and Vellenga introduced:

H. F. No. 154, A bill for an act relating to crimes; removing the limitation period for charging sexual criminal conduct offenses if the victim is a child; amending Minnesota Statutes 1988, section 628.26.

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

Heap introduced:

H. F. No. 155, A bill for an act relating to taxation; extending open space property tax treatment to certain recreational uses; amending Minnesota Statutes 1988, section 273.112, subdivision 3.

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

Scheid, Osthoff, Neuenschwander, Boo and Abrams introduced:

H. F. No. 156, A bill for an act relating to commerce; industrial loan and thrift companies; regulating lending practices; prescribing the qualifications of the directors of certain companies; regulating the lending practices of regulated lenders; specifying the loan fees and charges that may be imposed by regulated lenders; regulating delinquency and collection charges on retail installment contracts; regulating mortgage foreclosure notices; amending Minnesota Statutes 1988, sections 53.04, subdivision 3a, and by adding a subdivision; 53.06; 56.12; 56.131, subdivisions 1, 2, and 6; 56.14; 168.71; and 580.03.

The bill was read for the first time and referred to the Committee on Financial Institutions and Housing.

Clark, Simoneau and Greenfield introduced:

H. F. No. 157, A bill for an act relating to education; authorizing the Minneapolis school district to pay health insurance premium subsidies more often than annually; amending Minnesota Statutes 1988, section 275.125, subdivision 6h.

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

Carruthers, Skoglund, Poppenhagen, Wenzel and Onnen introduced:

H. F. No. 158, A bill for an act relating to insurance; regulating continuing insurance education; amending Minnesota Statutes 1988, section 60A.1701, subdivisions 1, 5, 7, 8, and 9; repealing Minnesota Rules, part 2725.0240.

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

Dawkins, Clark, Krueger, Marsh and Kelly introduced:

H. F. No. 159, A bill for an act relating to crimes; providing for termination, cancellation, and forfeiture of real estate interests related to contraband or controlled substance seizures; amending Minnesota Statutes 1988, sections 559.21, by adding a subdivision; 566.02; 609.531; 609.5311, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapters 566 and 609.

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

Dawkins, Jefferson, Marsh, O'Connor and Kelly introduced:

H. F. No. 160, A bill for an act relating to crimes; providing that the factfinder may consider certain circumstances in determining whether a person is soliciting for prostitution in a public place; providing that soliciting a prostitute in a primarily residential area is a gross misdemeanor for a first offense and a felony for a second or subsequent offense; providing that a motor vehicle used by a defendant while practicing prostitution is subject to forfeiture; amending Minnesota Statutes 1988, sections 609.324, subdivision 2, and by adding a subdivision; and 609.531, subdivision 1.

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

Dawkins, Ogren, Greenfield, Kelly and Clark introduced:

H. F. No. 161, A bill for an act relating to human services; requiring development and planning of a state-operated inpatient chemical dependency treatment center; requiring the inpatient chemical dependency program to provide services on a sliding fee basis; appropriating money.

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

Skoglund introduced:

H. F. No. 162, A bill for an act relating to insurance; regulating insurance information collection, use, disclosure, access, and correction practices; requiring reasons for adverse underwriting decisions; amending Minnesota Statutes 1988, section 72A.20, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 72A.

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

Dawkins, Kelly, Marsh, Carruthers and O'Connor introduced:

H. F. No. 163, A bill for an act relating to crime; enhancing penalties for offenders who unlawfully distribute controlled substances on school premises, at bus stops, or enroute to or from school; making possession and use of dangerous weapons while involved in unlawful controlled substance transactions a separate crime; requiring the attorney general to draft and disseminate a plain language version of these laws; amending Minnesota Statutes 1988, section 152.15, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 152.

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

McLaughlin introduced:

H. F. No. 164, A bill for an act relating to crime; enhancing penalties for offenders who unlawfully distribute controlled substances to minors in public parks, on school premises, at bus stops, or enroute to or from school; making possession and use of dangerous weapons while involved in unlawful controlled substance transactions a separate crime; requiring the attorney general to draft and disseminate a plain language version of these laws; amending Minnesota Statutes 1988, section 152.15, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Pelowski, Sviggum and Dorn introduced:

H. F. No. 165, A bill for an act relating to higher education; repealing limits on salaries of certain higher education officials; amending Minnesota Statutes 1988, section 15A.081, subdivision 7b.

