

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION—1989

SEVENTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 2, 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 Monsignor James D. Habiger, House Chaplain, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Kahn, Krueger, Ogren, Otis and Pappas were excused.

Bishop was excused until 3:00 p.m. Osthoff was excused until 4:10 p.m.

The Chief Clerk proceeded to read the Journal of the preceding

day. Pellow 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. 65, 508, 545, 223, 242, 387, 450, 509, 154 and 323 and S. F. Nos. 156, 101, 227 and 574 have been placed in the members' files.

S. F. No. 204 and H. F. No. 72, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Tunheim moved that the rules be so far suspended that S. F. No. 204 be substituted for H. F. No. 72 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 156 and H. F. No. 79, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kostohryz moved that the rules be so far suspended that S. F. No. 156 be substituted for H. F. No. 79 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Battaglia from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 7, A bill for an act relating to the city of Edina; authorizing the city to operate a public transit system and to acquire necessary equipment, land, and interests in land; permitting the establishment of a special service district in the city; providing taxing and other authority; providing that the city and the housing and redevelopment authority need not require competitive bidding and bonds in connection with certain redevelopment projects.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [PUBLIC TRANSIT SYSTEM.]

The city of Edina may acquire, construct, maintain, and operate a public transit system not operating on fixed rails in the area of the city bounded by county state aid road number 62 on the north, trunk highway 100 on the west, and the city limits on the south and east. The city may acquire, by purchase, lease, or other means, all equipment or other personal property necessary or convenient to operate the system. The city may acquire by purchase, lease, gift, devise, condemnation, or otherwise all land and right-of-way or other interests in land necessary or convenient to construct or operate the system. The city may enter into contracts necessary or proper to acquire, construct, maintain, or operate the system. The city shall have all powers necessary or convenient to acquire, construct, maintain, or operate the system. The city may, in lieu of directly operating the system or any part of it, contract with a person to manage or operate it on behalf of the city. The operation of the public transit system by the city shall not be subject to regulation by the transportation regulation board under Minnesota Statutes, chapter 221.

Sec. 2. [SPECIAL SERVICE DISTRICT.]

For the purposes of this section “special services” means all services rendered or contracted for by the city, including, but not limited to:

(1) acquisition, construction, maintenance, and operation of the public transit system authorized by section 1; and

(2) any other service provided to the public by the city authorized by any law.

The governing body of the city of Edina may adopt ordinances establishing special service districts in the city. The provisions of Minnesota Statutes, chapter 428A, shall govern the establishment and operation of special service districts in the city, except that if any special service district includes the property of Fairview Southdale Hospital in the city, then service charges may be imposed under chapter 428A against the property and improvements of Fairview Southdale Hospital as well as other property in the district.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Edina.

Sec. 4. [EXCEPTION FROM COMPETITIVE BIDDING AND PERFORMANCE BONDS.]

The city of Edina and its housing and redevelopment authority need not require either competitive bidding or performance bonds with respect to any facilities or other improvements to be owned by or subject to easements in favor of the city or authority which are constructed in connection with residential developments constructed in conjunction with redevelopment projects, as defined in Minnesota Statutes, section 469.002, subdivision 14, to be undertaken in the southeast Edina redevelopment plan area of the authority.

Sec. 5. [EFFECTIVE DATE.]

Section 4 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing bodies of the city of Edina and the housing and redevelopment authority of Edina.

Delete the title and insert:

"A bill for an act relating to the city of Edina; authorizing the city to operate a public transit system and to acquire necessary equipment, land, and interests in land; permitting the establishment of special service districts in the city; providing that the city and the housing and redevelopment authority need not require competitive bidding and bonds in connection with certain redevelopment projects."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 46, A bill for an act relating to transportation; increasing amount authorized for state transportation bonds for bridges; amending Laws 1979, chapter 280, sections 1 and 2, as amended.

Reported the same back with the following amendments:

Page 2, line 23, before "Additional" insert "Grants under clauses (1) to (3) may be used by political subdivisions to match federal-aid grants for construction and reconstruction of key bridges under their jurisdictions."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 58, A bill for an act relating to family law; permitting child support obligors to withdraw from the automatic withholding program; amending Minnesota Statutes 1988, section 518.613, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1988, section 518.613, subdivision 4, is amended to read:

Subd. 4. [APPLICATION.] On and after August 1, 1987, and prior to August 1, 1989, this section applies in a county selected under Laws 1987, chapter 403, article 3, section 93 and in a county that chooses to have this section apply by resolution of a majority vote of its county board.

This section does not apply to parties to a support or maintenance order if the court finds that there is no arrearage in child support or maintenance as of the date of the hearing, and:

(1) one of the parties demonstrates, and the court finds, that there is good cause

(i) not to enter an order under this section, or

(ii) to terminate an order previously entered under this section; or

(2) all parties reach a written agreement that provides for an alternative payment arrangement, and the agreement is approved by the court.

If parties are exempt from an order under this section:

(1) in all cases where the requirements of section 518.611 are met, withholding must be carried out pursuant to that section; or

(2) the obligee may at any time and without cause request the court to issue an order under this section; or

(3) the obligor may at any time request the public authority to

begin withholding pursuant to this section, by serving the public authority such a request, a copy of the order for child support or maintenance, and an application fee not to exceed \$5. Upon receipt of the request, the public authority shall serve a copy of the court's order and the provisions of section 518.611 and this section on the obligor's employer or other payor of funds. The public authority shall notify the court that withholding has begun at the request of the obligor pursuant to this clause.

For purposes of this section, "parties" includes the public authority in cases when it is a party pursuant to section 518.551, subdivision 9.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective the day following final enactment and applies to support and maintenance orders entered or modified before, on, or after the effective date."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "eliminating the provision for expiration of the automatic withholding program;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 96, A bill for an act relating to highways; providing for the apportionment of five percent of the net highway users tax distribution fund; providing for the distribution of the county turnback account; amending Minnesota Statutes 1988, sections 161.081; 161.082, subdivision 2a; and 162.081, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Battaglia from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 112, A bill for an act relating to towns; authorizing town boards to provide for the collection of unpaid service charges; proposing coding for new law in Minnesota Statutes, chapter 366.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Ogren from the Committee on Health and Human Services to which was referred:

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [62J.01] [FINDINGS.]

The legislature finds that substantial numbers of Minnesotans have no health care coverage and that most of these residents are wage earners or their dependents. One-third of these individuals are children.

The legislature further finds that when these individuals enter the health care system they have often foregone preventive care and are in need of more expensive treatment that often exceeds their financial resources. Much of the cost for these uncompensated services to the uninsured are already in the health care system in the form of increased insurance and provider rates and property and income taxes.

The legislature further finds that these costs, spread among the already insured, represent a woefully inefficient method for providing basic preventive and acute care for the uninsured and represent an added cost to employers now providing health insurance to their employees.

The legislature further finds that it is essential for the state to initiate and participate in a system to ensure basic and affordable

health care to all Minnesotans while addressing the economic pressures on the health care system as a whole in Minnesota.

Sec. 2. [62J.02] [HEALTH CARE ACCESS COMMISSION.]

Subdivision 1. [MEMBERSHIP; COMPENSATION; CHAIR.] The Minnesota health care access commission consists of 11 members. Seven members, three of whom are experienced health care professionals, shall be appointed by the governor. The commissioners of health, human services, employee relations, and commerce, or their designated representatives are also members. The governor shall appoint the chair of the commission after considering the commission's recommendation.

The terms, compensation, and removal of the members appointed by the governor are as provided in section 15.0575.

Subd. 2. [STAFF.] The commission shall select a director to serve at its pleasure as the chief administrative officer of the commission. The director may hire advisors, consultants, and employees, as authorized by the commission, and prescribe their duties. Employees are not state employees, but are covered by section 3.736. At the option of the commission, the employees may participate in the following plans for employees in the unclassified service: the state retirement plan, the state deferred compensation plan, and the health insurance and life insurance plans.

Subd. 3. [GENERAL DUTIES.] The commission shall:

(1) implement and administer the health care access program created in sections 1 to 11;

(2) administer the health care access account created in section 11;

(3) subject to chapter 14, adopt, amend, and repeal rules, including emergency rules, necessary to implement and administer sections 1 to 11;

(4) conduct necessary investigations and inquiries and compel the submission of information, documents, and records it considers necessary to carry out its duties;

(5) report annually to the legislature and the governor on its activities and on recommended insurance and health care law changes to improve access to health care for residents of this state;

(6) employ and supervise staff;

(7) make every effort to ensure representation in service delivery by eligible practitioners, without regard to race, color, or sex; and

(8) conduct other activities it considers necessary to carry out the intent of the legislature as expressed in sections 1 to 11.

Sec. 3. [62J.03] [CONTRACTING AUTHORITY.]

Subdivision 1. [GENERAL.] The commission may request bids from, and negotiate and contract with, carriers the commission determines are best qualified to underwrite and service health care plans that meet the requirements of section 4. The commission may also contract directly with health care providers. The commission may establish any conversion and continuation privileges for those plans it considers appropriate. The commission may negotiate premium rates and coverage provisions with all carriers regulated under chapters 62A, 62C, and 62D. The commission may negotiate separate contracts to cover eligible persons who are in need of, and receive, immediate medical treatment but who have not as yet selected a health care plan. The commission shall also negotiate reasonable cost containment measures to be applied to all carriers under chapters 62A, 62C, and 62D. Contracts to manage enrollment and plan selection must be bid or negotiated separately from contracts to service the plans, which shall be awarded only on the basis of competitive bids. The commission shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers and other factors the commission considers appropriate including, but not limited to, plan utilization review provisions, case management provisions, and preauthorization requirements. Each contract 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 commission shall, to the extent feasible, offer a choice of plans available from two or more carriers regulated under chapters 62A, 62C, and 62D. The commission may offer only one plan in an area of the state if only one acceptable bid exists or if offering more than one would result in substantial, additional administrative costs. Payments from the commission to a carrier are exempt from the tax imposed by section 60A.15 and are not included in the carrier's premiums for the purposes of assessments under 62E.11.

Subd. 2. [COMMUNITY CLINICS.] The commission, or an entity selected by the commission to administer health care plans on its behalf, shall to the extent appropriate contract with community clinics.

For purposes of this subdivision, "community clinics" means an entity that:

(1) through its staff and supporting resources or through its

contracts or cooperative arrangements with other public or private entities, provides primary health services for all intended residents of its service area;

(2) was established to serve the primary health needs of low-income population groups;

(3) uses a sliding fee scale based on ability to pay, and does not limit access or care because of the financial limitations of the client;

(4) has nonprofit status under chapter 317; and

(5) has a governing board, for which at least 51 percent of the membership resides in and represents the local community served by the clinic.

Subd. 3. [EXPERIMENTAL DELIVERY METHOD.] The commission may petition the commissioner of commerce for a waiver to allow the use of alternative means of health care delivery. The commissioner may approve the use of alternative means the commissioner considers appropriate. The commissioner may waive any of the requirements of chapters 60A, 62A, 62C, 62D, and 62E in granting the waiver.

Subd. 4. [CONTRACT TO CONTAIN STATEMENT OF BENEFITS.] A contract under this section must contain a detailed statement of benefits offered and must include any maximums, limitations, exclusions, and other provisions the commission considers necessary or desirable.

A contract providing only the coverage specified in section 4, subdivision 2, shall not contain a provision denying coverage for any preexisting conditions.

Subd. 5. [ACTUARIAL DATA.] The commission shall estimate, on an actuarially sound basis, the expected cost of providing coverage under the health care access program, expressed in terms of upper and lower limits and recognizing variations in the cost of providing coverage through various systems and in different areas in the state. The commission shall make this actuarial data available to potential carriers under the health care access program.

Sec. 4. [62J.04] [BENEFITS.]

Subdivision 1. [AVAILABILITY.] The commission shall make available to all residents of this state health care plans meeting the requirements of subdivisions 2 and 3.

Subd. 2. [MINIMUM CORE COVERAGE.] The commission shall

make available a health care plan that provides the following benefits:

(a) Covered expenses include only the following services and articles:

(1) hospital services for not more than 30 days;

(2) professional services for the diagnosis or treatment of injuries, illnesses, or conditions, other than dental, which are rendered by a physician or at a physician's direction;

(3) preventive health services, including screenings, immunizations, and yearly disease detection;

(4) diagnostic x-rays and laboratory tests;

(5) prostheses, not including eye glasses and hearing aids;

(6) prenatal and well child care;

(7) transportation provided by a licensed ambulance service to the nearest facility qualified to treat the condition; and

(8) drugs requiring a physician's prescription, but not to exceed \$500 in any year.

(b) Covered expenses for the services and articles specified in this subdivision do not include the following:

(1) any charge for care for injury or disease either (i) arising out of an injury in the course of employment and subject to a workers' compensation or similar law, (ii) for which benefits are payable without regard to fault under coverage statutorily required to be contained in any motor vehicle, or other liability insurance policy or equivalent self-insurance, or (iii) for which benefits are payable under another policy of accident and health insurance, Medicare or any other governmental program except as otherwise provided by section 62A.04, subdivision 3, clause (4);

(2) any charge for treatment for cosmetic purposes other than for reconstructive surgery when the service is incidental to or follows surgery resulting from injury, sickness, or other diseases of the involved part or when the service is performed on a covered dependent child because of congenital disease or anomaly which has resulted in a functional defect as determined by the attending physician;

(3) care which is primarily for custodial or domiciliary purposes which would not qualify as eligible services under Medicare;

(4) any charge for confinement in a private room to the extent it is in excess of the institution's charge for its most common semiprivate room, unless a private room is prescribed as medically necessary by a physician, provided, however, that if the institution does not have semiprivate rooms, its most common semiprivate room charge is considered to be 90 percent of its lowest private room charge;

(5) that part of any charge for services or articles rendered or prescribed by a physician, dentist, or other health care personnel which exceeds the prevailing charge in the locality where the service is provided; and

(6) any charge for services or articles that are not within the scope of authorized practice of the institution or individual providing the services or articles.