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

Lasley and Rodosovich introduced:

H. F. No. 166, A bill for an act relating to transportation; providing that certain information submitted to department of transportation is public data; defining terms; providing for limousine registration; exempting certain special transportation service providers holding current certificate of compliance from motor carrier regulations; delineating requirements of carriers to display certain information; providing for permits of special passenger carriers and household goods carriers; providing for operation under motor carrier permit on death of holder; providing for amount of insurance, bond, or other security required of motor carriers; giving commissioner of transportation subpoena power for certain enforcement purposes; amending Minnesota Statutes 1988, sections 13.72, by adding a subdivision; 168.011, subdivision 35; 168.128, subdivision 2; 174.30, subdivision 6; 221.011, subdivisions 16, 20, and by adding a subdivision; 221.031, subdivision 6; 221.111; 221.121, subdivision 6a; 221.141, subdivision 1b; and 221.221, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Johnson, A.; Wagenius; Reding; Winter and Johnson, V., introduced:

H. F. No. 167, A bill for an act relating to the environment; requiring volume or weight based pricing of collection of mixed municipal solid waste; requiring weekly curbside pickup of mixed municipal solid waste and recyclables; requiring collection of white goods; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Jaros; Trimble; Johnson, A.; Frederick and Fellow introduced:

H. F. No. 168, A bill for an act relating to education; requiring post-secondary education administrators and faculty members to take certain coursework; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Battaglia, Onnen, Begich, Janezich and Kinkel introduced:

H. F. No. 169, A bill for an act relating to game and fish; authorizing elderly residents to take fish by spearing without a license; amending Minnesota Statutes 1988, section 97A.451, by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 83.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 83, A resolution memorializing the Congress of the United States to restore full funding to the Veterans Administration Medical Centers.

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Wynia, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bill as Special Orders for immediate consideration today, Monday, January 23, 1989:

H. F. No. 40.

SPECIAL ORDERS

H. F. No. 40 was reported to the House.

Long moved to amend H. F. No. 40, the first engrossment, as follows:

Page 4, after line 24, insert:

“Sec. 3. Minnesota Statutes 1988, section 366.095, subdivision 1, is amended to read:

Subdivision 1. [CERTIFICATES OF INDEBTEDNESS.] The town board may issue certificates of indebtedness within the existing debt limits for a town purpose otherwise authorized by law. The certificates shall be payable in not more than five years and shall be issued on the terms and in the manner as the board may determine. If the amount of the certificates to be issued exceeds ~~one~~ 0.25 percent of the ~~gross tax capacity~~ market value of the town, ~~excluding money and credits~~, they shall not be issued for at least ten days after publication in a newspaper of general circulation in the town of the board's resolution determining to issue them; and if before the end of that time, a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular town election is filed with the clerk, the certificates shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. A tax levy shall be made for the payment of the principal and interest on the certificates as in the case of bonds.”

Page 7, line 10, delete “gross”

Page 7, line 11, delete “12” and insert “8.2”

Page 7, line 13, after “capacity” insert “and must be multiplied by 10.2 to determine the applicable percentage or proportion of net tax capacity”

Page 7, after line 13, insert:

“Sec. 10. Minnesota Statutes 1988, section 641.24, is amended to read:

641.24 [LEASING.]

The county may, by resolution of the county board, enter into a lease agreement with any statutory or home rule charter city situated within the county, or a county housing and redevelopment authority established pursuant to chapter 462 or any special law

whereby the city or county housing and redevelopment authority will construct a jail in accordance with plans prepared by or at the request of the county board and approved by the commissioner of corrections and will finance it by the issuance of revenue bonds, and the county may lease the jail site and improvements for a term and upon rentals sufficient to produce revenue for the prompt payment of the bonds and all interest accruing thereon and, upon completion of payment, will acquire title thereto. The real and personal property acquired for the jail shall constitute a project and the lease agreement shall constitute a revenue agreement as contemplated in chapter 474, and all proceedings shall be taken by the city or county housing and redevelopment authority and the county in the manner and with the force and effect provided in chapter 474; provided that:

(1) No tax shall be imposed upon or in lieu of a tax upon the property;

(2) The approval of the project by the commissioner of commerce shall not be required;

(3) The department of corrections shall be furnished and shall record such information concerning each project as it may prescribe, in lieu of reports required on other projects to the commissioner of trade and economic development;

(4) The rentals required to be paid under the lease agreement shall not exceed in any year ~~four-tenths~~ one-tenth of one percent of the ~~gross tax capacity~~ market value of property within the county, as last finally equalized ~~before the execution of the agreement~~;

(5) The county board shall provide for the payment of all rentals due during the term of the lease, in the manner required in section 641.264, subdivision 2;

(6) No mortgage on the jail property shall be granted for the security of the bonds, but compliance with clause (5) hereof may be enforced as a nondiscretionary duty of the county board; and

(7) The county board may sublease any part of the jail property for purposes consistent with the maintenance and operation of a county jail."

Renumber the sections in sequence

Page 8, line 15, delete "6, 7, 8, and 10" and insert "5, 7, 8, 9, 10, and 12"

Page 8, line 16, delete "5 and 9" and insert "6 and 11"

Amend the title as follows:

Page 1, line 11, after the first semicolon, insert "366.095, subdivision 1;"

Page 1, line 13, after the semicolon, insert "641.24;"

The motion prevailed and the amendment was adopted.

H. F. No. 40, A bill for an act relating to the financing of local government; providing for computation of debt limits as a percentage of market value; adjusting other debt limits for the conversion to tax capacities; adjusting disparity reduction aid in certain cases; making technical corrections in 1988 tax increment financing law and providing an exception to one of its provisions; amending Minnesota Statutes 1988, sections 124.43, subdivision 1; 275.08, by adding a subdivision; 366.095, subdivision 1; 410.32; 412.301; 469.177, subdivision 1a; 475.53, subdivisions 1, 5, and by adding a subdivision; 641.24; Laws 1988, chapter 719, article 12, section 30.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Olson, E.	Schafer
Anderson, G.	Frerichs	Kostohryz	Olson, K.	Scheid
Anderson, R.	Girard	Krueger	Omann	Schreiber
Battaglia	Greenfield	Lasley	Onnen	Seaberg
Bauerly	Gruenes	Lieder	Orenstein	Segal
Beard	Gutknecht	Limmer	Osthoff	Skoglund
Begich	Hartle	Long	Ostrom	Solberg
Bennett	Hasskamp	Lynch	Otis	Sparby
Bertram	Haukoos	Macklin	Ozment	Stanius
Bishop	Heap	Marsh	Pappas	Steensma
Blatz	Henry	McDonald	Pauly	Sviggum
Boo	Himle	McEachern	Pellow	Swenson
Brown	Hugoson	McGuire	Pelowski	Tjornhom
Burger	Jacobs	McLaughlin	Peterson	Tompkins
Carlson, D.	Janezich	McPherson	Poppenhagen	Trimble
Carlson, L.	Jaros	Milbert	Price	Tunheim
Carruthers	Jefferson	Miller	Pugh	Uphus
Clark	Jennings	Morrison	Quinn	Valento
Conway	Johnson, A.	Munger	Redalen	Vellenga
Cooper	Johnson, R.	Murphy	Reding	Wagenius
Dauner	Johnson, V.	Nelson, C.	Rest	Waltman
Dawkins	Kahn	Nelson, K.	Rice	Weaver
Dempsey	Kalis	Neuenschwander	Richter	Welle
Dille	Kelly	O'Connor	Rodosovich	Wenzel
Dorn	Kelso	Ogren	Rukavina	Williams
Forsythe	Kinkel	Olsen, S.	Sarna	Winter
				Wynia
				Spk. Vanasek

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

McDonald moved that the name of Valento be added as an author on H. F. No. 77. The motion prevailed.

McDonald moved that the name of Valento be added as an author on H. F. No. 78. The motion prevailed.

Omann moved that the name of Valento be added as an author on H. F. No. 109. The motion prevailed.

Blatz moved that the name of Carruthers be added as an author on H. F. No. 116. The motion prevailed.

Blatz moved that the name of Ogren be added as an author on H. F. No. 117. The motion prevailed.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 26, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, January 26, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