(c) The commission shall establish copayment requirements and a dollar limitation per person on the total annual out-of-pocket expenses for covered services. Copayments shall be imposed for prescription drug benefits at a level of \$5 per prescription. Copayments shall be imposed for routine office visits at a level of \$5 per visit. Copayments shall be imposed for ambulance transportation covered under this subdivision at a level of \$25 per use of those services, if there is no admittance to a hospital within 24 hours after the services. Copayments shall be imposed for emergency room services at a level of \$25 per visit if there is no admittance to a hospital within 24 hours after the visit. No copayments shall be imposed on preventive health services covered under this subdivision.

(d) Coverage under a minimum core coverage plan is subject to a maximum lifetime benefit of \$50,000 per individual.

Subd. 3. [OPTIONAL COVERAGES.] The commission shall make available a number one qualified plan, a number two qualified plan, a number three qualified plan, and a qualified medicare supplement plan under chapter 62E and other optional coverages provided by carriers selected by the commission. Eligible persons may elect to purchase optional coverages.

Sec. 5. [62J.05] [MANDATORY HEALTH INSURANCE; PARTICIPATION IN HEALTH CARE ACCESS PROGRAM.]

(a) By July 1, 1990, every resident of the state is required to have coverage under a health care plan that provides benefits at least equivalent to the minimum core coverage in section 4, subdivision 2.

For purposes of this paragraph, health coverage under Medicare; medical assistance; general assistance medical care; or a plan of

coverage as defined by section 62E.02, subdivision 9, that meets the requirements of a qualified plan under chapter 62E is considered at least equivalent to the minimum core coverage in section 4, subdivision 2.

(b) A person must participate in and obtain coverage through the health care access program if (1) the person meets the eligibility requirements in section 6, subdivision 1; and (2) the health care access account under section 11 has sufficient funds to allow payment of the commission's share of the premium.

For purposes of sections 1 to 11, "resident" means a person who is presently living in Minnesota in the person's principal and permanent home.

Sec. 6. [62J.06] [ELIGIBILITY TO PARTICIPATE IN HEALTH CARE ACCESS PROGRAM.]

Subdivision 1. [RESIDENTS WITH NO COVERAGE OR INADEQUATE COVERAGE.] (a) A Minnesota resident is eligible to participate in the health care access program if the resident:

(1) does not have coverage available under:

(i) a policy, plan, or contract of health or accident insurance regulated under chapter 62A, 62C, 62D, 62H, or 64B; or

(ii) Medicare, medical assistance, general assistance medical care, an employment-based insurance program, or other subsidized health insurance program; or

(2) has coverage under a health care plan that does not meet the level of minimum core benefits in section 4, subdivision 2; or

(3) does not have coverage available under an employment-based group insurance program, and for whom all income received is self-employment income, as defined in section 13, subdivision 1, paragraph (c); or

(4) has coverage from the comprehensive health insurance plan under chapter 62E.

Subd. 2. [EMPLOYER PARTICIPATION.] The following employers are eligible to participate in the health care access program:

(1) an employer who does not provide or make available a health care plan to employees; or

(2) an employer who provides or makes available to employees a health care plan, including plans under section 62E.03. However, if the employer chooses to participate in the health care access program, the employer must obtain and provide employees with at least the level of coverage required under section 62E.03.

Sec. 7. [62J.07] [UNINSURED PERSONS REQUIRED TO PARTICIPATE; RECOVERY OF PAYMENTS BY COMMISSION.]

A person who has no coverage under a health care plan who seeks medical care from a health care provider is enrolled in the health care access program from the time the person first seeks treatment. The commission may recover from the person the costs of the treatment if the person is financially able to pay for the costs. The commission may also recover the annual premium amount the person would owe for coverage under the health care access program.

Sec. 8. [62J.08] [PREMIUMS.]

Subdivision 1. [PREMIUMS PAID BY PARTICIPANT; SUBSIDIZED BY FUND.] An enrollee in the health care access program shall pay the first installment of the premium for coverage upon the effective date of the coverage. The premium payment must be deposited in the account in section 11. The enrollee's share of the premium for minimum core coverage under section 4, subdivision 2, is determined by the income-based sliding fee schedule in subdivision 2. The remainder of the premium for this coverage is paid by the health care access account established in section 11. An enrollee who chooses optional coverage under section 4, subdivision 3, must pay the entire premium for the optional coverage and minimum core coverage.

Subd. 2. [SLIDING FEE SCHEDULE FOR PREMIUMS.] A participant's share of premium for minimum core coverage is based on the participant's net disposable income, according to the schedule in this subdivision. A participant with a net disposable income listed in column A must pay the corresponding percent of the premium in column B, up to an annual premium amount in column C. In addition, the participant must pay a percent, as listed in column D, of any remaining premium above the annual premium amount in column C. The remainder of the enrollee's premium is paid for by the health care access account established in section 11.

SLIDING FEE SCHEDULE FOR DETERMINING
INSURANCE PREMIUM SUBSIDIES

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
<u>Net Disposable Income</u>	<u>Participant's Percent of Premium</u>	<u>Annual Premium Amount</u>	<u>Participant's Percent of Remaining Premium</u>
Less than 0	0	-0-	0
\$ 0-999	5	\$ 500	0
1,000-2,499	5	\$1,000	0
2,500-4,999	10	\$1,000	5
5,000-7,499	20	\$1,000	5
7,500-9,999	30	\$1,000	10
10,000-12,499	40	\$1,000	10
12,500-14,999	50	\$1,000	20
15,000-19,999	60	\$1,000	30
20,000-24,999	70	\$1,000	40
25,000-29,999	80	\$1,250	50
30,000-39,999	100	\$1,250	75
40,000+	100	No Limit	-0-

"Net Disposable Income" means total gross income, as defined by the commission in rule, minus \$5,750 for the head of household or single individual and minus \$1,900 for each dependent. These deductions from gross income shall be adjusted upward, if appropriate, every two years to reflect inflation. The commission shall publish notice of these adjustments in the State Register. Gross income does not include the ordinary and necessary expenses paid or incurred in carrying on a trade or business as defined under section 162 of the Internal Revenue Code of 1986, as amended through December 31, 1988.

Sec. 9. [62J.09] [ENROLLMENT AND PREMIUM PAYMENTS.]

The time, manner, conditions, and terms of eligibility and payment of premiums for enrollment of eligible persons for coverage under section 6 shall be determined by the commission in rule.

The rules shall: (1) include a procedure for referring persons eligible for coverage under the comprehensive health insurance plan to that plan if the commission considers it appropriate; and

(2) establish procedures for the subsequent enrollment of eligible persons who are denied enrollment in the program because there are insufficient funds in the account to allow payment of the commission's share of the premium.

(3) provide for the withholding by employers of premiums payable

under section 8 from the wages of employees. The commission may provide for payment by employers of the premiums withheld from wages to the commission or directly to providers for insurance or services under sections 1 to 11.

Sec. 10. [62J.10] [PROGRAM INFORMATION AND ENROLLMENT.]

Subdivision 1. [SOLICITATION OF ELIGIBLE PERSONS.] The commission shall disseminate appropriate information to the residents of this state about the existence of the program and the means of enrollment. Means of communication must include use of the press, radio, and television, as well as publication in appropriate state offices and publications.

The commission shall devise and implement methods to maintain public awareness of the provisions of sections 1 to 11 and shall administer sections 1 to 11 in a manner that facilitates public participation.

Subd. 2. [HEALTH INSURANCE INFORMATION; PENALTY.] A resident of the state shall furnish to the health care access commission the information required by the commission to determine the health care coverage of the person and the person's dependents. The commission may require proof of coverage. An employer shall distribute evidence of insurance forms to all employees. A person required to give information to the commission under this subdivision who willfully fails to supply information or willfully supplies false or fraudulent information is guilty of a gross misdemeanor.

Subd. 3. [HEALTH CARE APPLICATIONS.] The health care access commission shall prepare and distribute information and evidence of insurance and application forms for health insurance under sections 1 to 11. The applications and other information must be made available to employers, health care provider offices and facilities, local human services agencies, public and community health offices and clinics, school clinics, county extension offices, and women, infants, and children (WIC) program sites. Employers must furnish applications and information to employees.

Sec. 11. [62J.11] [HEALTH CARE ACCESS ACCOUNT.]

Subdivision 1. [CREATION.] An account is established in the state treasury to be known as the health care access account. There is annually appropriated from the account to the commission the amount needed to pay for implementing and administering the health care access program established under sections 1 to 11, including payment of approved claims, refunds, administrative costs, and other related service charges. In no event may this appropriation exceed \$150,000,000 in the biennium ending June 30, 1991, or \$150,000,000 in any subsequent fiscal year.

Nothing in sections 1 to 11 obligates the commission to pay its share of the premium cost of an otherwise eligible person if the appropriation in this subdivision is insufficient to allow payment of the commission's share of the premium.

Subd. 2. [FUNDING.] The account is funded with revenue from the sources specified in subdivision 5 and sections 8, 12; subdivision 10; and 13, subdivision 7.

Subd. 3. [INVESTMENT OF ACCOUNT ASSETS.] Except as otherwise provided in subdivision 6, when there are funds in the account in excess of the amount the commission determines is currently needed, the commission shall direct the state treasurer to certify this amount to the state board of investment for investment subject to section 11A.24. Investment income and losses attributable to the account must be credited to the account.

Subd. 4. [ALLOCATION.] The commission shall allocate the appropriation to ensure that eligible persons of every income level for which there is a premium subsidy are enrolled and the appropriation is not used to disproportionately subsidize any particular income group.

Subd. 5. [ASSESSMENT ON EMPLOYERS THAT DISCONTINUE COVERAGE.] An employer that discontinues all plans of health coverage provided or made available to employees employed in this state and does not provide substantially similar coverage to replace it shall pay a special assessment to the account.

The special assessment consists of an amount equal to two times the total annual premium or financing obligation of that employer for the previous calendar year.

One-half of the assessment must be paid to the account by January 1 of the year following the discontinuance, and one-half of the assessment must be paid to the account by January 1 of the next year.

The commission has all the powers under chapter 290 to impose and collect the assessment under this subdivision.

The commissioner of revenue shall provide the commission with information necessary to allow the commission to administer and enforce this subdivision.

Subd. 6. [SURPLUS.] Surplus remaining in the fund at the end of a fiscal year may be used by the commission, in its discretion, to increase the premium subsidies for those participants whose net disposable income is less than \$20,000.

Sec. 12. [290.924] [HEALTH CARE ACCESS; PAYROLL TAX.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the terms in paragraphs (b) to (g) have the meanings given them.

(b) "Commissioner" means the commissioner of revenue.

(c) "Employee" has the meaning given it in section 290.92, subdivision 1, clause (3). The provisions of section 290.92, subdivision 4a, clause (2), apply in determining who is an employee for purposes of this section.

(d) "Employer" has the meaning given it in section 290.92, subdivision 1, clause (4). The provisions of section 290.92, subdivision 4a, clause (2), apply in determining who is an employer for purposes of this section.

(e) "Payroll period" has the meaning given it in section 290.92, subdivision 1, clause (2).

(f) "Taxable wages" means wages paid to an employee exceeding \$10,000 in a calendar year.

(g) "Wages" has the meaning given it in section 290.92, subdivision 1, clause (1). The provisions of section 290.92, subdivision 2a, clauses (6), (9), and (10), subdivision 4, and subdivision 4a, clauses (1) and (2), apply in determining wages for purposes of this section.

Subd. 2. [TAX IMPOSED; EMPLOYERS.] (a) A tax is imposed on an employer paying wages to employees during a payroll period. The amount of tax is equal to five-tenths percent of wages paid to employees less the credit allowed in paragraph (b).

(b) A credit against the tax imposed in paragraph (a) is allowed to an employer offering a health care plan of coverage as defined in section 62E.02, subdivision 9, that meets the requirements of a qualified plan under chapter 62E and who pays at least 50 percent of the premium costs or other financing costs for that coverage for employees and their dependents. The credit is equal to the lesser of (1) the amount of tax imposed under this subdivision, or (2) 100 percent of premium or other financing costs paid by the employer if that amount is at least 75 percent of the premium costs or other financing costs for coverage of the employees and their dependents. If the amount paid by the employer is less than 75 percent of the premium or other costs, the percentage of the premium or other costs paid by the employer allowed as a credit under this clause must be proportionately reduced so that an employer paying 50 percent of the premium or other financing costs of coverage for employees and their dependents is allowed only 50 percent of the costs paid by the employer as a credit. If the employer pays less than

50 percent of the premium or other financing costs, no credit is allowed.

The credit may be applied only against the tax imposed with respect to employees for whom the employer pays the applicable percentage of premium or other financing costs of insurance coverage for the employees and their dependents. A credit may be carried forward to later reporting periods in the calendar year but may not be carried forward to a succeeding calendar year.

(c) The United States and its agencies and instrumentalities are exempt from the tax imposed in this subdivision.

Subd. 3. [TAX IMPOSED; EMPLOYEES.] A tax is imposed on an employee paid wages by an employer during a payroll period. The amount of tax is equal to three-tenths percent of taxable wages paid to the employee.

Subd. 4. [PAYMENT; WITHHOLDING.] The tax imposed in subdivision 2 must be reported and paid by an employer to the commissioner of revenue at the times and in the manner that the tax imposed in section 290.92 is paid.

The tax imposed in subdivision 3 must be deducted and withheld from the wages of each employee each payroll period and reported and paid to the commissioner in the same manner and at the same time as the tax imposed in section 290.92 is withheld and paid. An employee is not liable for the tax imposed in subdivision 3 if the employer fails to deduct and withhold it. The employer is liable for payment of the tax required to be deducted and paid under subdivision 3, and is not liable to a person for the amount of the payment.

Subd. 5. [RETURNS.] The commissioner shall prepare return forms and instructions for reporting and withholding and paying the taxes imposed in this section. The commissioner may prepare tables for use by employers in reporting and withholding and paying the taxes. The tables may require that the amount of tax imposed on taxable wages be prorated over the calendar year. The commissioner may determine whether employers must use the withholding tables and may give employers permission to withhold and pay the tax by another method determined satisfactory by the commissioner. The returns and instructions are not rules for purposes of chapter 14.

The return must be in the form and contain the information required by the commissioner. Failure to provide the information shall render the return unprocessable. A return is not treated as filed until it is in a processible form.

The commissioner may extend the period of time for filing the return for up to 60 days. A return that is required to be filed with the

commissioner under this section shall contain a written declaration that it is correct and complete. It must contain in language prescribed by the commissioner a confession of judgment for the tax shown due on it to the extent it is not timely paid.

Subd. 6. [REFUNDS.] If the taxes paid or withheld and paid under subdivision 4 exceed by more than \$1 the taxes imposed in subdivision 2 or 3, the excess must be refunded by the commissioner to the extent provided in this subdivision. The commissioner shall provide by rule for refund to the persons who paid the tax. Refund of an overpayment may be made to an employer only to the extent that the overpayment was not deducted and withheld from the wages of an employee. When the amount of the refund exceeds \$10, it must be returned with interest at the rate given in section 270.76 computed from 90 days after the date the return was due.

Subd. 7. [PENALTIES; INTEREST.] To the extent applicable to the taxes imposed in this section, all civil and criminal penalties and the imposition of interest relating to withholding, reporting, deposit, and payment of taxes under section 290.92 are imposed on and apply to persons having a duty to withhold, report, deposit, and pay the taxes imposed in this section.

Subd. 8. [POWERS OF THE COMMISSIONER.] The taxes imposed in this section shall be assessed by the commissioner in the manner provided in section 290.92. The time limits for assessment and collection in section 290.92 apply. The commissioner has the powers given in this chapter to administer, assess, collect, and enforce the taxes imposed in this section.

Subd. 9. [RULES.] The commissioner of revenue may adopt rules under chapter 14 to administer and enforce reporting, payment, and collection of taxes imposed under this section.

Subd. 10. [DEPOSIT OF FUNDS.] The taxes paid or withheld and paid to the commissioner together with penalties and interest shall be deposited in the general fund and credited to the health care access account created in section 11. Refunds of the taxes imposed in this section and the administrative expenses of the commissioner must be paid from that account. There is annually appropriated to the commissioner from the health care access account the amounts required to pay the refunds authorized in this section.

Sec. 13. [290.925] [HEALTH CARE ACCESS; EARNED INCOME TAX.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section the terms in paragraphs (b) to (d) have the meanings given them:

(b) "Commissioner" means the commissioner of revenue.

(c) "Self-employment income" means self-employment income as defined in section 1402(b) of the Internal Revenue Code of 1986, as amended through December 31, 1988, derived by a resident individual either within or without, or both within and without, the state and by a nonresident individual within the state to the extent the income does not constitute "wages" for purposes of section 12. "Self-employment income" is determined without regard to the benefit and contribution base amount and minimum earnings in section 1402(b)(1) and (2) of the Internal Revenue Code.

(d) "Taxable self-employment income" means self-employment income of an individual exceeding \$10,000 in a taxable year.

Subd. 2. [TAX IMPOSED.] A tax is imposed on the self-employment income of an individual. The amount of the tax is equal to three-tenths percent of taxable self-employment income for the taxable year.

Subd. 3. [RETURNS; PAYMENT.] The tax shall be reported and paid to the commissioner in the same manner and at the same times as the tax imposed in section 290.03 is reported and paid. The provisions of section 290.93 apply to the tax imposed in this section.

Subd. 4. [PENALTIES; INTEREST.] To the extent applicable to the taxes imposed in this section, all civil and criminal penalties and the imposition of interest relating to the reporting and payment of taxes under section 290.03 apply to the tax imposed in this section.

Subd. 5. [REFUNDS.] Overpayments of the tax imposed in this section must be refunded or credited as provided in sections 290.50 and 290.93.

Subd. 6. [POWERS OF THE COMMISSIONER.] The commissioner has the powers given in this chapter to administer, assess, collect, and enforce the tax imposed in this section.

Subd. 7. [DEPOSIT OF FUNDS.] The taxes paid to the commissioner under this section together with penalties and interest must be deposited in the general fund and credited to the health care access account created in section 11. Refunds of the tax imposed in this section and the administrative expenses of the commissioner must be paid from that account. There is annually appropriated to the commissioner from the health care access account the amounts required to pay the refunds of tax imposed in this section.

Sec. 14. [UNCOMPENSATED CARE STUDY.]

The commission shall study the problem of uncompensated health care in the state and report to the legislature and the governor. The report shall include definitions of the terms "uncompensated care",

“un-sponsored care”, and “bad debt”, as they relate to the providing of health care in this state. The commission shall collect data necessary to determine the nature and extent of the problem. The report must include recommendations for more equitably distributing the burden of uncompensated health care in this state.

Sec. 15. [APPROPRIATION.]

§ is appropriated from the general fund to the health care access commission to pay for the administrative and operating expenses of the commission.

The appropriation is available until June 30, 1990, at which time the commission shall repay this amount to the general fund from the account created in section 11.

Sec. 16. [EFFECTIVE DATES.]

(a) Sections 1 to 4 and 8 to 11, 14, and 15 are effective July 1, 1989.

(b) Sections 12 and 13 are effective January 1, 1990.

(c) Sections 5 to 7 are effective July 1, 1990.

ARTICLE 2

Section 1. Minnesota Statutes 1988, section 256B.056, subdivision 4, is amended to read:

Subd. 4. [INCOME.] To be eligible for medical assistance, a person must not have, or anticipate receiving, semiannual income in excess of ~~115~~ 133 $\frac{1}{3}$ percent of the income standards by family size used in the aid to families with dependent children program, ~~except that families and children may have an income up to 133 $\frac{1}{3}$ percent of the AFDC income standard.~~ Notwithstanding any laws or rules to the contrary, in computing income to determine eligibility of persons who are not residents of long-term care facilities, the commissioner shall disregard increases in income as required by Public Law Numbers 94-566, section 503; 99-272; and 99-509.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.”

Delete the title and insert:

“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."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Insurance.

The report was adopted.

Begin from the Committee on Labor-Management Relations to which was referred:

H. F. No. 300, A bill for an act relating to occupational safety and health; increasing certain penalties; proposing changes to the employee right-to-know act of 1984; amending Minnesota Statutes 1988, sections 182.651, subdivisions 7, 14, 15, and by adding a subdivision; 182.653, subdivisions 4b, 4c, and 4f; and 182.669, subdivision 1.

Reported the same back with the following amendments:

Page 7, strike lines 31 to 36

Page 8, line 35, delete "equal" and insert "up"

Page 9, after line 12, insert:

"Sec. 9. [TRANSITION TRAINING PERIOD.]

This section applies to employees who are subject to the training requirements of section 182.653, subdivision 4f, because of the amendment in section 7. Employees who have been routinely exposed to an infectious agent prior to August 1, 1989, and who continue to be exposed after August 1, 1989, must be trained with respect to that infectious agent by no later than February 1, 1990.

Sec. 10. [REPEALER.]

Minnesota Statutes 1988, section 182.651, subdivision 16, is repealed."

Amend the title as follows:

Page 1, line 7, before the period insert "; repealing Minnesota Statutes 1988, section 182.651, subdivision 16"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 341, A bill for an act relating to public safety; proposing the emergency planning and community right-to-know act; requiring reports on hazardous substances and chemicals; creating an emergency response commission; providing penalties; amending Minnesota Statutes 1988, section 609.671, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299F.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [299F.84] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 1 to 14.

Subd. 2. [COMMISSION.] “Commission” means the emergency response commission established in section 3.

Subd. 3. [EMERGENCY RESPONSE ORGANIZATION.] “Emergency response organization” means a firefighting, law enforcement, emergency management, emergency medical services, health, or local environmental organization, or a hospital.

Subd. 4. [FACILITY.] “Facility” means the buildings, equipment, structures, and other stationary items that:

(1) are located on a single site or on contiguous or adjacent sites; and

(2) are owned or operated by one person, or are under the sole or common control of one person.

Subd. 5. [FEDERAL ACT.] “Federal act” means the federal Emergency Planning and Community Right To Know Act, United States Code, title 42, sections 11001 to 11046.

Sec. 2. [299F.85] [OFFICE OF EMERGENCY RESPONSE.]

The office of emergency response is established in the department of public safety, consisting of the emergency response commission and its staff, to coordinate state compliance with the federal act.

Sec. 3. [299F.86] [EMERGENCY RESPONSE COMMISSION.]

Subdivision 1. [ESTABLISHMENT.] The emergency response commission is established to comply with and administer the federal act.

Subd. 2. [AGENCY MEMBERS.] The commission consists of the commissioners of the department of public safety, the pollution control agency, the department of health, and the department of agriculture.

Subd. 3. [APPOINTED MEMBERS.] (a) The governor shall appoint 15 additional members to the commission.

(b) The 15 appointed members must include one representative each of fire chiefs, professional firefighters, volunteer firefighters, fire marshals, law enforcement personnel, emergency medical personnel, health professionals, community groups, wastewater treatment operators, labor, and local elected officials, and four representatives from business and industry, at least one of whom must represent small business.

(c) The appointed members must be appointed, serve, and be compensated in the manner provided in section 15.059.

Subd. 4. [ADVISORY COMMITTEES.] The commission may establish advisory committees to advise the commission on matters pertaining to the commission's duties.

Subd. 5. [DUTIES OF COMMISSION.] The commission shall carry out all requirements of a commission under the federal act and may adopt rules to do so. The commission shall encourage use of and shall utilize existing emergency planning systems under section 5 whenever practical.

Subd. 6. [AGREEMENTS.] The commission may cooperate and enter into necessary agreements with other state departments and agencies, political subdivisions of the state, or the federal government to perform its duties.

Subd. 7. [COOPERATION.] State departments, agencies, and political subdivisions shall cooperate with the commission and its director and shall assist in the performance of the commission's duties.

Sec. 4. [299F.87] [REGIONAL REVIEW COMMITTEES.]

Subdivision 1. [APPOINTMENT; MEMBERSHIP.] The commission shall establish emergency planning districts and appoint and supervise a regional review committee for each district. The regional review committee shall serve as the local emergency planning committee under the federal act, except where a local emergency planning committee has been established by one or more political subdivisions.

Each regional review committee must have nine members to include three representatives of facilities regulated under the federal act, three representatives of emergency response organizations, and three representatives of the public including community groups, broadcast and print media, and elected officials.

Subd. 2. [COMPENSATION.] Regional review committee members shall be compensated in the manner provided in section 15.059.

Subd. 3. [DUTIES OF REGIONAL REVIEW COMMITTEES.] Regional review committees shall:

(1) review emergency operations plans prepared by political subdivisions within their emergency planning district to determine whether they meet the requirements of section 11003(c) of the federal act;

(2) consult and coordinate with the regional program coordinators of the division of emergency management and with local and county organizations for civil defense designated under section 12.25;

(3) submit emergency plans to the commission for review and recommendations;

(4) establish procedures for receiving and processing requests from the public for information available under the federal act; and

(5) perform any other duties specified in the federal act.

Sec. 5. [299F.88] [LOCAL EMERGENCY PLANS; PREPARATION AND SUBMISSION.]

Political subdivisions should prepare emergency plans, consistent with commission guidelines, that adequately address the requirements contained in section 11003 of the federal act. Plans must be submitted to the director of the county civil defense organization, designated under section 12.25, for review.

The county civil defense organization shall coordinate the emergency planning required under section 11003 of the federal act for municipalities within the county, and shall submit the plans to the regional office of the division of emergency management. The

division of emergency management shall submit the plans to the regional review committee.

Any political subdivision or two or more political subdivisions that are contiguous may request the commission to establish a local emergency planning committee for the political subdivision or subdivisions. A local emergency planning committee established by the commission shall carry out all requirements specified under sections 11001 to 11046 of the federal act. Any political subdivision of two or more political subdivisions that are contiguous may establish, in lieu of a local emergency planning committee, a planning advisory committee to prepare an emergency plan under section 11003 of the federal act.

Sec. 6. [299F.89] [PUBLIC INFORMATION DEPOSITORY.]

Subdivision 1. [COUNTIES; LIBRARY DESIGNATION.] Each county shall designate a library in the county for maintaining updated information on the facilities subject to the federal act that are located in the county and a copy of the emergency response plan for the county.

Subd. 2. [PROVISION OF INFORMATION.] At such time that the commission develops a computerized information system, the commission shall provide updated information on a regular basis to libraries designated under subdivision 1, listing the facilities subject to this act and noting types of hazards, specific chemicals on site, and amounts of chemicals on site at each facility, and identifying the regional review committee that may be contacted for further information. The commission also shall provide to the libraries a copy of the most recently approved emergency response plan for the county and designate a contact person for public participation in emergency planning.

Sec. 7. [299F.90] [NOTIFICATION; RELEASES.]

Subdivision 1. [NOTIFICATION; EMERGENCY RESPONSE CENTER.] In addition to notification under the federal act, the owner or operator of a facility shall also immediately notify the state emergency response center of the release of a reportable quantity of the following materials:

(1) a hazardous substance on the list established under United States Code, title 42, section 9602; or

(2) an extremely hazardous substance on the list established under United States Code, title 42, section 11002.

This subdivision does not apply to any release that results in

exposure to persons solely within the site or sites on which a facility is located or to any release specifically authorized by state law.

Subd. 2. [OTHER STATE NOTIFICATION.] Emergency notification requirements under the federal act and this section are not in lieu of notification requirements under section 115.061 or 116.061, or other state law.

Sec. 8. [299F.91] [FACILITIES REQUIRED TO COMPLY.]

Subdivision 1. [GENERAL.] All facilities subject to the federal act must comply with that act and sections 1 to 14.

Subd. 2. [HAZARDOUS CHEMICAL INVENTORY REPORTING.] In addition to facilities specified in the federal act, facilities subject to the occupational health and safety provisions of sections 182.65 to 185.675 shall comply with the hazardous chemical inventory reporting of the federal act. This section is a designation of additional facilities under sections 11021 and 11022 of the federal act, and the legislative process meets the requirements for public notice and opportunity to comment.

Sec. 9. [299F.92] [RULES TO SET FEES.]

Subdivision 1. [FEES.] The commission shall adopt rules setting the following fees:

(1) a material safety data sheet fee to be paid by a facility when it submits material safety data sheets in lieu of a hazardous chemical report form as required under section 11021 of the federal act;

(2) a fee to be paid by a facility when the owner or operator submits its emergency and hazardous chemical inventory form, required under section 11022 of the federal act, for calendar year 1990 and annually thereafter; and

(3) a late fee to be paid by a facility that fails to pay a fee under clause (1) in a timely manner, not to exceed 200 percent of the original fee.

Subd. 2. [FEE STRUCTURE.] The fee established under subdivision 1 may not exceed, in the aggregate, the amount necessary to cover the costs for all data management, including administration of fees, by the commission and regional review committees. The fee structure must include sliding fees for facilities based on the volume of chemicals, the number of types of chemicals subject to reporting under the federal act, and the number of employees at each facility's site.

Sec. 10. [299F.93] [ENFORCEMENT.]

Subdivision 1. [ENFORCEMENT POWERS OF THE COMMISSION.] (a) To carry out its duties, the commission may:

- (1) enforce the federal act;
 - (2) issue, enter into, or enforce orders, schedules of compliance, and stipulation agreements;
 - (3) conduct investigations, issue notices, and hold hearings that are necessary or useful to discharge its duties;
 - (4) examine and copy any books, papers, records, memoranda, or data of a person that is related to data required to be submitted to the commission;
 - (5) enter public or private property to take an action authorized by this section including obtaining information from a person who has a duty to provide information to the commission; and
 - (6) issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence relevant to matters involved in a hearing or investigation.
- (b) An employee or agent of the commission may examine witnesses and administer oaths in connection with a subpoena. Witnesses must receive the same fees and mileage as in civil actions.
- (c) The commission may delegate its authority under this subdivision to state or local governmental agencies or organizations to conduct investigations, examine and copy records, and enter property.

Subd. 2. [CIVIL ACTION; COMMISSION.] The commission may enforce the federal act through a civil action brought in federal district court under the federal act or in state district court by the attorney general on request of the commission.

Subd. 3. [CIVIL ACTION; CITIZENS.] A person may commence a civil action against an owner or operator of a facility in state district court that may be brought in federal district court under the federal act.

Subd. 4. [CIVIL ACTION; REGIONAL REVIEW AND LOCAL EMERGENCY PLANNING COMMITTEES.] A regional review committee or a local emergency planning committee may commence an action against an owner or operator of a facility in state district court for a violation of the federal act that the local emergency planning committee is authorized to commence in federal district court under the federal act.

Subd. 5. [INJUNCTIVE RELIEF.] In addition to other relief granted, the court may grant injunctive relief to restrain violations of the federal act.

Subd. 6. [CIVIL PENALTIES.] (a) A violation of the federal act is a violation of state law.

(b) An owner or operator of a facility is liable to the state for civil penalties in the same manner and amount as the owner or operator is liable to the United States under section 11045, subpart (a) and subpart (b), paragraphs (1), (2), and (3), of the federal act.

(c) The commission may enforce the penalties in state district court in the same manner as the administrator of the United States Environmental Protection Agency may enforce the civil penalties in federal district court under the federal act.

(d) For purposes of this subdivision, each day of continued violation constitutes a separate violation.

Subd. 7. [COSTS AND ATTORNEY FEES.] On the motion of a party prevailing in an action under this section, the court may award costs, disbursements, and reasonable attorney and witness fees to the prevailing party.

Subd. 8. [VENUE.] A civil action authorized by this section may be brought in the district court in Ramsey county, in the district court where the alleged violation occurred, or in the district court where the defendant is located.

Sec. 11. [INTERIM COMMISSION.]

Until the 15 members can be appointed under section 3, the commission established through the governor's executive order to administer the provisions of the federal act shall continue to perform the duties of the commission.

Sec. 12. [INTERIM FEES.]

Beginning on the effective date of this act and continuing until the effective date of rules adopted under section 9, the fee, under section 9, subdivision 1, clause (1), is \$10 per material safety data sheet but does not apply to material safety data sheets requested by the commission.

Sec. 13. [TOXIC CHEMICAL RELEASE REPORTING STUDY.]

The commission, in cooperation with the pollution control agency, shall conduct a study to determine the need for expanding the toxic chemical release form requirements of section 11023 of the federal

act to other facilities covered under sections 186.65 to 186.675. The commission shall report the results of the study to the house and senate committees on environment and natural resources by December 31, 1989.

Sec. 14. Minnesota Statutes 1988, section 609.671, is amended by adding a subdivision to read:

Subd. 10. [FAILURE TO REPORT A RELEASE OF A HAZARDOUS SUBSTANCE OR AN EXTREMELY HAZARDOUS SUBSTANCE.] A person in charge of a facility who knowingly fails to provide immediate notification to the state emergency response center of the release of a hazardous substance or an extremely hazardous substance required in section 7, subdivision 1, is, upon conviction, subject to a fine of up to \$25,000 or imprisonment for up to two years, or both.

For a second or subsequent conviction under this section, the violator is subject to a fine of not more than \$50,000 or imprisonment for not more than five years, or both."

Amend the title as follows:

Page 1, line 7, delete "subdivision 1, and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 343, A bill for an act relating to collection and dissemination of data; defining certain mineral data supplied to the commissioner of natural resources as nonpublic data; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Page 1, line 24, after "of" insert "the" and delete "that" and insert "where the drill core"

Page 2, delete lines 2 and 3

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 424, A bill for an act relating to commerce; unclaimed property; providing for the ownership of metal dies and molds; amending Minnesota Statutes 1988, section 345.20, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 444, A bill for an act relating to data privacy; providing for access to private medical examiner data and other medical data by family members; amending Minnesota Statutes 1988, sections 13.42, subdivision 3; 13.83, subdivision 8; and 144.335, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 14, strike the semicolon and insert a colon

Page 1, line 18, after the stricken "kin" insert "if there is no surviving spouse or parents, to the"

Page 2, line 5, after "or" insert "if there is no surviving spouse, parents, children, or siblings, to the" and after "heirs" delete the comma

Page 2, line 13, after "or" insert "if there is no surviving spouse or parent, to the" and after "patient" delete the comma

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Battaglia from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 512, A bill for an act relating to local government; authorizing towns to require a bond or other security in establishing cartways; amending Minnesota Statutes 1988, section 164.08, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Battaglia from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 578, A bill for an act relating to transportation; granting power to road authorities to mow or till rights-of-way of certain highways; amending Minnesota Statutes 1988, sections 160.232; and 160.27, subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 611, A bill for an act relating to insurance; regulating agent licensing; regulating Medicare supplement plans; modifying required levels of coverages; amending Minnesota Statutes 1988, sections 60A.17, subdivision 6c, and by adding a subdivision; 62A.31, subdivision 2; 62D.104; 62D.121, subdivision 3; 62D.181, subdivision 4; and 62E.14, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 1988, sections 62A.32; 62A.33; 62A.34; and 62A.35.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 60A.17, subdivision 6c, is amended to read:

Subd. 6c. [REVOCATION OR SUSPENSION OF LICENSE.] (a) The commissioner may by order suspend or revoke an insurance agent's or agency's license issued to a natural person or impose a civil penalty appropriate to the offense, not to exceed \$5,000 upon that licensee, or both, if, after notice and hearing, the commissioner finds as to that licensee any one or more of the following conditions:

- (1) any materially untrue statement in the license application;
- (2) any cause for which issuance of the license could have been

refused had it then existed and been known to the commissioner at the time of issuance;

(3) violation of, or noncompliance with, any insurance law or violation of any rule or order of the commissioner or of a commissioner of insurance of another state or jurisdiction;

(4) obtaining or attempting to obtain any license through misrepresentation or fraud;

(5) improperly withholding, misappropriating, or converting to the licensee's own use any money belonging to a policyholder, insurer, beneficiary, or other person, received by the licensee in the course of the licensee's insurance business;

(6) misrepresentation of the terms of any actual or proposed insurance contract;

(7) conviction of a felony or of a gross misdemeanor or misdemeanor involving moral turpitude;

(8) that the licensee has been found guilty of any unfair trade practice, as defined in chapters 60A to 72A, or of fraud;

(9) that in the conduct of the agent's affairs under the license, the licensee has used fraudulent, coercive, or dishonest practices, or the licensee has been shown to be incompetent, untrustworthy, or financially irresponsible;

(10) that the agent's license has been suspended or revoked in any other state, province, district, territory, or foreign country;

(11) that the licensee has forged another's name to an application for insurance; or

(12) that the licensee has violated subdivision 6b.

(b) The commissioner may by order suspend or revoke an insurance agent's or insurance agency's license issued to a partnership or corporation or impose a civil penalty not to exceed \$5,000 upon that licensee, or both, if, after notice and hearing, the commissioner finds as to that licensee, or as to any partner, director, shareholder, officer, or employee of that licensee, any one or more of the conditions set forth in paragraph (a).

(c) A revocation of a license shall prohibit the licensee from making a new application for a license for at least one year two years from the effective date of the revocation. Further, the commissioner ~~may~~ shall, as a condition of relicensure, require the applicant to file a reasonable bond for the protection of the citizens of this

state, which bond shall be maintained by the licensee in full force for a period of five years immediately following issuance of the license, unless the commissioner at the commissioner's discretion shall after two years permit the licensee to sooner terminate the maintenance filing of the bond. obtain a performance bond issued by an insurer authorized to transact business in this state in the amount of \$20,000 or a greater amount the commissioner considers appropriate for the protection of citizens of this state. The bond shall be filed with the commissioner, with the state of Minnesota as obligee, conditioned for the prompt payment to any aggrieved person entitled to payment of any amounts received by the licensee or to protect any aggrieved person from loss resulting from fraudulent, deceptive, dishonest, or other prohibited practices arising out of any transaction when the licensee was licensed or performed acts for which a license is required under this chapter. The bond shall remain operative for as long as that licensee is licensed. A discharge in bankruptcy shall not relieve a person from the penalties and disabilities provided in this section. The bond required by this subdivision must provide coverage for all matters arising during the period of licensure.

(d) The commissioner may, in the manner prescribed by chapter 14, impose a civil penalty not to exceed \$5,000 upon a person whose license has lapsed, or been suspended, revoked, or otherwise terminated, for engaging in conduct prohibited by paragraph (a) before, during, or after the period of licensure.

Sec. 2. Minnesota Statutes 1988, section 60A.17, is amended by adding a subdivision to read:

Subd. 21. [SUITABILITY OF INSURANCE.] In recommending the purchase of any life, endowment, long-term care, annuity, life-endowment, or Medicare supplement insurance to a customer, an agent must have reasonable grounds for believing that the recommendation is suitable for the customer, and must make reasonable inquiries to determine suitability. The suitability of a recommended purchase of insurance will be determined by reference to the totality of the particular customer's circumstances, including, but not limited to, the customer's income, the customer's need for insurance, and the values, benefits, and costs of the customer's existing insurance program, if any, when compared to the values, benefits, and costs of the recommended policy or policies.

Sec. 3. Minnesota Statutes 1988, section 62A.31, subdivision 1, is amended to read:

Subdivision 1. [POLICY REQUIREMENTS.] No individual or group policy, certificate, subscriber contract or other evidence of accident and health insurance issued or delivered in this state shall be sold or issued to an individual age 65 or older covered by medicare unless the following requirements are met:

(a) The policy must provide a minimum of the coverage set out in subdivision 2;

(b) The policy must cover preexisting conditions during the first six months of coverage if the insured was not diagnosed or treated for the particular condition during the 90 days immediately preceding the effective date of coverage;

(c) The policy must contain a provision that the plan will not be canceled or nonrenewed on the grounds of the deterioration of health of the insured; and

(d) Before the policy is sold or issued, an offer of both categories of Medicare supplement insurance has been made to the individual, together with an explanation of both coverages; and

(e) An outline of coverage as provided in section 62A.39 must be delivered at the time of application and prior to payment of any premium.

Sec. 4. Minnesota Statutes 1988, section 62A.31, subdivision 2, is amended to read:

Subd. 2. [GENERAL COVERAGE.] For a policy to meet the requirements of this section it must contain (1) a designation specifying whether the policy is a an extended basic medicare supplement 1+, 1, 2, or 3 plan or a basic Medicare supplement plan, (2) a caption stating that the commissioner has established ~~four~~ two categories of medicare supplement insurance and minimum standards for each, with the extended basic medicare supplement 1+ being the most comprehensive and the basic medicare supplement 3 being the least comprehensive, and (3) the policy must provide the minimum coverage prescribed in sections ~~62A.32 to 62A.35~~ 62A.315 and 62A.316 for the supplement specified, provided that an annual deductible of not more than \$200 is permissible for those covered charges not paid by medicare or otherwise included in ~~paragraph (f) of sections 62A.32 and 62A.33~~ 62A.315 or 62A.316.

Sec. 5. [62A.315] [EXTENDED BASIC MEDICARE SUPPLEMENT PLAN; COVERAGE.]

The extended basic Medicare supplement plan must have a level of coverage so that it will be certified as a qualified plan pursuant to chapter 62E, and will provide:

(1) coverage for all of the Medicare part A inpatient hospital deductible amount;

(2) coverage for the daily copayment amount of Medicare part A

eligible expenses for the first eight days per calendar year incurred for skilled nursing facility care;

(3) coverage for the 20 percent copayment amount of Medicare eligible expenses excluding outpatient prescription drugs under Medicare part B regardless of hospital confinement up to the maximum out-of-pocket amount for Medicare part B and coverage of the Medicare deductible amount;

(4) 80 percent of usual and customary hospital and medical expenses, supplies, and prescription drug expenses, including home intravenous (IV) therapy drugs and immunosuppressive therapy drugs, not covered by Medicare's eligible expenses; and

(5) coverage for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells as defined under federal regulations under Medicare parts A and B, unless replaced in accordance with federal regulations.

Sec. 6. [62A.316] [BASIC MEDICARE SUPPLEMENT PLAN; COVERAGE.]

(a) The basic Medicare supplement plan must have a level of coverage that, at a minimum, will provide:

(1) coverage for the daily copayment amount of Medicare part A eligible expenses for the first eight days per calendar year incurred for skilled nursing facility care;

(2) coverage for the 20 percent copayment amount of Medicare eligible expenses excluding outpatient prescription drugs under Medicare part B regardless of hospital confinement up to the maximum out-of-pocket amount for Medicare part B after the Medicare deductible amount;

(3) coverage for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells as defined under federal regulations under Medicare parts A and B, unless replaced in accordance with federal regulations;

(4) coverage for the copayment amount of Medicare eligible expenses for covered home intravenous (IV) therapy drugs, as determined by the Secretary of Health and Human Services, subject to the Medicare outpatient prescription drug deductible amount, if applicable; and

(5) coverage for the copayment amount of Medicare eligible expenses for outpatient drugs used in immunosuppressive therapy subject to the Medicare outpatient prescription drug deductible, if applicable.

(b) Only the following optional benefit riders may be added to this plan:

(1) coverage for all of the Medicare part A inpatient hospital deductible amount;

(2) a minimum of 80 percent of usual and customary medical expenses and supplies not covered by Medicare part B eligible expenses. This does not include outpatient prescription drugs.

Sec. 7. Minnesota Statutes 1988, section 62A.41, is amended to read:

62A.41 [PENALTIES.]

Subdivision 1. [GENERALLY.] Any insurer, general agent, agent, or other person who knowingly or willfully, either directly or indirectly, makes or causes to be made or induces or seeks to induce the making of any false statement or representation of a material fact with respect to compliance of any policy with the standards and requirements set forth in this section; falsely assumes or pretends to be acting, or misrepresents in any way, including a violation of section 62A.37, that the person is acting, under the authority or in association with medicare, or any federal agency, for the purpose of selling or attempting to sell insurance, or in such pretended character demands, or obtains money, paper, documents, or anything of value; or knowingly sells a health insurance policy to an individual entitled to benefits under part A or part B of medicare with the knowledge that such policy substantially duplicates health benefits to which such individual is otherwise entitled under a requirement of state or federal law other than under medicare shall be guilty of a felony and subject to a civil penalty of not more than \$5,000 per violation, and the commissioner may revoke or suspend the license of any company, association, society, other insurer, or agent thereof.

Subd. 2. [SALES OF REPLACEMENT POLICIES.] An insurer or general agent, agent, manager's general agent, or other representative, who knowingly or willfully violates section 62A.40 is guilty of a felony and is subject to a civil penalty of not more than \$5,000 per violation.

Subd. 3. [SALES OF DUPLICATE POLICIES.] An agent who knowingly or willfully violates section 62A.43, subdivision 1, is guilty of a felony and is subject to a civil penalty of not more than \$5,000 per violation.

Subd. 4. [UNLICENSED SALES.] Notwithstanding section 60A.17, subdivision 1, paragraph (d), a person who acts or assumes to act as an insurance agent without a valid license for the purpose of selling or attempting to sell Medicare supplement insurance, and

the person who aids or abets the actor, is guilty of a felony and is subject to a civil penalty of not more than \$5,000 per violation.

Sec. 8. [62A.436] [COMMISSIONS.]

The commission, sales allowance, service fee, or compensation to an agent for the sale of a Medicare supplement plan must be the same for each of the first four years of the policy.

In no event may the rate of commission, sales allowance, service fee, or compensation for the sale of a basic Medicare supplement plan exceed that which applies to the sale of an extended basic Medicare supplement plan.

This section also applies to sales of replacement policies.

Sec. 9. Minnesota Statutes 1988, section 62D.104, is amended to read:

62D.104 [REQUIRED OUT-OF-AREA CONVERSION.]

Enrollees who have individual health maintenance organization contracts and who have become nonresidents of the health maintenance organization's service area but remain residents of the state of Minnesota shall be given the option, to be arranged by the health maintenance organization if an agreement with an insurer can reasonably be made, of a number three qualified plan, a number two qualified plan, or a number one qualified plan as provided by section 62E.06, subdivisions 1 to 3, or, if such enrollees are covered by title XVIII of the Social Security Act (Medicare), they shall be given the option of a Medicare supplement plan as provided by sections 62A.31 to 62A.35 chapter 62A.

This option shall be made available at the enrollee's expense, without further evidence of insurability and without interruption of coverage.

If a health maintenance organization cannot make arrangements for conversion coverage, the health maintenance organization shall notify enrollees of health plans available in other service areas.

Sec. 10. Minnesota Statutes 1988, section 62D.121, subdivision 3, is amended to read:

Subd. 3. If replacement coverage is not provided by the health maintenance organization, as explained under subdivision 2, the replacement coverage shall provide, for enrollees covered by title XVIII of the Social Security Act, coverage at least equivalent to a basic Medicare supplement ~~two~~ plan as defined in section 62A.34 62A.316, except that the replacement coverage shall also cover the

liability for any Medicare Part A and Part B deductible as defined under title XVIII of the Social Security Act. After satisfaction of the Medicare Part B deductible, the replacement coverage shall be based on 120 percent of the Medicare Part B eligible expenses less the Medicare Part B payment amount. The fee or premium of the replacement coverage shall not exceed the premium charged by the state comprehensive health plan as established under section 62E.08, for a qualified Medicare supplement plan. All enrollees not covered by Medicare shall be given the option of a number three qualified plan or a number two qualified plan as defined in section 62E.06, subdivisions 1 and 2, for replacement coverage. The fee or premium for a number three qualified plan shall not exceed 125 percent of the average of rates charged by the five insurers with the largest number of individuals in a number three qualified plan of insurance in force in Minnesota. The fee or premium for a number two qualified plan shall not exceed 125 percent of the average of rates charged by the five insurers with the largest number of individuals in a number two qualified plan of insurance in force in Minnesota.

If the replacement coverage is health maintenance organization coverage, the fee shall not exceed 125 percent of the cost of the average fee charged by health maintenance organizations for a similar health plan. The commissioner of health will determine the average cost of the plan on the basis of information provided annually by the health maintenance organizations concerning the rates charged by the health maintenance organizations for the plans offered. Fees or premiums charged under this section must be actuarially justified.

Sec. 11. Minnesota Statutes 1988, section 62D.181, subdivision 4, is amended to read:

Subd. 4. [COVERAGE.] Alternative coverage issued under this section must be at least a number two qualified plan, as described in section 62E.06, subdivision 2, or for individuals over age 65, a basic Medicare supplement 2 plan, as described in section 62A.34 62A.316.

Sec. 12. Minnesota Statutes 1988, section 62E.07, is amended to read:

62E.07 [QUALIFIED MEDICARE SUPPLEMENT PLAN.]

Any plan which provides benefits to persons over the age of 65 years may be certified as a qualified medicare supplement plan if the plan is designed to supplement medicare and provides coverage of 50 100 percent of the deductible and copayment deductibles required under medicare and 80 percent of the charges for covered services described in section 62E.06, subdivision 1, which charges are not paid by medicare. The coverage shall include a limitation of \$1,000

per person on total annual out-of-pocket expenses for the covered services. The coverage may be subject to a maximum lifetime benefit of not less than \$100,000 \$500,000.

Sec. 13. Minnesota Statutes 1988, section 62E.14, subdivision 4, is amended to read:

Subd. 4. Notwithstanding the above, any Minnesota resident holder of a policy or certificate of medicare supplement coverages pursuant to sections 62A.32 to 62A.35 62A.315 and 62A.316, or medicare supplement plans previously approved by the commissioner, may enroll in the comprehensive health insurance plan as described in section 62E.07, with a waiver of the preexisting condition as described in subdivision 3, without interruption in coverage, provided, the policy or certificate has been terminated by the insurer for reasons other than nonpayment of premium and, provided further, that the option to enroll in the plan is exercised within 30 days of termination of the existing contract.

Coverage in the state plan for purposes of this section shall be effective on the date of termination upon completion of the proper application and payment of the required premium. The application must include evidence of termination of the existing policy or certificate.

Sec. 14. [REPEALER.]

(a) Minnesota Statutes 1988, sections 62A.32; 62A.33; 62A.34; and 62A.35, are repealed.

(b) Minnesota Rules, part 2795.0900, is repealed.

Sec. 15. [APPLICATION; EFFECTIVE DATE.]

Section 7 is effective the day following final enactment and applies to claims arising from incidents occurring on or after that date.

Sections 1, 2, and 14, paragraph (b), are effective June 1, 1989. Sections 3, 4 to 6, 8 to 13, and 14, paragraph (a), are effective January 1, 1990, for policies, plans, or contracts subject to Minnesota Statutes, section 62A.31, which are issued or delivered in this state on or after that date. No policy of Medicare supplement 1+, 1, 2, or 3 may be sold or issued on or after that date. Policies, plans, and contracts in effect on or after the day following final enactment of sections 4 to 6, but before January 1, 1990, must conform with federal Medicare benefit modifications and must provide appropriate premium adjustments to policyholders.

Delete the title and insert:

"A bill for an act relating to insurance; regulating agent licensing; regulating Medicare supplement plans; modifying required levels of coverages; prescribing penalties; amending Minnesota Statutes 1988, sections 60A.17, subdivision 6c, and by adding a subdivision; 62A.31, subdivisions 1 and 2; 62A.41; 62D.104; 62D.121, subdivision 3; 62D.181, subdivision 4; 62E.07; and 62E.14, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 1988, sections 62A.32; 62A.33; 62A.34; 62A.35; and Minnesota Rules, part 2795.0900."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Kostohryz from the Committee on General Legislation, Veterans Affairs and Gaming to which was referred:

H. F. No. 620, A bill for an act relating to crimes; repealing law regulating dance halls; repealing Minnesota Statutes 1988, sections 624.42 to 624.54.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 704, A bill for an act relating to peace officers; establishing reimbursement program for purchases of soft body armor by and for peace officers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reported the same back with the following amendments:

Page 1, lines 10 and 11, delete "an employee of a political subdivision" and insert "a person"

Page 1, line 11, delete "sections 626.841 to 626.86" and insert "section 626.84, subdivision 1, paragraph (c)"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kostohryz from the Committee on General Legislation, Veterans Affairs and Gaming to which was referred:

H. F. No. 707, A bill for an act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, and by adding a subdivision; 240.14, by adding a subdivision; 240.16, by adding a subdivision; and 240.29.

Reported the same back with the following amendments:

Page 2, line 33, delete everything after "racetrack"

Page 3, line 5, after the period insert "A class B licensee within the seven-county metropolitan area may conduct pari-mutuel betting on a televised racing day only on televised races run by a breed which ran at the licensed racetrack within the 12 months preceding the televised racing day."

Page 3, line 15, after the period insert "Notwithstanding subdivision 4, breakage for pari-mutuel pools on a televised racing day must be calculated in accordance with the law or rules governing the sending track and must be distributed in a manner agreed to between the licensee and the sending track."

Page 3, line 22, delete "four" and insert "22"

Page 3, line 31, delete "additional"

Page 3, line 32, after "involved" insert "in addition to the amounts required to be set aside during the next racing meeting under subdivision 5"

Page 3, delete lines 33 to 36

Page 4, delete lines 1 to 6 and insert:

"The disbursement of all remaining amounts withheld from pari-mutuel pools on a televised racing day, except amounts payable as tax under section 240.15, subdivision 1, must be as agreed to between the sending track and the licensee. However, a portion of this disbursement before division between the sending track and the licensee may be used by the licensee to pay purses in excess of the amounts required under subdivision 5 during the licensee's next subsequent racing season. If the licensee so uses a portion of the remaining amounts for purse payments, the allocation must be as

agreed to between the licensee and the horseperson's organization which represented, at the licensee's racetrack during the preceding 12 months, the breed running the race on the televised racing day.

(d) In lieu of the requirements of section 240.16, all pari-mutuel betting and other activities at a licensed racetrack on a televised racing day must be presided over by a person employed and designated by the commission. The person so designated by the commission has the powers and duties with regard to such activities as provided in the rules of the commission.

Page 4, delete section 8

Page 5, line 7, delete "9" and insert "8"

Page 5, line 9, delete "10" and insert "9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 10 and 11, delete "240.16, by adding a subdivision,"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 58, 112, 300, 343, 424, 444, 512, 578, 620 and 707 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 204 and 156 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark, Munger, Wynia and Greenfield introduced:

H. F. No. 932, A bill for an act relating to health; establishing a blood lead level screening program for children; requiring local

health boards to conduct environmental inspections; providing subsidized lead abatement services; requiring a report on soil and blood lead; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Clark, Munger and Trimble introduced:

H. F. No. 933, A bill for an act relating to the environment; prohibiting the use of food packaging that is not environmentally safe; providing penalties; proposing coding for new law as Minnesota Statutes, chapter 325H.

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

Steensma, Wenzel, Winter, Dille and Sparby introduced:

H. F. No. 934, A bill for an act relating to agriculture; maintaining uniformity with certain federal food law provisions; amending Minnesota Statutes 1988, sections 31.101; 31.102, subdivision 1; 31.103, subdivision 1; and 31.104.

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

Lasley, Lieder, McLaughlin and Uphus introduced:

H. F. No. 935, A bill for an act relating to traffic regulations; establishing certain vehicle weight limits; amending Minnesota Statutes 1988, sections 169.825, subdivision 8; and 169.86; subdivision 5.

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

Lasley introduced:

H. F. No. 936, A bill for an act relating to education; authorizing a special capital loan; appropriating money.

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

O'Connor, Heap and Janezich introduced:

H. F. No. 937, A bill for an act relating to commerce; uniform commercial code; providing a 20-day notice period for certain fixture filings; amending Minnesota Statutes 1988, section 336.9-313.

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

Wenzel; Nelson, K.; McEachern; Hartle and Bauerly introduced:

H. F. No. 938, A bill for an act relating to education; proposing department of education outcome-based education initiatives; appropriating money; amending Minnesota Statutes 1988, sections 120.011; and 124.19, by adding a subdivision.

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

Burger, Sparby, McDonald and Otis introduced:

H. F. No. 939, A bill for an act relating to taxation; property tax; adopting a two-rate tax structure; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Burger, Sparby, McDonald and Otis introduced:

H. F. No. 940, A bill for an act relating to taxation; property tax; allowing cities and counties to adopt a two-rate tax structure; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Bishop, Scheid, Long, Rest and Pauly introduced:

H. F. No. 941, A bill for an act relating to taxation; imposing conditions on memberships for golf clubs that qualify for open space tax treatment; amending Minnesota Statutes 1988, section 273.112, subdivision 3.

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

Skoglund, Munger, Wagenius, Battaglia and Forsythe introduced:

H. F. No. 942, A bill for an act relating to metropolitan government; extending the responsibility of the mosquito control district to disease vectoring ticks; amending Minnesota Statutes 1988, sections 473.702; 473.704; and 473.711, subdivision 2.

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

Orenstein; Ogren; Nelson, C.; Greenfield and Gruenes introduced:

H. F. No. 943, A bill for an act relating to health; requiring post-secondary students to submit a statement of immunization; providing exemptions; amending Minnesota Statutes 1988, sections 120.102, subdivision 1; and 123.70, subdivisions 1, 2, 4, 9, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Girard, Steensma and Dempsey introduced:

H. F. No. 944, A bill for an act relating to human services; excluding from day care licensure programs operated by religious organizations for the primary purpose of providing religious instruction to the children of members; amending Minnesota Statutes 1988, section 245A.03, subdivision 2.

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

Simoneau, Begich, Munger, Rice and Morrison introduced:

H. F. No. 945, A bill for an act relating to public employment; modifying the prohibition against bargaining certain retirement contributions; amending Minnesota Statutes 1988, sections 179A.03, subdivision 19, and by adding a subdivision; and 356.24.

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

Steensma; Cooper; Pugh; Johnson, V., and Anderson, G., introduced:

H. F. No. 946, A bill for an act relating to motor vehicles; providing

for special license plates for disabled persons; setting fee for duplicate personalized license plates; amending Minnesota Statutes 1988, sections 168.011, subdivision 4; 168.012, subdivisions 1 and 3a; 168.021; 168.12, subdivision 2a; 168.125, subdivision 2; 168.27, subdivision 2; 168.29; 169.01, subdivision 24a; 169.215; 169.345; and 169.346; repealing Minnesota Statutes 1988, section 168.12, subdivisions 3 and 4.

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

Begich; Johnson, V.; Neuenschwander; Milbert and Pugh introduced:

H. F. No. 947, A bill for an act relating to crimes; requiring mandatory minimum sentences for defendants convicted of possessing or using a firearm while committing certain controlled substance violations; amending Minnesota Statutes 1988, section 152.15, by adding a subdivision.

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

Onnen introduced:

H. F. No. 948, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV, sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, and 26; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2, and article XI, section 5; providing for a unicameral legislature consisting of 101 to 135 senators.

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

Frederick, Kelly, Rest, Carruthers and Macklin introduced:

H. F. No. 949, A bill for an act relating to traffic safety; increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation; amending Minnesota Statutes 1988, section 169.121, subdivision 3.

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

Orenstein, Kelly, Greenfield, Vellenga and Bishop introduced:

H. F. No. 950, A bill for an act relating to human rights; clarifying the definition of disability; limiting the use of psychological tests; limiting age-related questions in employment applications; clarifying who is an aggrieved party for certain violations; placing burden on the employer to show a person's impairment is disqualifying; providing for service of subpoenas personally or by mail; allowing the commissioner discretion on access to data in closed files; eliminating the 180-day administrative hearing option; striking the requirement that a person's employees must be within Minnesota for purposes of affirmative action; clarifying the time period allowed for filing a private lawsuit; amending Minnesota Statutes 1988, sections 363.01, subdivisions 25 and 31; 363.02, subdivisions 1, 2, 2a, 2b, and 6; 363.03, subdivisions 1, 2, 3, 7, 8, and by adding subdivisions; 363.05, subdivision 2; 363.061, subdivision 3; 363.072, subdivision 1; 363.073, subdivision 1; 363.117; 363.123; and 363.14, subdivision 1; repealing Minnesota Statutes 1988, sections 363.01, subdivisions 30 and 32; and 363.071, subdivision 1a.

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

Jacobs, Begich, Quinn, Abrams and Osthoff introduced:

H. F. No. 951, A bill for an act relating to utilities; providing for the establishment of competitive electric utility rates for certain customers subject to effective competition; authorizing public utilities commission to require utility to initiate rate proceeding under limited circumstances; amending Minnesota Statutes 1988, sections 216B.045, subdivision 5; and 216B.17, subdivision 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 1988, section 216B.17, subdivisions 2, 3, 4, and 5.

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

Munger, Bennett, Rukavina, Battaglia and Osthoff introduced:

H. F. No. 952, A bill for an act relating to transportation; creating legislative study commission to study and report on the AMTRAK Northstar rail line between Duluth and Minneapolis-St. Paul; appropriating money.

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

Hasskamp introduced:

H. F. No. 953, A bill for an act relating to transportation; deregulating persons who provide transportation service under contract to and with assistance from the department of transportation; amending Minnesota Statutes 1988, sections 221.022; 221.025; and 221.031, by adding a subdivision.

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

Begich introduced:

H. F. No. 954, A bill for an act relating to insurance; regulating access to certain insurance and medical data; amending Minnesota Statutes 1988, section 176.138.

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

Rodosovich, Otis, Boo, Sparby and Osthoff introduced:

H. F. No. 955, A bill for an act relating to financial institutions; providing standards for determining transaction account service charges; permitting state banks to establish subsidiaries under certain circumstances; authorizing the commissioner to adopt rules regarding activities of banks and bank subsidiaries; amending Minnesota Statutes 1988, sections 48.512, by adding a subdivision; and 48.61, by adding a subdivision.

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

Carruthers, Skoglund, Wynia, Krueger and Weaver introduced:

H. F. No. 956, A bill for an act relating to insurance; clarifying the calculation of underinsured motorist benefits; amending Minnesota Statutes 1988, section 65B.49, subdivisions 3a and 4a.

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

Nelson, C.; Cooper; Dorn; Greenfield and Gruenes introduced:

H. F. No. 957, A bill for an act relating to human services; clarifying administrative and judicial review procedures; creating new procedures; amending Minnesota Statutes 1988, section

256.045, subdivisions 1, 3, 4, 4a, 5, 6, and 10, and by adding a subdivision.

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

Boo introduced:

H. F. No. 958, A bill for an act relating to education; waiving post-secondary tuition for eligible students; requiring reports; 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.

Boo introduced:

H. F. No. 959, A bill for an act relating to insurance; accident and health; requiring coverage for mental or nervous disorder treatment services performed by a licensed psychologist; amending Minnesota Statutes 1988, section 62A.152, subdivisions 2 and 3.

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

Munger; Winter; Johnson, R.; Redalen and Johnson, V., introduced:

H. F. No. 960, A bill for an act relating to conservation; changing certain responsibilities; defining certain terms; adopting eligibility criteria; changing agreement terms and payment procedures; providing for enforcement; authorizing sale of certain bonds; appropriating money; amending Minnesota Statutes 1988, sections 40.42; 40.43; 40.44; and 40.45.

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

Anderson, R.; Greenfield; Ogren; Ostrom and Boo introduced:

H. F. No. 961, A bill for an act relating to human services; increasing asset and income guidelines for spouses of institutionalized medical assistance recipients; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Hasskamp, Kelso, Wenzel, Blatz and Tompkins introduced:

H. F. No. 962, A bill for an act relating to health; requiring the physician to make a determination of viability; prohibiting abortions except those necessary to preserve the life or health of the mother; regulating the method of abortion of the viable fetus; requiring the presence of a second physician at the abortion of a viable unborn child; regulating the standard of care for the viable unborn child; according protection of law to the child born alive as a result of abortion; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Sparby; Nelson, C.; Wenzel; Winter and Steensma introduced:

H. F. No. 963, A bill for an act relating to agriculture; adopting a state packers and stockyards act; imposing penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 31B.

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

O'Connor, Jacobs, Solberg, Janezich and Bennett introduced:

H. F. No. 964, A bill for an act relating to the sale of liquor; adding malt liquor sampling to current wine sampling provision; amending Minnesota Statutes 1988, section 340A.510.

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

Jefferson; Anderson, R.; Greenfield; Gruenes and Segal introduced:

H. F. No. 965, A bill for an act relating to human services; establishing reporting requirements; defining the functions and responsibilities of the commissioner in supervising community social services administered by the counties; requiring the commissioner of human services to ensure compliance with applicable program laws and regulations; implementing corrective action plans; providing sanctions and establishing an incentive program; amending Minnesota Statutes 1988, sections 245.482; 245.716; 245.73, subdivision 4; 252.275, subdivision 7; 256.01, subdivision 2; 256.72; 256.736, subdivision 15; 256.871, subdivision 6; 256.935, subdivision 1; 256B.05, subdivision 1; 256B.20; 256D.04; 256D.39;

256E.05, subdivision 3, and by adding subdivisions; 256E.08, subdivisions 1 and 8; 256F.06, subdivision 4; 256H.09, subdivision 1; and 257.3575, subdivision 2.

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

Johnson, V., and Kalis introduced:

H. F. No. 966, A bill for an act relating to highways; removing legislative route 249 from the trunk highway system.

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

Beard; Begich; Sviggum; Johnson, A., and Dille introduced:

H. F. No. 967, A bill for an act relating to workers' compensation; regulating self-insurance; defining various terms; regulating certain administrative duties, powers, and procedures; regulating various benefits; amending Minnesota Statutes 1988, sections 79A.01, by adding a subdivision; 79A.04, subdivision 14; 129A.05, subdivision 2; 175.171; 176.011, subdivisions 15, 21 and 24; 176.021, subdivision 3; 176.081, subdivision 1; 176.101, subdivision 3e; 176.102, subdivisions 3, 3a, 4, and 11; 176.103, subdivision 3; 176.104, subdivision 1; 176.106, subdivisions 7, 8, and 9; 176.111, subdivisions 7 and 8; 176.131, subdivision 1; 176.135, subdivisions 1, 3, 6, 7, and by adding a subdivision; 176.136, subdivision 5; 176.155, subdivision 1; 176.181, subdivision 2; 176.191, subdivision 3; 176.221, subdivision 9; 176.225, subdivision 5; 176.231, subdivisions 8 and 9; 176.238, subdivisions 1, 6, and 9; 176.239, subdivisions 1, 2, 3, and 6; 176.291; 176.305, subdivisions 1 and 4; 176.421, subdivision 7; 176.451, subdivision 4; 176.521, subdivision 1; and 176.83, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 175 and 176; repealing Minnesota Statutes 1988, sections 176.021, subdivision 3a; 176.111, subdivision 8a; and 176.136, subdivision 3.

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

Vellenga, Wagenius and Otis introduced:

H. F. No. 968, A bill for an act relating to education; authorizing the issuance of state bonds; appropriating money for the desegregation capital improvement grant act; proposing coding for new law in Minnesota Statutes, chapter 129B.

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

Bishop; Olsen, S.; Orenstein and Kelly introduced:

H. F. No. 969, A bill for an act relating to nonprofit corporations; changing the procedure for proposing amendments to the bylaws; amending Minnesota Statutes 1988, section 317.15, subdivision 2.

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

Sarna; Beard; Begich; Johnson, A., and Redalen introduced:

H. F. No. 970, A bill for an act relating to employees; providing for a wage protection program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Johnson, V.; Carlson, D.; Tunheim; Steensma and Hugoson introduced:

H. F. No. 971, A bill for an act relating to agriculture; providing for the protection of groundwater and local water resources; appropriating money; proposing coding for new law as Minnesota Statutes, chapters 110C and 110D.

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

Bauerly; McEachern; Olson, K.; Brown and Seaberg introduced:

H. F. No. 972, A bill for an act relating to drivers' licenses; providing that court administrators forward driver's license or permit applications and fees to the department of public safety by the next working day; requiring commissioner of public safety to conduct background study on applicant for school bus endorsement; amending Minnesota Statutes 1988, sections 171.06, subdivision 4; and 171.321, by adding a subdivision.

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

Bauerly, Kalis, Lieder, Brown and Dempsey introduced:

H. F. No. 973, A bill for an act relating to traffic regulations; regulating U-turns; providing for color and equipment requirements on school buses carrying ten or more persons; requiring flashing amber light of school bus to be activated at least 300 feet before stopping to load or unload school children; providing for bumper requirements on private passenger vehicles and rear-end protection for other vehicles; amending Minnesota Statutes 1988, sections 169.19, subdivision 2; 169.44, subdivisions 1a and 2; and 169.73.

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

Simoneau introduced:

H. F. No. 974, A bill for an act relating to retirement; permitting repayment of refunds received from the judges' retirement fund; amending Minnesota Statutes 1988, section 490.124, subdivision 12.

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

Steensma, Dille and Long introduced:

H. F. No. 975, A bill for an act relating to counties; permitting county appropriations for the arts; amending Minnesota Statutes 1988, section 375.18, by adding a subdivision.

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

Dorn, Pelowski, Gruenes, Price and Jaros introduced:

H. F. No. 976, A bill for an act relating to education; imposing requirements on certain student loan programs; appropriating money; amending Minnesota Statutes 1988, section 136A.141.

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

Pelowski, Dorn, Johnson, V.; Janezich and Kinkel introduced:

H. F. No. 977, A bill for an act relating to education; appropriating money to HECB for child care services for post-secondary students.

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

Rest introduced:

H. F. No. 978, A bill for an act relating to driving while intoxicated; making it a crime for certain repeat offenders to refuse to submit to chemical testing under the implied consent law; imposing penalties; amending Minnesota Statutes 1988, sections 169.121, subdivisions 1, 1a, 3, and 3b; and 169.123, subdivision 2.

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

Dempsey, Pappas, Vellenga and Macklin introduced:

H. F. No. 979, A bill for an act relating to marriage dissolution; regulating child custody and support; permitting agreements about maintenance; regulating the valuation of marital property; defining certain behavior as child abduction; amending Minnesota Statutes 1988, section 518.17, subdivisions 1 and 2; 518.54, subdivision 5; 518.551, subdivision 5; 518.552, by adding a subdivision; 518.58, subdivision 1; and 609.26, subdivisions 1 and 6.

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

Krueger, Redalen, Bertram, Bauerly and Wenzel introduced:

H. F. No. 980, A bill for an act relating to commerce; providing a computerized system for notification of security interests in farm products; imposing a penalty; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 336A.

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

Rest, Pappas, Seaberg and Vellenga introduced:

H. F. No. 981, A bill for an act relating to juvenile justice; requiring reasonable efforts to prevent placement of children in need of protection or services proceedings; amending duty of juvenile court to ensure placement prevention and family reunification; defining reasonable efforts; clarifying definitions, jurisdiction, and services for Indian children; requiring preference for racial or ethnic heritage for appointment of guardian ad litem; requiring consideration of reasonable efforts in factors determining neglect; requiring

that a child be in imminent danger for detention; permitting social services to release for detention; requiring finding of reasonable efforts at detention; and imposing requirements for disposition case plans; amending Minnesota Statutes 1988, sections 260.012; 260.015, subdivisions 11, 13, 14, and by adding subdivisions; 260.111, by adding a subdivision; 260.135, subdivision 2; 260.141; 260.155, subdivisions 4 and 7; 260.165, subdivision 1; 260.171, subdivision 1; 260.172, subdivisions 1 and 4; 260.173, subdivision 2; 260.181, subdivision 2; and 260.191, subdivisions 1a and 1e.

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

Kelly introduced:

H. F. No. 982, A bill for an act relating to animals; establishing a state program for spaying and neutering certain animals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 346.

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

Simoneau introduced:

H. F. No. 983, A bill for an act relating to human services; transferring responsibility for the post-secondary educational institution set-aside to department of education; eliminating set-asides for AFDC priority groups and AFDC post-secondary students; requiring the commissioner to transfer funds from the AFDC set-asides to the basic sliding fee program; mandating child care funding for certain groups; including child care funds planning in the community social services planning process; appropriating money; amending Minnesota Statutes 1988, sections 256E.03, subdivision 2; 256E.09, subdivision 3; 256H.01, subdivision 4; 256H.02; 256H.03, subdivisions 1 and 2; 256H.04; 256H.07; 256H.08; 256H.09, subdivisions 1 and 3; 256H.10, subdivisions 1 and 3; 256H.11, subdivision 2; 256H.12, subdivision 1; 256H.17; and 256H.18; repealing Minnesota Statutes 1988, sections 256H.01, subdivision 14; 256H.04, subdivision 2; 256H.05; 256H.06; and 256H.13.

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

Olson, E.; Brown; Redalen; Cooper and Dille introduced:

H. F. No. 984, A bill for an act relating to agriculture; adopting a

state packers and stockyards act; imposing penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 31B.

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

O'Connor, McEachern and Beard introduced:

H. F. No. 985, A bill for an act relating to consumer protection; prohibiting vending machine sales of tobacco products; amending Minnesota Statutes 1988, section 325F.78; proposing coding for new law in Minnesota Statutes, chapter 325F; repealing Minnesota Statutes 1988, section 325E.07.

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

Tompkins, Ozment, Seaberg, Scheid and Milbert introduced:

H. F. No. 986, A bill for an act relating to elections; defining expenses a candidate must pay for an optional recount; amending Minnesota Statutes 1988, sections 204C.35, subdivision 2; and 204C.36.

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

Schreiber, Rest, Valento, Scheid and Pauly introduced:

H. F. No. 987, A bill for an act relating to taxation; changing the local effort factor for certain formulas; amending Minnesota Statutes 1988, sections 273.1398, subdivisions 1 and 3; and 477A.011, subdivision 15, and by adding a subdivision.

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

Gruenes, Peterson, Bauerly and Marsh introduced:

H. F. No. 988, A bill for an act relating to local government; changing conditions for the establishment and operation of special service districts in Sartell, Sauk Rapids, St. Cloud, Isle, Mora, Becker, and Waite Park; amending Laws 1985, chapter 301, sections 5, subdivision 5; 7, subdivision 1; 9; 12; and 13, subdivision 2; repealing Laws 1985, chapter 301, section 7, subdivision 4.

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

Sparby, Tunheim, Frerichs and Vanasek introduced:

H. F. No. 989, A bill for an act relating to trade practices; providing for payment to farm implement retailer by the manufacturer, wholesaler, or distributor who repurchases stock and inventory; amending Minnesota Statutes 1988, section 325E.06, subdivisions 1, 4, and 5.

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

Jefferson, Forsythe, O'Connor, Murphy and Simoneau introduced:

H. F. No. 990, A bill for an act relating to housing; establishing a home equity conversion loan counseling program for senior homeowners; 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.

Jefferson, Long, Rest, Pauly and Simoneau introduced:

H. F. No. 991, A bill for an act relating to taxation; property; extending homestead treatment to VISTA or Peace Corps volunteers; amending Minnesota Statutes 1988, section 273.124, subdivision 12.

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

Orenstein, Milbert, Pugh and Dempsey introduced:

H. F. No. 992, A bill for an act relating to civil actions; prohibiting collateral source reductions of awards unless they are necessary to prevent double recovery; amending Minnesota Statutes 1988, section 548.36, subdivision 3.

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

Orenstein, Milbert, Pugh and Dempsey introduced:

H. F. No. 993, A bill for an act relating to civil actions; altering the application of joint and several liability in asbestos actions; amending Minnesota Statutes 1988, section 604.02, subdivision 1.

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

Kelso, Milbert, Pugh, Tompkins and Macklin introduced:

H. F. No. 994, A bill for an act relating to human services; requiring a pilot project for subsidies to certain persons with case management training; appropriating money; amending Minnesota Statutes 1988, section 252.32, by adding a subdivision.

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

Skoglund; McEachern; Nelson, K.; Wagenius and Hartle introduced:

H. F. No. 995, A bill for an act relating to education; changing school age requirements; amending Minnesota Statutes 1988, sections 120.101, subdivisions 2, 5, and by adding a subdivision; and 127.20.

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

Skoglund; McEachern; Nelson, K.; Wagenius and Hartle introduced:

H. F. No. 996, A bill for an act relating to education; allowing a school board to compel attendance of enrolled pupils under the age of seven; making conforming changes; amending Minnesota Statutes 1988, sections 120.101, subdivision 5, and by adding a subdivision; and 127.20.

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

Hugoson, Schafer and Tunheim introduced:

H. F. No. 997, A bill for an act relating to workers' compensation; changing the definition of family farm; amending Minnesota Statutes 1988, section 176.011, subdivision 11a.

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

Heap, Jennings, Waltman and Begich introduced:

H. F. No. 998, A bill for an act relating to crimes; authorizing imposition of the death penalty for murder in certain circumstances; providing a statutory framework, including procedures and criteria, consistent with due process for determining when the imposition of the death penalty is appropriate; requiring the court to select the mode of execution; providing for automatic appellate review of death penalty cases; providing for appointment of attorneys in death penalty cases; providing an administrative framework for implementing the death penalty; amending Minnesota Statutes 1988, sections 243.05, subdivision 1; 609.10; 609.12, subdivision 1; 609.135, subdivision 1; 609.185; 609.19; and 611.25, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 609A.

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

Battaglia, Jacobs and Bennett introduced:

H. F. No. 999, A bill for an act relating to alcoholic beverages; authorizing Cook county to issue an off-sale liquor license.

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

Omann and Redalen introduced:

H. F. No. 1000, A bill for an act relating to intoxicating liquor; allowing a farm winery to sell wine off the premises of the winery; amending Minnesota Statutes 1988, section 340A:315, subdivision 2.

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

Beard, Milbert, Price, Pugh and Quinn introduced:

H. F. No. 1001, A bill for an act relating to taxation; property; limiting increases in the market value of homesteads; amending Minnesota Statutes, 1988, section 273.11, subdivision 1, and by adding a subdivision.

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

Waltman introduced:

H. F. No. 1002, A bill for an act relating to marriage; requiring premarital and predissolution counseling; prohibiting a dissolution contrary to the marriage vows; requiring at least one year delay between filing the petition and entering the decree; amending Minnesota Statutes 1988, sections 518.06, subdivision 1, and by adding subdivisions; 518.145, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 517.

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

Waltman; Johnson, V.; Pelowski and Sviggum introduced:

H. F. No. 1003, A bill for an act relating to the environment; providing for compensation to local government units affected by unlawful wastewater discharge; amending Minnesota Statutes 1988, section 115.071, by adding a subdivision.

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

Swenson, Pauly, Lieder, Battaglia and Carruthers introduced:

H. F. No. 1004, A bill for an act relating to local government; expanding the purpose for the use of certain dedicated cash payments under the municipal planning law; amending Minnesota Statutes 1988, section 462.358, subdivision 2b.

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

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

H. F. No. 1005, 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.

Sviggum; Knickerbocker; Simoneau; Nelson, K., and Rodosovich introduced:

H. F. No. 1006, A bill for an act relating to retirement; teachers retirement association; teacher retirement fund associations in the cities of the first class; establishing a special defined contribution program for extracurricular teaching activity compensation amounts; amending Minnesota Statutes 1988, sections 354.05, subdivision 35, and by adding subdivisions; 354.07, by adding subdivisions; 354.42, subdivisions 2, 3, and 5; 354.44, subdivisions 6 and 7; 354.46, subdivision 1; 354.48, subdivision 3; 354A.011, by adding subdivisions; 354A.021, by adding a subdivision; 354A.12, subdivisions 1 and 2; and 354A.31, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 354 and 354A.

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

Simoneau introduced:

H. F. No. 1007, A bill for an act relating to natural resources; regulating the growing, harvesting, processing, and sale of certain wild rice; providing for a wild rice marketing program; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 30; repealing Minnesota Statutes 1988, section 30.49.

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

Ostrom, Clark, Dorn, Onnen and Nelson, C., introduced:

H. F. No. 1008, A bill for an act relating to human services; clarifying and expanding the duties of the ombudsman for older Minnesotans; amending Minnesota Statutes 1988, sections 256.974; 256.9741, subdivisions 3 and 5; 256.9742; 256.9744, subdivision 1; and 256.975, subdivision 2, and by adding a subdivision.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Reding introduced:

H. A. No. 3, A proposal to place a moratorium on printing and publishing of certain state materials.

The advisory was referred to the Committee on Governmental Operations.

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 Files, herewith transmitted:

S. F. Nos. 112, 686 and 574.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 112, A bill for an act relating to vocational rehabilitation; changing term "extended employment plan participants" to "workers"; amending Minnesota Statutes 1988, section 129A.08, subdivision 4.

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

S. F. No. 686, A resolution memorializing the President and Congress to condemn the government of Iran because of its action against Salman Rushdie and to refuse efforts to return frozen Iranian assets to Iran.

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

S. F. No. 574, A bill for an act relating to natural resources;

providing for a deficiency in the appropriation for emergency deer feeding; appropriating money.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, G., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 574 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Anderson, G., motion and the roll was called. There were 118 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark Williams

The motion prevailed.

Anderson, G., moved that the Rules of the House be so far suspended that S. F. No. 574 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 574 was read for the second time.

Anderson, G., moved to amend S. F. No. 574, as follows:

Page 1, line 7, delete "\$500,000" and insert "\$300,000"

The motion prevailed and the amendment was adopted.

S. F. No. 574, A bill for an act relating to natural resources; providing for a deficiency in the appropriation for emergency deer feeding; appropriating money.

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 124 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark

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

CONSENT CALENDAR

S. F. No. 215, A bill for an act relating to notaries public;

increasing the period of time during which reappointments may be made; amending Minnesota Statutes 1988, section 359.02.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 527, A bill for an act relating to state parks; requiring collection facilities for recycling containers in state parks; proposing coding for new law in Minnesota Statutes, chapter 85.

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

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

Those who voted in the affirmative were:

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

Frerichs	Kalis	Munger	Pugh	Stanius
Girard	Kelly	Murphy	Quinn	Steensma
Greenfield	Kelso	Nelson, C.	Redalen	Sviggum
Gruenes	Kinkel	Nelson, K.	Reding	Swenson
Gutknecht	Knickerbocker	Neuenschwander	Rest	Tjornhom
Hartle	Kostohryz	O'Connor	Rice	Tompkins
Hasskamp	Lasley	Olsen, S.	Richter	Trimble
Haukoos	Lieder	Olsen, E.	Rodosovich	Tunheim
Heap	Limmer	Olson, K.	Rukavina	Uphus
Henry	Long	Omann	Runbeck	Valento
Himle	Lynch	Onnen	Sarna	Vellenga
Hugoson	Macklin	Orenstein	Schafer	Wagenius
Jacobs	Marsh	Ostrom	Scheid	Waltman
Janezich	McDonald	Ozment	Schreiber	Weaver
Jaros	McGuire	Pauly	Seaberg	Welle
Jefferson	McLaughlin	Pellow	Segal	Wenzel
Jennings	McPherson	Pelowski	Simoneau	Williams
Johnson, A.	Milbert	Peterson	Skoglund	Winter
Johnson, R.	Miller	Poppenhagen	Solberg	Wynia
Johnson, V.	Morrison	Price	Sparby	Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 223, A bill for an act relating to consumer protection; prohibiting the sale of tobacco from multiproduct vending machines; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Scheid

The bill was passed and its title agreed to.

H. F. No. 242, A bill for an act relating to transportation; providing for strength, width, clearance, and safety standards for bridges; amending Minnesota Statutes 1988, section 165.03, subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 387, A bill for an act relating to traffic regulations; exempting state patrol troopers from requirement of security barrier in marked state patrol vehicles; amending Minnesota Statutes 1988, section 169.98, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 545, A bill for an act relating to natural resources; providing for the disposal of certain low-grade state-owned iron-bearing materials for construction or maintenance purposes; amending Minnesota Statutes 1988, section 93.41, subdivision 1.

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

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

Those who voted in the affirmative were:

Abrams	Burger	Frerichs	Janezich	Lasley
Anderson, G.	Carlson, D.	Girard	Jaros	Lieder
Anderson, R.	Carlson, L.	Greenfield	Jefferson	Limmer
Battaglia	Carruthers	Gruenes	Jennings	Long
Bauerly	Clark	Gutknecht	Johnson, A.	Lynch
Beard	Conway	Hartle	Johnson, R.	Macklin
Begich	Cooper	Hasskamp	Johnson, V.	Marsh
Bennett	Dawkins	Haukoos	Kalis	McDonald
Bertram	Dempsey	Heap	Kelly	McEachern
Bishop	Dille	Henry	Kelso	McGuire
Blatz	Dorn	Himle	Kinkel	McLaughlin
Boo	Forsythe	Hugoson	Knickerbocker	McPherson
Brown	Frederick	Jacobs	Kostohryz	Milbert

Miller	Orenstein	Rest	Skoglund	Vellenga
Morrison	Ostrom	Rice	Solberg	Wagenius
Munger	Ozment	Richter	Sparby	Waltman
Murphy	Pauly	Rodosovich	Stanius	Weaver
Nelson, C.	Pellow	Rukavina	Steensma	Welle
Nelson, K.	Pellowski	Runbeck	Sviggum	Wenzel
Neuenschwander	Peterson	Sarna	Swenson	Williams
O'Connor	Poppenhagen	Schafer	Tjornhom	Winter
Olsen, S.	Price	Scheid	Tompkins	Wynia
Olson, E.	Pugh	Schreiber	Trimble	Spk. Vanasek
Olson, K.	Quinn	Seaberg	Tunheim	
Omann	Redalen	Segal	Uphus	
Onnen	Reding	Simoneau	Valento	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 154, A bill for an act relating to crimes; extending 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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 43, A bill for an act relating to state lands; authorizing St. Louis county to sell certain tax-forfeited lands bordering public waters.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Munger Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 85, A bill for an act relating to public safety; regulating boiler operation and inspections; amending Minnesota Statutes 1988, sections 183.42; and 183.45.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 323, A bill for an act relating to commerce; regulating motor vehicle sales and distribution; determining reasonable compensation for warranty services performed by dealers; amending Minnesota Statutes 1988, section 80E.04, subdivision 2.

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

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

Those who voted in the affirmative were:

Abrams	Carruthers	Hartle	Kelly	Milbert
Anderson, G.	Clark	Hasskamp	Kelso	Miller
Anderson, R.	Conway	Haukoos	Kinkel	Morrison
Battaglia	Cooper	Heap	Knickerbocker	Munger
Bauerly	Dauner	Henry	Kostohryz	Murphy
Beard	Dawkins	Himle	Lasley	Nelson, C.
Begich	Dempsey	Hugoson	Lieder	Nelson, K.
Bennett	Dille	Jacobs	Limmer	Neuenschwander
Bertram	Dorn	Janezich	Long	O'Connor
Bishop	Forsythe	Jaros	Lynch	Olsen, S.
Blatz	Frederick	Jefferson	Macklin	Olsen, E.
Boo	Frerichs	Jennings	Marsh	Olson, K.
Brown	Girard	Johnson, A.	McDonald	Omman
Burger	Greenfield	Johnson, R.	McEachern	Onnen
Carlson, D.	Gruenes	Johnson, V.	McGuire	Orenstein
Carlson, L.	Gutknecht	Kalis	McPherson	Ostrom

Ozment.	Reding	Schreiber	Swenson	Weaver
Pauly	Rest	Seaberg	Tjornhom	Welle
Pellow	Rice	Segal	Tompkins	Wenzel
Pelowski	Richter	Simoneau	Trimble	Williams
Peterson	Rodosovich	Skoglund	Tunheim	Winter
Poppenhagen	Rukavina	Solberg	Uphus	Wynia
Price	Runbeck	Sparby	Valento	Spk. Vanasek
Pugh	Sarna	Stanius	Vellenga	
Quinn	Schafer	Steensma	Wagenius	
Redalen	Scheid	Sviggum	Waltman	

The bill was passed and its title agreed to.

H. F. No. 426, A bill for an act relating to the city of Mankato; authorizing location of certain polling places more than 3,000 feet outside precinct boundaries.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 502, A bill for an act relating to state lands; authorizing

private conveyance of tax-forfeited land bordering public water in Washington county.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 32, A bill for an act relating to crimes; trespass; recodifying the law on dangerous trespasses and misdemeanor trespasses; prescribing penalties; amending Minnesota Statutes 1988, sections 609.02, subdivisions 12 and 13; 609.50; 609.55, subdivision 2, and by adding subdivisions; 609.576; 609.605; 609.85; 609.855, subdivisions 1 and 3; 624.731, subdivision 7; and 629.363; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1988, section 609.60.

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 120 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	McDonald	Schafer
Johnson, V.	Ozment	Schreiber

The bill was passed and its title agreed to.

Blatz was excused at 3:40 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose:

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 321, 322, 450 and 509 were recommended to pass.

S. F. No. 204 was recommended to pass.

H. F. No. 65 was recommended for progress.

H. F. No. 148, the first engrossment, which it recommended to pass with the following amendment offered by Price:

Delete everything after the enacting clause and insert:

"Section 1. [WASHINGTON COUNTY; PAYMENTS.]

The Washington county board may provide procedures for the payment of all or any class of county obligations by the county auditor-treasurer without presentation to the board. The procedures shall include regular and frequent review of the auditor-treasurer's actions by the board.

Sec. 2. [ANOKA COUNTY; PAYMENTS.]

The Anoka county board may provide procedures for the payment of all or any class of county obligations by the county auditor without presentation to the board. The procedures shall include regular and frequent review of the auditor's action by the board.

Sec. 3. [LOCAL APPROVAL.]

Section 1 is in effect the day after the Washington county board complies with Minnesota Statutes, section 645.021, subdivision 3. Section 2 is in effect the day after the Anoka county board complies with Minnesota Statutes, section 645.021, subdivision 3."

Delete the title and insert:

"A bill for an act relating to local government; permitting the counties of Washington and Anoka to establish certain payment procedures."

S. F. No. 156 which it recommended for progress with the following amendment offered by Kostohryz:

Delete everything after the enacting clause and insert:

"Section 1. [3.9221] [INDIAN TRIBES; COMPACTS TO BE NEGOTIATED.]

Subdivision 1. [DEFINITION.] For purposes of this section, "act" means the Indian Gaming Regulatory Act, Public Law Number 100-497 and future amendments to it.

Subd. 2. [NEGOTIATIONS AUTHORIZED.] The governor, the speaker of the house, and the majority leader of the senate, or their designated representatives, shall, pursuant to section 11 of the act, negotiate in good faith a tribal-state compact regulating the conduct

of class III gambling, as defined in section 4 of the act, on Indian lands of a tribe requesting negotiations. A designated representative of the governor must be a person employed in the office of the governor or in the state planning agency at the time of the designation. A designated representative of the speaker of the house or the senate majority leader must be a member of the house or the senate respectively. The agreement may include any provision authorized under section 11(d)(3)(C) of the act. The attorney general is the legal counsel for the governor, speaker of the house, and the majority leader of the senate, or their designees, in regard to negotiating a compact under this section.

Subd. 3. [CONTENT OF COMPACT.] A compact under subdivision 2 must govern class III gaming activity on Indian lands with respect to the following:

- (1) amounts which may be offered as prizes or winnings;
- (2) frequency with which class III gaming may be conducted;
- (3) minimum age for participation in class III gaming or the conduct of class III gaming;
- (4) licensing of entities authorized to conduct class III gaming;
- (5) licensing of and specifications for gaming equipment used in class III gaming;
- (6) recording and reporting on the frequency, gross receipts, expenses, profits, and expenditures of profits from class III gaming; and
- (7) rules of play for class III gaming.

Subd. 4. [REPORT.] The persons authorized by subdivision 2 to negotiate on behalf of the state a tribal-state compact must, before signing the compact on behalf of the state, report on its content to the senate committee on general legislation and public gaming and the house committee on general legislation, veterans affairs, and gaming.

Sec. 2. [TERMS OF COMPACT; RIGHTS OF PARTIES.]

A compact agreed to on behalf of the state under section 1 must contain:

- (1) a provision recognizing the right of each party to the agreement, including the legislature by joint resolution, to request that the agreement be renegotiated or replaced by a new compact, and providing the terms under which either party, including the legis-

lature, can request a renegotiation or the negotiation of a new compact; and

(2) a provision that in the event of a request for a renegotiation or a new compact the existing compact will remain in effect until renegotiated or replaced.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to gambling; authorizing the governor, the speaker of the house, and the majority leader of the senate to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act; proposing coding for new law in Minnesota Statutes, chapter 3."

H. F. No. 508 which it recommended to pass with the following amendment offered by Morrison:

Page 2, line 34, delete "regular"

Page 2, line 35, after "city" insert "general"

On the motion of Wynia the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll call was taken in the Committee of the Whole:

Miller moved to amend S. F. No. 156, as amended, as follows:

Page 1, line 14, after "house," insert "the minority leader of the house," and delete "and" and after "senate," insert "and the minority leader of the senate,"

Page 1, line 22, after "house" insert ", the minority leader of the house," and delete "or"

Page 1, line 23, after "leader" insert ", or the minority leader of the senate"

Page 2, line 1, after "house," insert "the minority leader of the house," and delete "and" and after "senate," insert "the minority leader of the senate"

The question was taken on the Miller amendment and the roll was called. There were 54 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Kelly	Omann	Seaberg
Bennett	Gruenes	Knickerbocker	Onnen	Stanius
Bishop	Gutknecht	Limmer	Ozment	Sviggum
Boo	Hartle	Lynch	Pauly	Swenson
Burger	Haukoos	Macklin	Pellow	Tjornhom
Carlson, D.	Heap	Marsh	Poppenhagen	Tompkins
Dempsey	Henry	McDonald	Redalen	Uphus
Dille	Himle	McPherson	Richter	Valento
Forsythe	Hugoson	Miller	Runbeck	Waltman
Frederick	Jennings	Morrison	Schafer	Weaver
Frerichs	Johnson, V.	Olsen, S.	Schreiber	

Those who voted in the negative were:

Anderson, G.	Dorn	McEachern	Pelowski	Solberg
Battaglia	Greenfield	McGuire	Peterson	Sparby
Bauerly	Hasskamp	McLaughlin	Price	Steensma
Beard	Jacobs	Milbert	Pugh	Tunheim
Begich	Janezich	Munger	Quinn	Vellenga
Bertram	Jefferson	Murphy	Reding	Wagenius
Brown	Johnson, A.	Nelson, C.	Rest	Welle
Carlson, L.	Kalis	Nelson, K.	Rice	Wenzel
Carruthers	Kelso	Neuenschwander	Rodosovich	Williams
Clark	Kinkel	O'Connor	Sarna	Winter
Conway	Kostohryz	Olson, E.	Scheid	Wynia
Cooper	Lasley	Olson, K.	Segal	Spk. Vanasek
Dauner	Lieder	Orenstein	Simoneau	
Dawkins	Long	Ostrom	Skoglund	

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

MOTIONS AND RESOLUTIONS

McLaughlin moved that the name of Henry be added as an author on H. F. No. 164. The motion prevailed.

Quinn moved that the name of Johnson, R., be added as an author on H. F. No. 200. The motion prevailed.

Clark moved that the name of Limmer be added as an author on H. F. No. 300. The motion prevailed.

Kalis moved that the name of Henry be added as an author on H. F. No. 514. The motion prevailed.

O'Connor moved that the name of Morrison be stricken and the name of Olsen, S., be added as an author on H. F. No. 737. The motion prevailed.

Welle moved that the name of Ogren be stricken and the name of Pappas be added as an author on H. F. No. 759. The motion prevailed.

Sviggum moved that the name of Macklin be added as an author on H. F. No. 853. The motion prevailed.

Segal moved that the name of Lynch be added as an author on H. F. No. 855. The motion prevailed.

Clark moved that the name of Segal be stricken as an author on H. F. No. 858. The motion prevailed.

Clark moved that the name of Runbeck be added as an author on H. F. No. 859. The motion prevailed.

Segal moved that the name of Lynch be added as an author on H. F. No. 865. The motion prevailed.

Vellenga moved that the names of Gruenes and Greenfield be added as authors on H. F. No. 877. The motion prevailed.

O'Connor moved that H. F. No. 540 be recalled from the Committee on Financial Institutions and Housing and be re-referred to the Committee on Economic Development. The motion prevailed.

O'Connor moved that H. F. No. 737 be recalled from the Committee on Financial Institutions and Housing and be re-referred to the Committee on Judiciary. The motion prevailed.

Kalis moved that H. F. No. 895 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Transportation. The motion prevailed.

Stanius moved that H. F. No. 604 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Kostohryz moved that S. F. No. 300 be recalled from the Committee on General Legislation, Veterans Affairs and Gaming and together with H. F. No. 620, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Stanius moved that H. F. No. 172 be returned to its author. The motion prevailed.

Stanius moved that H. F. No. 332 be returned to its author. The motion prevailed.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 6, 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., Monday, March 6, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives