

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION — 1989

TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 20, 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.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Blatz; Heap; Johnson, A.; Osthoff; Scheid and Welle were excused.

The Chief Clerk proceeded to read the Journal of the preceding

day. Price 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. 128, 484, 695, 765, 819, 862, 942, 1115, 243, 266, 278, 306, 630, 46, 931 and 1104 and S. F. Nos. 644, 294 and 400 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

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

The Honorable Robert E. Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i>	<i>H.F.</i>	<i>Session Laws</i>	<i>Time and</i> <i>Date Approved</i>	<i>Date Filed</i>
<i>No.</i>	<i>No.</i>	<i>Chapter No.</i>	<i>1989</i>	<i>1989</i>
215		6	13:37-March 8	March 8

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

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

The Honorable Robert E. Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i>	<i>H.F.</i>	<i>Session Laws</i>	<i>Time and</i>	<i>Date Filed</i>
<i>No.</i>	<i>No.</i>	<i>Chapter No.</i>	<i>Date Approved</i>	<i>1989</i>
204		7	11:24-March 9	March 9
574		8	11:25-March 9	March 9
32		5	18:53-March 9	March 9

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 14, 1989

The Honorable Robert E. Vanasek
Speaker of the House of Representatives
The State of Minnesota

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 113, relating to local government; granting powers to towns; setting certain procedures.

Sincerely,

RUDY PERPICH
Governor

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

The Honorable Robert E. Vanasek
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i>	<i>H.F.</i>	<i>Session Laws</i>	<i>Time and</i>	<i>Date Filed</i>
<i>No.</i>	<i>No.</i>	<i>Chapter No.</i>	<i>Date Approved</i>	<i>1989</i>
	113	9	10:42-March 14	March 14
300		10	11:44-March 14	March 14

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Olson, K., from the Committee on Education to which was referred:

H. F. No. 436, A bill for an act relating to education; requiring the state board of education to adopt a rule on preparation time for teachers.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [RULEMAKING; TEACHER PREPARATION TIME.]

Subdivision 1. [PROPOSED RULE.] The state board of education shall adopt a rule under Minnesota Statutes, chapter 14, establishing preparation time requirements for elementary school staff that are comparable to the preparation time requirements for secondary school staff established in Minnesota Rules, part 3500.3700, subpart 3. In adopting any rule, the state board shall consider the length and structure of the elementary day and, if appropriate, permit preparation time to be scheduled at more than one time during the school day.

Subd. 2. [VARIANCE.] The state board's rule must establish a process and criteria for granting one-year variances from the rule for districts that are unable to comply with the rule.

Subd. 3. [RULEMAKING COSTS.] The costs of rulemaking required by this section must be covered by the regular operating appropriation to the department of education.

Subd. 4. [EFFECTIVE DATE OF RULE.] The state board must complete chapter 14 procedures and report the rule to the legislature by February 1, 1990. Notwithstanding Minnesota Statutes, section 14.18, the rule is not effective until it has been approved by a bill enacted into law.

Sec. 2. [BIENNIAL BUDGET PREPARATION.]

The state board shall report to the education committees of the legislature on the cost to school districts of implementing the rule adopted according to section 1.”

Delete the title and insert:

“A bill for an act relating to education; requiring the state board of education to prepare a rule on preparation time for teachers; requiring the rule to be enacted into law before becoming effective.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Simoneau from the Committee on Governmental Operations to which was referred:

H. F. No. 491, A bill for an act relating to tourism; creating a department of tourism; transferring duties and powers from the department of trade and economic development to the department of tourism; appropriating money; amending Minnesota Statutes 1988,

sections 15.06, subdivision 1; 15A.081, subdivision 1; 116J.01, subdivision 3; 116J.58, subdivision 2; 116J.60; 301A.01, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 116Q; repealing Minnesota Statutes 1988, sections 116J.58, subdivision 3; and 116J.615.

Reported the same back with the following amendments:

Page 1, after line 12, insert:

“Section 1. Minnesota Statutes 1988, section 15.01, is amended to read:

15.01 [DEPARTMENTS OF THE STATE.]

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; the department of education; the department of jobs and training; the department of trade and economic development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; the department of public safety; the department of public service; the department of human services; the department of revenue; the department of tourism; the department of transportation; the department of veterans affairs; and their successor departments.”

Page 3, line 25, delete “one office” and strike the comma

Page 8, after line 36, insert:

“Sec. 14. [TRANSFER OF EMPLOYEES.]

The commissioner of employee relations shall transfer persons who are nonmanagerial employees in regional tourism offices on the effective date of sections 1 to 13 to the classified service of the state. The transfer must be made without competitive or qualifying examination. The commissioner shall place transferred employees in the proper job classifications. A transferred employee with less than six months of service in the employee's position at the time of transfer shall serve a probationary period appropriate for the employee's classification under section 43A.16. The probationary period must include the time since the employee's hire in the unclassified position from which the employee was transferred.

Sec. 15. [TRANSFER.]

Minnesota Statutes, section 15.039, applies to the transfer of duties provided in sections 1 to 14.

Page 9, line 6, delete "12" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "sections" insert "15.01;"

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

The report was adopted.

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

H. F. No. 584, A bill for an act relating to environment; regulating municipal wastewater treatment funding; amending Minnesota Statutes 1988, sections 116.18, subdivisions 3a and 3b; 446A.02, subdivision 4; and 446A.07, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [115.55] [CAPITAL REPLACEMENT FUND.]

Subdivision 1. [FUND ADMINISTRATION.] Each municipal wastewater treatment facility permittee shall annually set aside from user fees or another source a minimum of five cents per 1,000 gallons of wastewater flow through the facility to be deposited in a dedicated fund administered by the municipality for future capital improvements or replacement of the facility. For purposes of this section, "permittee" means a city, sanitary district, or other governmental subdivision or public corporation that has been issued a permit as required under Minnesota Rules, part 7001.0030. When a municipality receives wastewater treatment services from another governmental subdivision, the governmental subdivision responsible for the treatment facility shall collect the fees and administer the fund. If the municipality ceases receiving wastewater treatment services, the governmental subdivision shall, in proportion to the municipality's contribution, refund any available funds with applicable interest. When a private vendor has contracted with a municipality under chapter 471A to provide wastewater treatment services, the municipality shall be responsible for collection of the

fees. Capital improvements include, but are not limited to, major components and structural additions that have a design life of more than 20 years. The need for capital improvements may result from, but is not limited to, a change in water quality standards, a need for increased capacity, or a failure of the facility or parts of the facility to provide adequate treatment. This fund shall not be used for the annual operation, maintenance, or replacement of equipment, accessories, parts, and appurtenances necessary to maintain the capacity and performance for which the existing treatment facility was designed and constructed, which ordinarily would be included in the facility's replacement schedule. Failure of any municipality to annually set aside the specified funds may constitute grounds for the state to deny financial assistance under chapters 116 and 446A.

Subd. 2. [REPORTING REQUIREMENTS.] A permittee that does not submit an annual financial report to the state auditor must submit an annual report on the fund to the public facilities authority.

Subd. 3. [EXEMPTION.] A permittee may apply to the public facilities authority for an exemption from subdivision 1. The public facilities authority may grant an exemption upon a showing by the permittee that there are adequate municipal financial resources or bond reserve capacity for future capital improvements or replacement of the facility.

Subd. 4. [EXCEPTION.] This section does not apply to a municipality whose most recent general obligation bond offering was rated "AA" or better by Standard and Poor's, Moody's, or other recognized bond rating agency.

Sec. 2. Minnesota Statutes 1988, section 116.18, subdivision 3a, is amended to read:

Subd. 3a. [STATE INDEPENDENT GRANTS PROGRAM.] (a) The public facilities authority must adopt the objective of maintaining financial assistance to municipalities that the agency has listed on its annual municipal project list approximately equivalent to 50 percent of the eligible cost of construction for municipalities with populations over 25,000 and 80 percent of the eligible cost for municipalities with populations of 25,000 or less. Financial assistance may be provided by the public facilities authority through a combination of low interest loans under the state revolving fund under chapter 446A, independent state grants, and other financial assistance available to the municipality. The public facilities authority shall determine the appropriate combination of grants and loans. The Minnesota public facilities authority may award independent grants for projects certified by the state pollution control commissioner for 50 up to 35 percent or, if the population of the municipality is 25,000 or less, 80 up to 65 percent of the eligible cost of construction. These grants may be awarded in separate steps for

planning and design in addition to actual construction. Until December 31, 1990 1994, not more than 20 percent \$2,000,000 of the total amount of grants awarded under this subdivision in any single fiscal year may be awarded to a single grantee.

(b) Up to ten percent \$1,000,000 of the money to be awarded as grants under this subdivision in any single fiscal year shall be set aside for municipalities having substantial economic development projects that cannot come to fruition without municipal wastewater treatment improvements. The agency shall forward its municipal needs list to the authority at the beginning of each fiscal year, and the authority shall review the list and identify those municipalities having substantial economic development projects. After the ~~first 90 percent of the total~~ available money is allocated to municipalities in accordance with agency priorities, the set-aside shall be used by the authority to award grants to remaining municipalities that have been identified.

(c) Grants may also be awarded under this subdivision to reimburse municipalities willing to proceed with projects and be reimbursed in a subsequent year ~~conditioned upon appropriation of sufficient money under subdivision 1 for that year at the grant percentage determined in paragraph (a).~~

(d) ~~A municipality that applies for a state independent grant to be reimbursed for a project must receive an additional five percent of the total eligible cost of construction beyond the normal percentage to which the municipality is entitled under paragraph (a). For the 1989-1991 biennium, up to a maximum of \$9,000,000 may be set aside to reimburse municipalities that entered into an intent to award agreement with the agency under paragraph (c), in the state fiscal years 1985 to 1988. Municipalities will be reimbursed at 55 percent or, if the population of the municipality is 25,000 or less, 85 percent of the eligible cost of construction.~~

Sec. 3. Minnesota Statutes 1988, section 116.18, subdivision 3b, is amended to read:

Subd. 3b. [CAPITAL COST COMPONENT GRANT.] (a) The definitions of "capital cost component," "capital cost component grant," "service fee," "service contract," and "private vendor" in section 471A.02 apply to this subdivision.

(b) Beginning in fiscal year 1989, up to \$1,500,000 of the money to be awarded as grants under subdivision 3a in any single fiscal year may be set aside for the award of capital cost component grants to municipalities on the municipal needs list for part of the capital cost component of the service fee under a service contract for a term of at least 20 years with a private vendor for the purpose of constructing and operating wastewater treatment facilities.

(c) The amount granted to a municipality shall be 50 percent of the average total eligible costs of municipalities of similar size recently awarded state and federal grants under the provisions of subdivisions 2a and 3a and the Federal Water Pollution Control Act, United States Code, title 33, sections ~~1281 to 1289~~ 1251 et seq. Federal and state eligibility requirements for determining the amount of grant dollars to be awarded to a municipality are not applicable to municipalities awarded capital cost component grants. Federal and state eligibility requirements for determining which cities qualify for state and federal grants are applicable, except as provided in this subdivision.

(d) Except as provided in this subdivision, municipalities receiving capital cost component grants shall not be required to comply with federal and state regulations regarding facilities planning and procurement contained in sections 116.16 to 116.18, except those necessary to issue a National Pollutant Discharge Elimination System permit or state disposal system permit and those necessary to assure that the proposed facilities are reasonably capable of meeting the conditions of the permit over 20 years. The municipality and the private vendor shall be parties to the permit. Municipalities receiving capital cost component grants may also be exempted by rules of the agency from other state and federal regulations relating to the award of state and federal grants for wastewater treatment facilities, except those necessary to protect the state from fraud or misuse of state funds.

(e) Funds shall be distributed from the set-aside to municipalities that apply for the funds in accordance with these provisions in the order of their ranking on the municipal needs list.

(f) The authority shall award capital cost component grants to municipalities selected by the state pollution control commissioner upon certification by the state pollution control commissioner that the municipalities' projects and applications have been reviewed and approved in accordance with this subdivision and agency rules adopted under paragraph (g).

(g) The agency shall adopt permanent rules to provide for the administration of grants awarded under this subdivision.

(h) The commissioner of trade and economic development may adopt rules containing procedures for administration of the authority's duties as set forth in paragraph (f).

Sec. 4. Minnesota Statutes 1988, section 446A.02, subdivision 4, is amended to read:

Subd. 4. [FEDERAL WATER POLLUTION CONTROL ACT.] "Federal Water Pollution Control Act" means the Federal Water

Pollution Control Act, as amended, United States Code, title 33, sections ~~1281 to 1299~~ 1251 et seq.

Sec. 5. Minnesota Statutes 1988, section 446A.07, subdivision 8, is amended to read:

Subd. 8. [OTHER USES OF REVOLVING FUND.] The water pollution control revolving fund may be used as provided in title VI of the Federal Water Pollution Control Act, including the following uses:

(1) to buy or refinance the debt obligation of governmental units for treatment works where debt was incurred and construction begun after March 7, 1985, at or below market rates;

(2) to guarantee or purchase insurance for local obligations to improve credit market access or reduce interest rates;

(3) to provide a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the authority if the bond proceeds are deposited in the fund;

(4) to provide loan guarantees for similar revolving funds established by a governmental unit other than state agencies;

(5) to earn interest on fund accounts; and

(6) to pay the reasonable costs incurred by the authority and the agency of administering the fund and conducting activities required under the Federal Water Pollution Control Act, including water quality management planning under section 205(j) of the act and water quality standards continuing planning under section 303(e) of the act.

Amounts spent under clause (6) may not exceed the amount allowed under the Federal Water Pollution Control Act. ~~Five percent of the revolving loan fund repayments may be used by the agency and~~ The authority may assess a service fee of up to five percent of revolving loan repayments for use by the agency and the authority for the purposes listed in clause (6).

Sec. 6. Minnesota Statutes 1988, section 466A.12, is amended by adding a subdivision to read:

Subd. 5. [EXEMPTION.] The notes and bonds of the authority are not subject to section 16B.06.

Sec. 7. [EFFECTIVE DATE.]

Section 1 is effective on January 1, 1991."

Delete the title and insert:

"A bill for an act relating to environment; regulating municipal wastewater treatment funding; amending Minnesota Statutes 1988, sections 116.18, subdivisions 3a and 3b; 446A.02, subdivision 4; 446A.07, subdivision 8; and 446A.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 115."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 591, A bill for an act relating to agriculture; appropriating money for promoting the use of ethanol.

Reported the same back with the following amendments:

Page 1, line 7, delete "\$200,000" and insert "\$400,000"

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 603, A bill for an act relating to agriculture; extending the farmer-lender mediation act; extending mortgage foreclosure relief provisions; amending provisions relating to the time period under which there is a rebuttable presumption that a sale is a violation of the right to receive an offer to buy agricultural land; amending Minnesota Statutes 1988, section 500.24, subdivision 6; and Laws 1983, chapter 215, section 16, as amended; and Laws 1986, chapter 398, article 1, section 18, as amended.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 47.20, subdivision 15, is amended to read:

Subd. 15. (a) Notwithstanding the provisions of any other law to the contrary, any notice of default on homestead property to which the provisions of chapter 583 apply, mailed after May 24, 1983 and

prior to May 1, 1985, or after June 8, 1985, and prior to May 1, 1987, or after the effective date of this act and prior to May 1, 1991, shall indicate that the borrower has 60 days from the date the notice is mailed in which to cure the default. The notice shall include a statement that the borrower may be eligible for an extension of the time prior to foreclosure and execution sale under sections 583.01 to 583.12.

(b) The statement must be in bold type, capitalized letters, or other form sufficient for the reader to quickly and easily distinguish the statement from the rest of the notice. The requirements of this paragraph must be followed on notices mailed under this subdivision on or after August 1, 1985. A violation of this paragraph is a petty misdemeanor.

Sec. 2. Minnesota Statutes 1988, section 500.24, subdivision 6, is amended to read:

Subd. 6. [DISPOSAL OF LAND.] (a) A state or federal agency, limited partnership, or a corporation, ~~other than a family farm corporation or an authorized farm corporation,~~ may not lease or sell agricultural land or a farm homestead ~~that was acquired by enforcing a debt against the agricultural land or farm homestead, including foreclosure of a mortgage, accepting a deed in lieu of foreclosure, terminating a contract for deed, or accepting a deed in lieu of terminating a contract for deed,~~ before offering or making a good faith effort to offer the land for sale or lease to the immediately preceding former owner at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor. The offer must be made on the notice to offer form under subdivision 7. The requirements of this subdivision do not apply to a sale or lease by a corporation that is a family farm corporation or an authorized farm corporation. This subdivision applies only to a sale or lease when the seller or lessor acquired the property by enforcing a debt against the agricultural land or farm homestead, including foreclosure of a mortgage, accepting a deed in lieu of foreclosure, terminating a contract for deed, or accepting a deed in lieu of terminating a contract for deed. Selling or leasing property to a third party at a price is prima facie evidence that the price is acceptable to the seller or lessor. The seller must provide written notice to the immediately preceding former owner that the agricultural land or farm homestead will be offered for sale at least 14 days before the agricultural land or farm homestead is offered for sale.

(b) An immediately preceding former owner is the entity with record legal title to the agricultural land or farm homestead before acquisition by the state or federal agency or corporation except: if the immediately preceding former owner is a bankruptcy estate, the debtor in bankruptcy is the immediately preceding former owner; and if the agricultural land or farm homestead was acquired by termination of a contract for deed or deed in lieu of termination of a

contract for deed, the immediately preceding former owner is the purchaser under the contract for deed. For purposes of this subdivision, only a family farm, family farm corporation, or family farm partnership can be an immediately preceding former owner.

(c) An immediately preceding former owner may elect to purchase or lease the entire property or an agreed to portion of the property. If the immediately preceding former owner elects to purchase or lease a portion of the property, the election must be reported in writing to the seller or lessor prior to the time the property is first offered for sale or lease. If election is made to purchase or lease a portion of the property, the portion must be contiguous and compact so that it does not unreasonably reduce access to or the value of the remaining property.

(d) For purposes of this subdivision, the term "a price no higher than the highest price offered by a third party" means the acceptable cash price offered by a third party or the acceptable time-price offer made by a third party. A cash price offer is one that involves simultaneous transfer of title for payment of the entire amount of the offer. If the acceptable offer made by a third party is a time-price offer, the seller or lessor must make the same time-price offer or an equivalent cash offer to the immediately preceding former owner. An equivalent cash offer is equal to the total of the payments made over a period of the time-price offer discounted by yield curve of the United States treasury notes and bonds on the first business day of the month in which the offer is personally delivered or mailed for time periods similar to the time period covered by the time-price offer, plus 2.0 percent. A time-price offer is an offer that is financed entirely or partially by the seller and includes an offer to purchase under a contract for deed or mortgage. An equivalent cash offer is not required to be made if the state participates in an offer to a third party through the rural finance authority.

(e) This subdivision applies to a seller when the property is sold and to a lessor each time the property is leased, for five years after the agricultural land is acquired except:

(1) an offer to lease to the immediately preceding former owner is required only until the immediately preceding owner fails to accept an offer to lease the property or the property is sold;

(2) an offer to sell to the immediately preceding former owner is required until the property is sold; and

(3) if the immediately preceding former owner elects to lease or purchase a portion of the property, this subdivision does not apply to the seller with regard to the balance of the property after the election is made under paragraph (c).

(f) The notice of an offer under subdivision 7 that is personally

delivered with a signed receipt or sent by certified mail with a receipt of mailing to the immediately preceding former owner's last known address is a good faith offer.

(g) This subdivision does not apply to a sale or lease that occurs after the seller or lessor has held the property for five years or longer.

(h) For purposes of this subdivision, if the immediately preceding former owner is a bankruptcy estate the debtor in the bankruptcy is the immediately preceding owner.

(i) The immediately preceding former owner must exercise the right to lease all or a portion of the agricultural land or a homestead located on agricultural land in writing within 15 days after an offer to lease under this subdivision is mailed with a receipt of mailing or personally delivered. If election is made to lease only the homestead or a portion of the agricultural land, the portion to be leased must be clearly identified in writing. The immediately preceding former owner must exercise the right to buy the agricultural land, a portion of the agricultural land, or a farm homestead located on agricultural land, in writing, within 65 days after an offer to buy under this subdivision is mailed with a receipt of mailing or is personally delivered. Within ten days after exercising the right to lease or buy by accepting the offer, the immediately preceding owner must fully perform according to the terms of the offer including paying the amounts due. A seller may sell and a lessor may lease the agricultural land or farm homestead subject to this subdivision to the third party in accordance with their lease or purchase agreement if:

(1) the immediately preceding former owner does not accept an offer to lease or buy before the offer terminates; or

(2) the immediately preceding former owner does not perform the obligations of the offer, including paying the amounts due, within ten days after accepting the offer.

(j) A certificate indicating whether or not the property contains agricultural land or a farm homestead that is signed by the county assessor where the property is located and recorded in the office of the county recorder or the registrar of titles where the property is located is prima facie evidence of whether the property is agricultural land or a farm homestead.

(k) As prima facie evidence that an offer to sell or lease agricultural land or a farm homestead has terminated, a receipt of mailing the notice under subdivision 7 and an affidavit, signed by a person authorized to act on behalf of a state, federal agency, or corporation selling or leasing the agricultural land or a farm homestead may be filed in the office of the county recorder or registrar of titles of the

county where the agricultural land or farm homestead is located. The affidavit must state that:

(1) notice of an offer to buy or lease the agricultural land or farm homestead was provided to the immediately preceding former owner at a price not higher than the highest price offered by a third party that is acceptable;

(2) the time during which the immediately preceding former owner is required to exercise the right to buy or lease the agricultural land or farm homestead has expired;

(3) the immediately preceding former owner has not exercised the right to buy or lease the agricultural land or farm homestead as provided in this subdivision or has accepted an offer and has not fully performed according to the terms of the offer; and

(4) the offer to the immediately preceding former owner has terminated.

(1) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision or to lease or purchase at a price no higher than the highest price offered by a third party that is acceptable to the seller or lessor may be extinguished or limited by an express statement signed by the immediately preceding owner that complies with the plain language requirements of section 325G.31. The right may not be extinguished or limited except by:

(1) an express statement in a deed in lieu of foreclosure of the agricultural land;

(2) an express statement in a deed in lieu of a termination of a contract for deed for the agricultural land;

(3) an express statement conveying the right to the state or federal agency or corporation owning the agricultural land that is required to make an offer under this subdivision, however, the preceding former owner may rescind the conveyance by notifying the state or federal agency or corporation in writing within 20 calendar days after signing the express statement;

(4) to cure a title defect, an express statement conveying the right may be made to a person to whom the agricultural land has been transferred by the state or federal agency or corporation; or

(5) an express statement conveying the right to a contract for deed vendee to whom the agricultural land or farm homestead was sold under a contract for deed by the immediately preceding former

owner if the express statement and the contract for deed are recorded.

(m) The right of an immediately preceding former owner to receive an offer to lease or purchase agricultural land under this subdivision may not be assigned or transferred except as provided in paragraph (l), but may be inherited.

(n) An immediately preceding former owner, except a former owner who is actively engaged in farming as defined in subdivision 2, paragraph (a), and who agrees to remain actively engaged in farming on a portion of the agricultural land or farm homestead for at least one year after accepting an offer under this subdivision, may not sell agricultural land acquired by accepting an offer under this subdivision if the arrangement of the sale was negotiated or agreed to prior to the former owner accepting the offer under this subdivision. A person who sells property in violation of this paragraph is liable for damages plus reasonable attorney fees to a person who is damaged by a sale in violation of this paragraph. There is a rebuttable presumption that a sale by an immediately preceding former owner is in violation of this paragraph if the sale takes place within 180 days of the former owner accepting the offer under this subdivision. This paragraph does not apply to a sale by an immediately preceding former owner to the owner's spouse, the owner's parents, the owner's sisters and brothers, the owner's spouse's sisters and brothers, or the owner's children.

Sec. 3. Minnesota Statutes 1988, section 580.031, is amended to read:

580.031 [MINIMUM NOTICE.]

Notwithstanding the provisions of any other law to the contrary, eight weeks' published notice must be given prior to the foreclosure sale of a homestead to which sections 583.01 to 583.12 apply if the notice is published for the first time after May 24, 1983, and prior to May 1, 1985, after June 8, 1985, and prior to May 1, 1987, or after the effective date of Laws 1987, chapter 292, and prior to May 1, 1989, or after the effective date of this act and prior to May 1, 1991. The notice must contain the information specified in section 580.04.

At least eight weeks before the appointed time of sale, a copy of the notice must be served upon the person in possession of the mortgaged premises, if the premises are actually occupied.

Sec. 4. Minnesota Statutes 1988, section 550.37, subdivision 4a, is amended to read:

Subd. 4a. [ADJUSTMENT OF DOLLAR AMOUNTS.] (a) Except for subdivisions 5 and 7, the dollar amounts in this section shall

change periodically as provided in this subdivision to the extent of changes in the implicit price deflator for the gross national product, 1972 = 100, compiled by the United States Department of Commerce, and hereafter referred to as the index. The index for December, 1980, is the reference base index.

(b) The designated dollar amounts shall change on July 1 of each even-numbered year if the percentage of change, calculated to the nearest whole percentage point, between the index for December of the preceding year and the reference base index is ten percent or more. The portion of the percentage change in the index in excess of a multiple of ten percent shall be disregarded and the dollar amounts shall change only in multiples of ten percent of the amounts stated in this section.

(c) If the index is revised, the percentage of change pursuant to this section shall be calculated on the basis of the revised index. If a revision of the index changes the reference base index, a revised reference base index shall be determined by multiplying the reference base index then applicable by the rebasing factor furnished by the department of commerce. If the index is superseded, the index referred to in this section is the one represented by the department of commerce as reflecting most accurately changes in the purchasing power of the dollar for consumers.

(d) The commissioner of commerce shall announce and publish:

(1) on or before April 30 of each year in which dollar amounts are to change, the changes in dollar amounts required by paragraph (b); and

(2) promptly after the changes occur, changes in the index required by paragraph (c) including, if applicable, the numerical equivalent of the reference base index under a revised reference base index and the designation or title of any index superseding the index.

(e) A person does not violate this chapter with respect to a transaction otherwise complying with this chapter if the person relies on dollar amounts either determined according to paragraph (b) or appearing in the last publication of the commissioner announcing the then current dollar amounts.

Sec. 5. Minnesota Statutes 1988, section 550.37, subdivision 5, is amended to read:

Subd. 5. Farm machines and implements used in farming operations by a debtor engaged principally in farming, livestock, farm produce, and standing crops, not exceeding \$10,000 ~~\$13,000~~ in value. When a debtor is a partnership of spouses or a partnership of

natural persons related to each other within the third degree of kindred according to the rules of the civil law, for the purposes of the exemption in this subdivision, the partners may elect to treat the assets of the partnership as assets of the individual partners.

Sec. 6. Minnesota Statutes 1988, section 550.37, subdivision 7, is amended to read:

Subd. 7. The total value of property selected by a debtor pursuant to subdivisions 5 and 6 shall not exceed ~~\$10,000~~ \$13,000, if the exemptions under subdivisions 5 and 6 are combined.

Sec. 7. Minnesota Statutes 1988, section 583.24, subdivision 4, is amended to read:

Subd. 4. [DEBTS.] (a) The farmer-lender mediation act does not apply to a debt:

(1) for which a proof of claim form has been filed in bankruptcy by a creditor or that was listed as a scheduled debt, of a debtor who has filed a petition in bankruptcy after July 1, 1987, under United States Code, title 11, chapter 7, 11, 12, or 13;

(2) if the debt was in default when the creditor received a mediation proceeding notice under the farmer-lender mediation act and the creditor filed a claim form, the debt was mediated during the mediation period under section 583.26, subdivision 8, and (i) the mediation was unresolved; or (ii) a mediation agreement with respect to that debt was signed;

(3) for which the creditor has served a mediation notice, the debtor has failed to make a timely request for mediation, and within ~~30~~ 45 days after the debtor failed to make a timely request the creditor began a proceeding to enforce the debt against the agricultural property of the debtor;

(4) for which a creditor has received a mediation proceeding notice and the creditor and debtor have restructured the debt and have signed a separate mediation agreement with respect to that debt; or

(5) for which there is a lien for rental value of farm machinery under section 514.661 or a lien for rental value relating to a contract for deed subject to the farmer-lender mediation act under section 559.2091.

(b) For purposes of paragraph (a), clause (3), providing a copy of a forbearance policy is considered beginning a proceeding to enforce a debt if the board of an institution has adopted a forbearance policy that provides for deferring or rescheduling payments of principal or interest, renewal or extension of loan terms, reduction in the

amount or rate of principal or interest due on a loan, or other similar actions, and requires that the debtor must receive a copy of the policy at least 20 days prior to loan acceleration or debt collection proceedings.

Sec. 8. Minnesota Statutes 1988, section 583.26, subdivision 1, is amended to read:

Subdivision 1. [MEDIATION NOTICE.] (a) A creditor desiring to start a proceeding to enforce a debt against agricultural property under chapter 580 or 581 or sections 336.9-501 to 336.9-508, to terminate a contract for deed to purchase agricultural property under section 559.21, or to garnish, levy on, execute on, seize, or attach agricultural property, must serve an applicable mediation notice under sections 336.9-501, 550.365, 559.209, and 582.039 on the debtor and the director. The creditor must also file with the director proof of the date the mediation notice was served on the debtor. The creditor may not begin the proceeding until the stay of the creditor's remedies is lifted under subdivision 5, or as allowed under sections 583.20 to 583.32.

(b) For purposes of the farmer-lender mediation act, starting a proceeding to enforce a debt means initiating a proceeding under chapter 550, 580, or 581; sections 336.9-501 to 336.9-508; or section 559.21.

(c) The director shall combine all mediation notices for the same debtor that are received prior to the initial mediation meeting into one mediation proceeding.

Sec. 9. Laws 1983, chapter 215, section 16, as amended by Laws 1984, chapter 474, section 7, as amended by Laws 1985, chapter 306, section 26, as amended by Laws 1987, chapter 292, section 36, is amended to read:

Sec. 16. [REPEALER.]

Sections 1 to 15 are repealed effective July 1, ~~1989~~ 1991, but any postponement or other relief ordered by a court continues to be valid for the period ordered by the court.

Sec. 10. Laws 1986, chapter 398, article 1, section 18, as amended by Laws 1987, chapter 292, section 37, is amended to read:

Sec. 18. [REPEALER.]

Sections 1 to 17 and Minnesota Statutes, section 336.9-501, subsections (6) and (7), and sections 583.284, 583.285, and 583.305, are repealed on July 1, ~~1989~~ 1991."

Delete the title and insert:

"A bill for an act relating to agriculture; extending the farmer-lender mediation act; extending mortgage foreclosure relief provisions; amending provisions relating to the time period under which there is a rebuttable presumption that a sale is a violation of the right to receive an offer to buy agricultural land; amending Minnesota Statutes 1988, sections 47.20, subdivision 15; 500.24, subdivision 6; 580.031; 550.37, subdivisions 4a, 5, and 7; 583.24, subdivision 4; and 583.26, subdivision 1; Laws 1983, chapter 215, section 16, as amended; and Laws 1986, chapter 398, article 1, section 18, as amended."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 624, A bill for an act relating to commerce; regulating real estate appraisers; creating the real estate appraiser advisory board; providing for membership, compensation, powers, and duties; providing licensing and education requirements; regulating the issuance, renewal, suspension, and revocation of licenses; providing fees; prescribing penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 82B.

Reported the same back with the following amendments:

Page 1, line 21, after "estate" insert "for purposes of preparing an appraisal report"

Page 2, line 20, after the period insert "This shall include an appraiser employed by a state agency."

Page 3, after line 8, insert:

"Sec. 4. [82B.035] [EXEMPTION.]

(a) This chapter does not prohibit a person or an officer, employee, or agent of a corporation, partnership, or other business entity from acting as a real estate appraiser or making real estate appraisals, with or without compensation if the requirements of paragraph (b) are satisfied.

(b) The exemption in paragraph (a) applies if the persons or business entities referred to are or may be interested in the real estate that is the subject of the appraisal as owners, lenders, investors, or insurers and if they are subject to the guidelines for

real estate appraisal policies and review procedures of the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, the Federal Reserve Board, or the Comptroller of the Currency.

If an appraisal is to be made by a person who is not a licensed real estate appraiser, the client must be given written notice to that effect by the person or business entities referred to and the appraisal must clearly state that it has been done by an interested party and not by a licensed real estate appraiser."

Page 8, line 34, after "property" insert "including, but not limited to, property"

Page 9, line 1, delete "terms of the" and insert "uniform standards of professional appraisal practice"

Page 9, line 2, delete "assignment"

Page 16, after line 14, insert:

"Sec. 24. [82B.23] [ASSESSORS.]

Nothing in this chapter shall be construed as requiring the licensing of persons employed and acting in their capacity as assessors for political subdivisions of the state."

Page 17, line 3, delete "23" and insert "25"

Renumber the sections in sequence

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

The report was adopted.

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

H. F. No. 674, A bill for an act relating to the environment; appropriating money for the Western Lake Superior Sanitary District; authorizing sale of state bonds.

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

The report was adopted.

Anderson, G., from the Committee on Appropriations 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; and 240.29.

Reported the same back with the following amendments:

Page 2, after line 28, insert:

"Sec. 6. Minnesota Statutes 1988, section 240.13, subdivision 6, is amended to read:

Subd. 6. [TELEVISED RACES.] The commission may by rule permit a class B or class D licensee to conduct on the premises of the licensed racetrack pari-mutuel betting on horse races run in other states and broadcast by television on the premises. All provisions of law governing pari-mutuel betting apply to pari-mutuel betting on televised races except as otherwise provided in this subdivision or in the commission's rules. Pari-mutuel pools conducted on such televised races may consist only of money bet on the premises and may not be commingled with any other pool off the premises, except that:

(a) the licensee may pay a fee to the person or entity conducting the race for the privileges of conducting pari-mutuel betting on the race, and

(b) the licensee may pay the costs of transmitting the broadcast of the race.

Pari-mutuel betting on a televised race may be conducted only on a racing day assigned by the commission. The takeout and taxes on pari-mutuel pools on televised races are as provided for other pari-mutuel pools. All televised races under this subdivision must comply with the Interstate Horse Racing Act of 1978 as found in United States Code, title 15, section 3001 and the following relevant sections. In lieu of the purse requirement established by subdivision 5, the licensee shall set aside for purses one-half of the take-out from the amount bet on televised races after the payment of fees and taxes. For the purposes of purse distribution under subdivision 5, the average daily handle shall not include amounts bet in pari-mutuel pools on televised races.

A licensee may, with the approval of the commission, transmit

telecasts of races the licensee conducts to a location outside the state, for wagering purposes."

Page 3, line 15, before "The" insert "Subject to the approval of the commission,"

Page 3, line 17, delete "sending" and insert "licensed"

Page 3, line 18, after the period insert "Notwithstanding sections 240.13, subdivision 7, and 240.15, subdivision 5, the commission may approve procedures governing the definition and disposition of unclaimed tickets which are consistent with the law and rules governing unclaimed tickets at the sending racetrack."

Page 5, delete section 9

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 9, before "and" insert "6,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 752, A bill for an act relating to agriculture; appropriating money to discharge mandated grain inspection costs at Duluth; proposing coding for new law in Minnesota Statutes, chapter 17B.

Reported the same back with the following amendments:

Page 1, line 11, after the period insert "This appropriation is to be released at a rate not to exceed \$1 per metric ton of grain shipped in export."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 774, A bill for an act relating to agriculture; changing

voting rights in certain cooperative associations; amending Minnesota Statutes 1988, section 308.07, subdivision 4.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 779, A bill for an act relating to county and district agricultural societies; appropriating money.

Reported the same back with the following amendments:

Page 1, line 7, delete "\$" and insert "\$722,000"

With the recommendation that when so amended 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. 804, A bill for an act relating to Chisago county; permitting the cancellation of certain ditch assessments and providing for the allocation of others.

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. 810, A bill for an act relating to natural resources; increasing the amount of levy for the Kanaranzi-Little Rock watershed district administrative fund.

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

The report was adopted.

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

H. F. No. 824, A bill for an act relating to waters; directing an inventory of, education on, and assistance in control of certain aquatic weeds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 84.

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

The report was adopted.

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

H. F. No. 827, A bill for an act relating to animals; authorizing the taking of certain muskrats that are causing damage; amending Minnesota Statutes 1988, section 97B.655, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1988, section 97A.481, is amended to read:

97A.481 [LICENSE APPLICATIONS UNDER OATH.]

All information required on a license application form must be furnished, except that no license application shall be required to be notarized. The application must be made in writing and under oath."

Page 1, after line 19, insert:

"Sec. 3. Minnesota Statutes 1988, section 97B.905, subdivision 1, is amended to read:

Subdivision 1. [RESIDENT LICENSE.]

(a) A resident that has a license to buy and sell raw furs may buy and sell raw furs in the state including:

- (1) selling raw furs to a manufacturer, representing nonresidents;
- (2) selling raw furs to a broker or agent, representing a nonresident; and

(3) conducting a fur auction that makes sales to resident manufacturers and nonresidents.

(b) An employee, partner, or officer buying or selling only for a raw fur dealer licensee at an established place of business licensed under section 97A.475, subdivision 21, clause (a), may obtain a supplemental license under section 97A.475, subdivision 21, clause (b).

(c) For purposes of purchasing raw fur from fur buyers, taxidermists licensed under section 97A.475, subdivision 19, shall be considered manufacturers.

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to game and fish; authorizing the taking of certain muskrats that are causing damage; providing that license applications need not be notarized; regulating the purchase of raw furs; amending Minnesota Statutes 1988, sections 97A.481; 97B.655, subdivision 1; and 97B.905, subdivision 1."

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

The report was adopted.

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

H. F. No. 840, A bill for an act relating to human services; authorizing creation of the Minnesota family investment plan; establishing grant projects for refugees; fraud prevention; appropriating money; amending Minnesota Statutes 1988, sections 256.045, subdivision 3; 256.12, subdivision 14; 256.736, subdivision 10, 16, and by adding subdivisions; 256.74, subdivisions 1 and 1a; and 256D.051, subdivision 6, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1988, section 256D.051, subdivision 6a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 245.771, subdivision 3, is amended to read:

Subd. 3. [EMPLOYMENT AND TRAINING PROGRAMS.] The commissioner of human services, in consultation with the commis-

sioner of jobs and training, is authorized to implement food stamp employment and training programs in as many counties as is necessary to meet federal participation requirements and comply with federal laws and regulations. The commissioner of human services may contract with the commissioner of jobs and training to implement and supervise employment and training programs for food stamp recipients that are required by federal regulations.

Sec. 2. [256.031] [MINNESOTA FAMILY INVESTMENT PLAN.]

Subdivision 1. [CITATION.] Sections 256.031 to 256.038 may be cited as the Minnesota family investment plan.

Subd. 2. [LEGISLATIVE FINDINGS.] The legislature recognizes the need to fundamentally change the way government supports families. The legislature finds that many features of the current system of public assistance do not help families carry out their two basic functions: the economic support of the family unit and the care and nurturing of children. The legislature recognizes that the Minnesota family investment plan is an investment strategy that will support and strengthen the family's social and financial functions. This investment in families will provide long-term benefits through stronger and more independent families.

Subd. 3. [AUTHORIZATION FOR THE DEMONSTRATION.] The commissioner of human services, in consultation with the commissioners of education, finance, jobs and training, health, and planning, and directors of the higher education coordinating board and the office of jobs policy, is authorized to proceed with the planning and designing of the Minnesota family investment plan and test policies, methods, and cost impacts on an experimental basis by using field trials. Sections 256.031 to 256.033 describe the basic principles of the program. Sections 256.034 to 256.038 provide a basis for congressional action. Using sections 256.031 to 256.038, the commissioner shall seek congressional authority to implement the program in field trials. After obtaining congressional authority to implement the Minnesota family investment plan in field trials, the commissioner will return to the legislature for specific appropriations for implementation of field trials. The field trials shall be conducted for as many years as necessary, and in different geographical settings, to provide reliable instruction about the desirability of expanding the program statewide.

Subd. 4. [GOALS OF THE MINNESOTA FAMILY INVESTMENT PLAN.] The commissioner shall design the program to meet the following goals:

(1) to support families' transition to financial independence by emphasizing options, removing barriers to work and education, providing necessary support services, and building a supportive

network of education, employment and training, health, social, counseling, and family-based services;

(2) to allow resources to be more effectively and efficiently focused on investing in families by removing the complexity of current rules and procedures and consolidating public assistance programs;

(3) to prevent long-term dependence on public assistance through paternity establishment, child support enforcement, emphasis on education and training, and early intervention with minor parents; and

(4) to provide families with an opportunity to increase their living standard by rewarding efforts aimed at transition to employment and by allowing families to keep a greater portion of earnings once they become employed.

Subd. 5. [FEDERAL WAIVERS.] The commissioner of human services shall seek authority from Congress to implement the Minnesota family investment plan on a demonstration basis. If necessary, the commissioner shall seek waivers of compliance with requirements for aid to families with dependent children under United States Code, title 42, sections 601 to 679a, as amended; medical assistance under United States Code, title 42, sections 1396 to 1396s, as amended; food stamps under United States Code, title 7, sections 2011 to 2030, as amended; and other federal requirements that would inhibit implementation of the Minnesota family investment plan.

The commissioner shall seek terms from the federal government that are consistent with the goals of the Minnesota family investment plan and that will maximize federal financial participation so that the extra costs to the state in implementing the program are minimized.

An agreement with the federal government under this section shall provide that the agreements may be canceled by the state or federal government upon six months' notice or immediately upon mutual agreement. If the agreements are canceled, families receiving assistance under the Minnesota family investment plan who are eligible for the aid to families with dependent children, general assistance, medical assistance, general assistance medical care, and the food stamp programs shall be placed on those programs.

Sec. 3. [256.032] [DEFINITIONS.]

Subdivision 1. [SCOPE OF DEFINITIONS.] The terms used in sections 256.031 to 256.038 have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. [CAREGIVER.] "Caregiver" means a minor child's natural or adoptive parent or parents who live in the home with the minor child. For purposes of determining eligibility for this program, caregiver also means any of the following individuals who live with and provide care and support to a minor child when the minor child's natural or adoptive parent or parents do not reside in the same home: grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, niece, persons of preceding generations as denoted by prefixes of great or great-great, or a spouse of any person named in the above groups even after the marriage ends by death or divorce.

Subd. 3. [CASE MANAGEMENT.] "Case management" means the assessment of family needs and coordination of services necessary to support the family in its social and economic roles, in addition to the services described in section 256.736, subdivision 11.

Subd. 4. [COMMISSIONER.] "Commissioner" means the commissioner of human services or a designee.

Subd. 5. [CONTRACT.] "Contract" means a family self-sufficiency plan developed, together with a parental caregiver, by a county agency or its designee. The contract shall identify the parental caregiver's employment goal and explain what steps the family must take to pursue self-sufficiency. Activities may include:

- (1) orientation;
- (2) employment;
- (3) employment and training services as defined under section 256.736, subdivision 1a, paragraph (d);
- (4) preemployment activities;
- (5) participation in an educational program leading to a high school or general equivalency diploma and post-secondary education programs excluding postbaccalaureate degrees as provided in section 256.736, subdivision 1, paragraph (d);
- (6) case management;
- (7) social services; or
- (8) other programs or services leading to self-sufficiency. The contract shall also identify the services to be provided by the county agency, including support services such as transportation and child care.

Subd. 6. [DEPARTMENT.] "Department" means the department of human services.

Subd. 7. [FAMILY.] For purposes of determining eligibility for this program, "family" includes the following individuals who live together: a minor child or a group of minor children related to each other as siblings, half siblings, stepsiblings, or adopted siblings, together with their natural or adoptive parents, or their caregiver as defined in subdivision 2.

Subd. 8. [FAMILY WAGE LEVEL.] "Family wage level" means 120 percent of the sum of the current aid to families with dependent children standard of assistance and the full cash value of food stamps, for a family of the same size and composition.

Subd. 9. [FULL CASH VALUE OF FOOD STAMPS.] "Full cash value of food stamps" means the monthly coupon allotment amount for a family of a given size. The full cash value is determined by counting unearned income and subtracting the standard deduction and maximum shelter deduction from gross family income, as allowed under the federal Food Stamp Act of 1977, as amended, and Public Law Number 100-435. Full cash value of food stamps is calculated once, and used to determine the transitional standard under subdivision 14.

Subd. 10. [ORIENTATION.] "Orientation" means a presentation that meets the requirements of section 256.736, subdivision 10, provides information to caregivers about the Minnesota family investment plan, and encourages parental caregivers to engage in activities that will stabilize the family and lead to self-sufficiency.

Subd. 11. [PROGRAM.] "Program" means the Minnesota family investment plan.

Subd. 12. [SIGNIFICANT CHANGE.] "Significant change" means a change of ten percent or more in monthly gross family income, a change in family composition, or an increase in resources that may make a family ineligible for assistance.

Subd. 13. [TRANSITIONAL STATUS.] "Transitional status" means the status of caregivers who are independently pursuing self-sufficiency or caregivers who are complying with the terms of a contract with a county agency or its designee.

Subd. 14. [TRANSITIONAL STANDARD.] "Transitional standard" means the current aid to families with dependent children standard of assistance plus the full cash value of food stamps for a family of the same size and composition. This standard applies to families where the parental caregiver is in transitional status, and

to families in which the caregiver is exempt from having a contract or is exempt from complying with the terms of the contract.

Sec. 4. [256.033] [ELIGIBILITY FOR THE MINNESOTA FAMILY INVESTMENT PLAN.]

Subdivision 1. [ELIGIBILITY CONDITIONS.] A family is eligible for assistance under the Minnesota family investment plan if:

(1) the family's net income, after deducting an amount to cover taxes and child care, does not exceed the applicable standard of assistance for that family as defined under section 256.035, subdivision 14; and

(2) the family's resources do not exceed \$2,000.

Subd. 2. [DETERMINATION OF FAMILY INCOME.] The aid to families with dependent children income exclusions listed in Code of Federal Regulations, title 45, sections 233.20(a)(3) and 233.20(a)(4), shall be used when determining a family's available income. However, the disregard of the first \$75 of gross earned income is replaced with a single disregard described in section 256.035, subdivision 3, and all earned income of a minor child receiving assistance through the Minnesota family investment plan is excluded when the child is attending school at least half-time.

Subd. 3. [DETERMINATION OF FAMILY RESOURCES.] When determining a family's resources, the following are excluded:

(1) the family's home, together with the surrounding property not separated from the home by intervening property owned by others;

(2) one burial plot for each family member;

(3) one prepaid burial contract with an equity value of no more than \$1,500 for each member of the family;

(4) licensed automobiles, trucks, or vans up to a total equity value of \$4,500;

(5) the value of personal property needed to produce earned income, including tools, implements, farm animals, and inventory;

(6) the entire equity value of a motor vehicle determined to be necessary for the operation of a self-employment business; and

(7) clothing, necessary household furniture, equipment, and other basic maintenance items essential for daily living.

Sec. 5. [256.034] [PROGRAM SIMPLIFICATION.]

Subdivision 1. [CONSOLIDATION OF TYPES OF ASSISTANCE.] Under the Minnesota family investment plan, assistance previously provided to families through the aid to families with dependent children, food stamp, and general assistance programs shall be combined into a single cash assistance program. If authorized by Congress, families receiving assistance through the Minnesota family investment plan will automatically be eligible for medical assistance under chapter 256B. Federal, state, and local funds that would otherwise be allocated for assistance to families under the aid to families with dependent children, food stamp, and general assistance programs will be transferred to the Minnesota family investment plan. The food stamp, general assistance, and work readiness programs for single persons and couples who are not responsible for the care of children will not be replaced by the Minnesota family investment plan.

Subd. 2. [COUPON OPTION.] Families shall have the option to receive a portion of their assistance, designated by the commissioner, in the form of food coupons or vendor payments.

Subd. 3. [MODIFICATION OF ELIGIBILITY TESTS.] A needy family is eligible to receive assistance under the program even if its children are not found to be deprived of parental support or care by reason of death, continued absence from the home, physical or mental incapacity of a parent, or unemployment of a parent, provided the family's income and resources do not exceed the eligibility requirements in section 256.033. In addition, a family member who is physically and mentally fit, is between the ages of 18 and 60 years, and is enrolled at least half time in an institution of higher education is eligible for assistance under the Minnesota family investment plan even if the conditions for eligibility as prescribed under the federal Food Stamp Act of 1977, as amended, are not met.

An applicant for, or a person receiving, assistance under the Minnesota family investment plan shall cooperate with the efforts of the county agency to collect child and spousal support. The county agency is entitled to any child support and maintenance received by or on behalf of the person receiving assistance or another member of the family for which the person receiving assistance is responsible.

An applicant for, or a person receiving, assistance under the Minnesota family investment plan is not required to comply with the employment and training requirements prescribed under sections 256.736, subdivisions 3, 3a, and 14; and 256D.05, subdivision 1; section 402(a)(19) of the Social Security Act; the federal Food Stamp Act of 1977, as amended; Public Law Number 100-485; or any other state or federal employment and training program, unless compliance is specifically required in a contract with the county agency.

Subd. 4. [SIMPLIFICATION OF BUDGETING PROCEDURES.] The monthly amount of assistance provided by the Minnesota family investment plan shall be calculated based upon actual income or circumstances that existed in a previous month. When a family has a significant change in circumstances, the budgeting cycle shall be interrupted and the amount of assistance for the payment month shall be based on the county agency's best estimate of the family's income and circumstances for that month. Families may be required to report their income monthly; however, income may be averaged over a multi-month period.

Sec. 6. [256.035] [INCOME SUPPORT AND TRANSITION.]

Subdivision 1. [EXPECTATIONS.] All families eligible for assistance under the Minnesota family investment plan are expected to be in transitional status as defined in section 256.032, subdivision 13. To be considered in transitional status, families must meet the following expectations:

(a) For a family headed by a single adult parent, the expectation is that the parent will independently pursue self-sufficiency until the family has received assistance for 24 months within the preceding 36 months. Beginning with the 25th month of assistance, the parent must be developing or have a contract and comply with the terms of the contract with the county agency or its designee.

(b) For a family with a minor parent, the expectation is that, concurrent with the receipt of assistance, the minor parent must be developing or have a contract with the county agency. The terms of the contract shall include compliance with section 256.736, subdivision 3b.

(c) For a family with two adult parents, the expectation is that one or both parents will independently pursue self-sufficiency until the family has received assistance for six months within the preceding 12 months. Beginning with the seventh month of assistance, one or both parents must be developing or have a contract and comply with the terms of the contract with the county agency or its designee.

Subd. 2. [EXEMPTIONS.] A caregiver is exempt from the requirement of developing a contract and complying with the terms of the contract developed with the county agency or engage in transitional activities if:

(1) the caregiver is not the natural or adoptive parent of a minor child; or

(2) in the case of a parental caregiver, the county agency determines that:

- (i) individual circumstances prevent compliance;
- (ii) support services necessary to enable compliance are not available;
- (iii) activities identified in the contract are not available; or
- (iv) that a parental caregiver is willing to accept suitable employment but employment is not available.

Subd. 3. [SANCTIONS.] A family whose parental caregiver is not exempt from the expectations in subdivision 1, and who is not complying with those expectations shall have assistance reduced by a value equal to ten percent of the transitional standard as defined in section 256.032, subdivision 14.

Subd. 4. [TREATMENT OF INCOME.] To help families during their transition from the Minnesota family investment plan to self-sufficiency, the following income supports are available:

(a) The \$30 and one-third and \$75 disregards, allowed under section 256.74, subdivision 1, and the 20 percent earned income deduction allowed under the federal Food Stamp Act of 1977, as amended, shall be replaced with a single disregard of not less than 35 percent of gross earned income to cover taxes, other work-related expenses, and to reward the earning of income. This single disregard is available for the entire time a family receives assistance through the Minnesota family investment plan.

(b) The dependent care deduction, as prescribed under section 256.74, subdivision 1, and Public Law Number 100-435, shall be replaced with a child care subsidy earmarked for the Minnesota family investment plan.

(c) The family wage level, defined in section 256.032, subdivision 8, allows families to supplement earned income with assistance received through the Minnesota family investment plan. Once earnings have raised family income to a level equal to or greater than the family wage level, the amount of assistance received through the Minnesota family investment plan shall be reduced after earnings are adjusted according to the disregard described in paragraph (a).

Subd. 5. [ORIENTATION.] All caregivers receiving assistance through the Minnesota family investment plan must attend orientation.

Subd. 6. [CONTRACT.] To receive a transition stipend, a single adult parent who is a member of a family that has received assistance through the Minnesota family investment plan for 24

months within the preceding 36 months, a minor parent receiving assistance through the Minnesota family investment plan, and at least one parent in a two-parent family that has received assistance through the Minnesota family investment plan for six months within the preceding 12 months must comply with the terms of a contract with the county agency or its designee unless exempt under subdivision 2. Case management shall be provided to a caregiver who is a parent to assist the caregiver in meeting established goals and to monitor the caregiver's progress toward achieving those goals. The parental caregiver and the county agency must finalize the contract as soon as possible, but in any event within a reasonable period of time after the deadline specified in subdivision 1, paragraph (a), (b), or (c), whichever applies.

Subd. 7. [EMPLOYMENT BONUS.] A family leaving the program as a result of increased earnings through employment is entitled to an employment bonus. This bonus is a one-time cash incentive, not more than the family's monthly payment standard, to cover initial expenses incurred by the family leaving the Minnesota family investment plan.

Subd. 8. [CHILD CARE.] The commissioner shall ensure that each Minnesota family investment plan caregiver who is a parent in transitional status and needs assistance with child care costs to independently pursue self-sufficiency or comply with the terms of a contract with the county agency receives a child care subsidy through child care funds earmarked for the Minnesota family investment plan. This subsidy shall cover all child care costs for eligible hours up to the maximum rate specified in section 256H.16. A caregiver who is a parent who leaves the program as a result of increased earnings from employment and who needs child care assistance to remain employed shall be entitled to extended child care assistance under Public Law Number 100-485.

Subd. 9. [HEALTH CARE.] A family leaving the program as a result of increased earnings from employment, and who received medical assistance in at least three of the six months immediately preceding the month of termination, shall be eligible for extended medical assistance according to Public Law Number 100-485.

Sec. 7. [256.036] [PROTECTIONS.]

Subdivision 1. [SUPPORT SERVICES.] If assistance with child care or transportation is necessary to enable a caregiver who is a parent to work, obtain training or education, attend orientation, or comply with the terms of a contract with the county agency, and the county determines that child care or transportation is not available, the family's applicable standard of assistance shall continue to be the transitional standard.

Subd. 2. [VOLUNTEERS.] To the extent of available resources,

case management and support services shall be available to caregivers receiving assistance under the Minnesota family investment plan who are independently pursuing self-sufficiency.

Subd. 3. [NOTIFICATION REQUIREMENT.] The county agency shall contact a family headed by a single adult parent when the family has received assistance through the Minnesota family investment plan for 18 months within the preceding 36 months. The county agency shall remind the family that beginning with the 24th month of assistance, receipt of the transitional standard is contingent upon transitional status. The county agency shall encourage the family to begin preparing for the change in expectations.

Subd. 4. [TIMELY ASSISTANCE.] Applications shall be processed in a timely manner according to the federal Food Stamp Act of 1977, as amended, and no later than 30 days following the date of application unless conditions for extending the processing period apply. Financial assistance shall be provided on a regular basis to eligible families.

Subd. 5. [DUE PROCESS.] Any family that applies for or receives assistance under the Minnesota family investment plan whose application for assistance is denied or not acted upon with reasonable promptness, or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly paid, is entitled, upon request, to a hearing under section 256.045.

A parental caregiver may request a conciliation conference, under section 256.736, subdivisions 4a and 11, when the caregiver disputes the contents of a contract developed under the Minnesota family investment plan or disputes a decision regarding failure or refusal to cooperate with the terms of a contract. These disputes are not subject to administrative review under section 256.045, unless they result in a denial, suspension, reduction, or termination, and the parental caregiver complies with section 256.045. A caregiver need not request a conciliation conference to request a hearing pursuant to section 256.045.

Subd. 6. [TREATMENT OF FOOD ASSISTANCE.] The portion of cash assistance provided under the Minnesota family investment plan that the commissioner designates as representing food assistance shall be treated as in-kind income in determining eligibility for other state and federal programs.

Subd. 7. [ADJUSTMENT OF FOOD ASSISTANCE AMOUNT.] The commissioner shall adjust the food assistance portion of the assistance provided under the Minnesota family investment plan to reflect increases in the federal food stamp allotments and deductions.

Subd. 8. [EXPEDITED BENEFITS.] Federal and state prescribed

procedures and due process guarantees regarding expedited issuance of food stamps shall continue to be available to eligible families either by expediting issuance of a predesignated portion of assistance provided through the Minnesota family investment plan or through the existing food stamp program.

Subd. 9. [SPECIAL RIGHTS OF MIGRANT AND SEASONAL FARM WORKERS AND HOMELESS PEOPLE.] Federally prescribed procedures and due process guarantees that apply to migrant and seasonal farmworkers and homeless people shall continue to be available to eligible families.

Sec. 8. [256.037] [APPROPRIATION.]

\$190,000 in fiscal year 1990 and \$167,000 in fiscal year 1991 are appropriated from the general fund to the commissioner. Effective July 1, 1989, the complement of the department of human services is increased by four positions to continue the development and design of the Minnesota family investment plan. After securing federal approval to implement the Minnesota family investment plan on a field trial basis, the commissioner shall introduce a plan and funding request to the legislature for specific appropriations for the implementation of field trials.

Sec. 9. [256.038] [EFFECTIVE DATE.]

Effective with the date of enactment, the commissioner is authorized to proceed with the planning and designing of the Minnesota family investment plan, according to the requirements of sections 256.031 to 256.037. Sections 256.031 to 256.037 shall not become effective on a statewide basis until the legislature authorizes a specific date for statewide implementation.

Sec. 10. Minnesota Statutes 1988, section 256.045, subdivision 3, is amended to read:

Subd. 3. [STATE AGENCY HEARINGS.] (a) Any person applying for, receiving or having received public assistance or a program of social services granted by a local agency under sections 256.031 to 256.038 and 256.72 to 256.879, chapters 256B, 256D, 256E, 261, or the federal Food Stamp Act whose application for assistance is denied, not acted upon with reasonable promptness, or whose assistance is suspended, reduced, terminated, or claimed to have been incorrectly paid, or any patient or relative aggrieved by an order of the commissioner under section 252.27, or a party aggrieved by a ruling of a prepaid health plan, may contest that action or decision before the state agency by submitting a written request for a hearing to the state agency within 30 days after receiving written notice of the action or decision, or within 90 days of such written notice if the applicant, recipient, patient, or relative shows good

cause why the request was not submitted within the 30-day time limit.

(b) All prepaid health plans under contract to the commissioner pursuant to chapter 256B or 256D must provide for a complaint system according to section 62D.11. The prepaid health plan must notify the ombudsman within three working days of any formal complaint made under section 62D.11 by persons enrolled in a prepaid health plan under chapter 256B or 256D. At the time a complaint is made, the prepaid health plan must notify the recipient of the name and telephone number of the ombudsman. Recipients may request the assistance of the ombudsman in the complaint system process. The prepaid health plan shall issue a written resolution within 30 days of filing with the prepaid health plan. The ombudsman may waive the requirement that the complaint system procedures be exhausted prior to an appeal if the ombudsman determines that the complaint must be resolved expeditiously in order to provide care in an urgent situation.

(c) A state human services referee shall conduct a hearing on the matter and shall recommend an order to the commissioner of human services. The commissioner need not grant a hearing if the sole issue raised by an appellant is the commissioner's authority to require mandatory enrollment in a prepaid health plan in a county where prepaid health plans are under contract with the commissioner.

(d) In a notice of appeal from a ruling of a prepaid health plan, a recipient may request an expedited hearing. The ombudsman, after discussing with the recipient his or her condition and in consultation with a health practitioner who practices in the specialty area of the recipient's primary diagnosis, shall investigate and determine whether an expedited appeal is warranted. In making the determination, the ombudsman shall evaluate whether the medical condition of the recipient, if not expeditiously diagnosed and treated, could cause physical or mental disability, substantial deterioration of physical or mental health, continuation of severe pain, or death. The ombudsman may order a second medical opinion from the prepaid health plan or order a second medical opinion from a nonprepaid health plan provider at prepaid health plan expense. If the ombudsman determines that an expedited appeal is warranted, the state welfare referee shall hear the appeal and render a decision within a time commensurate with the level of urgency involved, based on the individual circumstances of the case. In urgent or emergency situations in which a prepaid health plan provider has prescribed treatment, and the prepaid health plan has denied authorization for that treatment, the referee may order the health plan to authorize treatment pending the outcome of the appeal.

Sec. 11. Minnesota Statutes 1988, section 256.12, subdivision 14, is amended to read:

Subd. 14. [DEPENDENT CHILD.] "Dependent child," as used in sections 256.72 to 256.87, means a child under the age of 18 years, or a child under the age of 19 years who is regularly attending as a full-time student, and is expected to complete before reaching age 19, a high school or a secondary level course of vocational or technical training designed to fit students for gainful employment, who is found to be deprived of parental support or care by reason of the death, continued absence from the home, physical or mental incapacity of a parent, or who is a child of an unemployed parent as that term is defined by the commissioner of human services, such definition to be consistent with and not to exceed minimum standards established by the Congress of the United States and the Secretary of Health and Human Services; and whose relatives, When defining "unemployed parent," the commissioner shall count up to four calendar quarters of full-time attendance in any of the following toward the requirement that a principal earner have six or more quarters of work in any 13-calendar quarter period ending within one year before application for aid to families with dependent children:

- (1) an elementary or secondary school;
- (2) a federally approved vocational or technical training course designed to prepare the parent for gainful employment; or
- (3) full-time participation in an education or training program established under the job training partnership act.

Dependent child also means a child:

- (1) whose relatives are liable under the law for the child's support and are not able to provide adequate care and support of the child; and
- (2) who is living with father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece in a place of residence maintained by one or more of these relatives as a home.

The term "Dependent child" also means a child who has been removed from the home of a relative after a judicial determination that continuance in the home would be contrary to the welfare and best interests of the child and whose care and placement in a foster home or a private licensed child care institution is, in accordance with the rules of the commissioner, the responsibility of the state or county agency under sections 256.72 to 256.87. This child is eligible for benefits only through the foster care and adoption assistance program contained in Title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, and is not entitled to benefits under sections 256.72 to 256.87.

Sec. 12. [256.484] [SOCIAL ADJUSTMENT SERVICES TO REFUGEES.]

Subdivision 1. [SPECIAL PROJECTS.] The commissioner of human services shall establish a grant program to provide social adjustment services to refugees residing in Minnesota who experience depression, emotional stress, and personal crises resulting from past trauma and refugee camp experiences.

Subd. 2. [DEFINITIONS.] For the purpose of this section, the following terms have the meanings given them.

(a) "Refugee" means a refugee or asylee status granted by the United States Immigration and Naturalization Service.

(b) "Social adjustment services" means treatment or services, including psychiatric assessment, chemical therapy, individual or family counseling, support group participation, aftercare or follow-up, information and referral, and crisis intervention.

Subd. 3. [PROJECT SELECTION.] The commissioner shall select projects for funding under this section. Projects selected must be administered by service providers who have experience in providing bilingual social adjustment services to refugees. Project administrators must present evidence that the service provider's social adjustment services for targeted refugees has historically resolved major problems identified at the time of intake.

Subd. 4. [PROJECT DESIGN.] Project proposals selected under this section must:

- (1) use existing resources when possible;
- (2) clearly specify program goals and timetables for project operation;
- (3) identify available support services, social services, and referral procedures to be used in serving the targeted refugees;
- (4) provide bilingual services; and
- (5) identify the training and experience that enable project staff to provide services to targeted refugees, and identify the number of staff with bilingual service expertise.

Subd. 5. [ANNUAL REPORT.] Selected service providers must report to the commissioner by June 30 of each year on the number of refugees served, the average cost per refugee served, the number and percentage of refugees who are successfully assisted through

social adjustment services, and recommendations for modifications in service delivery for the upcoming year.

Subd. 6. [FUNDING.] Unspent money appropriated for the first year of a biennium for social adjustment services to refugees does not cancel but is available to the commissioner to operate the grant program during the second year.

Sec. 13. [256.485] [CHILD WELFARE SERVICES TO MINOR REFUGEES.]

Subdivision 1. [SPECIAL PROJECTS.] The commissioner of human services shall establish a grant program to provide specialized child welfare services to Asian and Amerasian refugees under the age of 18 who reside in Minnesota.

Subd. 2. [DEFINITIONS.] For the purpose of this section, the following terms have the meanings given them.

(a) "Refugee" means refugee or asylee status granted by the United States Immigration and Naturalization Service.

(b) "Child welfare services" means treatment or services, including workshops or training regarding independent living skills, coping skills, and responsible parenting, and family or individual counseling regarding career planning, intergenerational relationships and communications, and emotional or psychological stress.

Subd. 3. [PROJECT SELECTION.] The commissioner shall select projects for funding under this section. Projects selected must be administered by service providers who have experience in providing child welfare services to minor Asian and Amerasian refugees.

Subd. 4. [PROJECT DESIGN.] Project proposals selected under this section must:

- (1) use existing resources when possible;
- (2) provide bilingual services;
- (3) clearly specify program goals and timetables for project operation;
- (4) identify support services, social services, and referral procedures to be used; and
- (5) identify the training and experience that enable project staff to provide services to targeted refugees, as well as the number of staff with bilingual service expertise.

Subd. 5. [ANNUAL REPORT.] Selected service providers must report to the commissioner by June 30 of each year on the number of refugees served, the average cost per refugee served, the number and percentage of refugees who are successfully assisted through child welfare services, and recommendations for modifications in service delivery for the upcoming year.

Subd. 6. [FUNDING.] Unspent money appropriated for the first year of a biennium for child welfare services to refugees does not cancel but is available to the commissioner for operation of the grant program during the second year.

Sec. 14. Minnesota Statutes 1988, section 256.73, subdivision 3a, is amended to read:

Subd. 3a. [PERSONS INELIGIBLE.] No assistance shall be given under sections 256.72 to 256.87:

(1) on behalf of any person who is receiving supplemental security income under title XVI of the Social Security Act unless permitted by federal regulations;

(2) for any month in which the assistance unit's gross income, without application of deductions or disregards, exceeds 185 percent of the standard of need for a family of the same size and composition; except that the earnings of a dependent child who is a full-time student may be disregarded for six calendar months per year and the earnings of a dependent child who is a full-time student that are derived from the jobs training and partnership act may be disregarded for six calendar months per year. If a stepparent's income is taken into account in determining need, the disregards specified in section 256.74, subdivision 1a shall be applied to determine income available to the assistance unit before calculating the unit's gross income for purposes of this paragraph;

(3) to any assistance unit for any month in which any caretaker relative with whom the child is living is, on the last day of that month, participating in a strike;

(4) on behalf of any other individual in the assistance unit, nor shall the individual's needs be taken into account for any month in which, on the last day of the month, the individual is participating in a strike;

(5) to an assistance unit if its eligibility is based on a parent's unemployment and the parent on behalf of any individual who is the principal earner in an assistance unit whose eligibility is based on the unemployment of a parent when the principal earner, without good cause, fails or refuses to seek work, to participate in the work incentive job search program under section 256.736, a community

work experience program under section 256.737 if this program is available and participation is mandatory in the county, to accept employment, or to register with a public employment office, unless the principal earner is exempt from these work requirements.

Sec. 15. Minnesota Statutes 1988, section 256.736, subdivision 3, is amended to read:

Subd. 3. [REGISTRATION.] (a) To the extent permissible under federal law, every caretaker or child is required to register for employment and training services, as a condition of receiving AFDC, unless the caretaker or child is:

(1) a child who is under age 16, a child age 16 or 17 who is attending elementary or secondary school or a secondary level vocational or technical school full time, ~~or a full-time student age 18 who is attending a secondary school or a secondary level vocational or technical program and who is expected to complete the school or program before reaching age 19;~~

(2) a caretaker who is ill, incapacitated or age 55 or older;

(3) a caretaker person for whom participation in an employment and training service would require a round trip commuting time by available transportation of more than two hours;

(4) a caretaker person whose presence in the home is required because of illness or incapacity of another member of the household;

(5) a caretaker or other caretaker relative of a child under the age of ~~six~~ three who personally provides full-time care for the child;

(6) a caretaker or other caretaker relative personally providing care for a child under six years of age, except that when child care is arranged for or provided, such caretaker or caretaker relative may be required to register and participate in employment and training services up to a maximum of 20 hours per week;

(7) a caretaker if another adult relative in the assistance unit is registered and has not, without good cause, failed or refused to participate or accept employment;

~~(7)~~ (8) a pregnant woman in the last trimester of pregnancy if it has been medically verified that the child is expected to be born in the current month or within the next six months;

(9) employed at least 30 hours per week; or

~~(8)~~ (10) a parent who is not the principal earner if the parent who is the principal earner is not exempt under clauses (1) to (7).

Any individual in clauses (3) and (5) to (8) must be advised of any available employment and training services and must be informed of any available child care and other support services required to register.

(b) To the extent permissible by federal law, applicants for benefits under the AFDC program are registered for employment and training services by signing the application form. Applicants must be informed that they are registering for employment and training services by signing the form. Persons receiving benefits on or after July 1, 1987, shall register for employment and training services to the extent permissible by federal law. The caretaker has a right to a fair hearing under section 256.045 with respect to the appropriateness of the registration.

Sec. 16. Minnesota Statutes 1988, section 256.736, subdivision 3b, is amended to read:

Subd. 3b. [MANDATORY ASSESSMENT AND SCHOOL ATTENDANCE FOR MINOR CERTAIN CUSTODIAL PARENTS.] This subdivision shall apply to the extent permitted under federal law and regulation.

(a) [DEFINITIONS.] The definitions in this paragraph apply to this subdivision.

(1) "Minor Custodial parent" means a recipient of AFDC who is under age 18, and who is the natural or adoptive parent of a child living with the minor custodial parent.

(2) "School" means:

(i) an educational program which leads to a high school diploma. The program or coursework may be, but is not limited to, a program under the post-secondary enrollment options of section 123.3514, a regular or alternative program of an elementary or secondary school, a technical institute, or a college;

(ii) coursework for a general educational development (GED) diploma of not less than six hours of classroom instruction per week; or

(iii) any other post-secondary educational program that is approved by the public school or the local agency under subdivision 11.

(b) [ASSESSMENT AND PLAN.] (1) [REQUIREMENT; CONTENT.] The county agency must examine the educational level of each custodial parent under the age of 20 to determine if the recipient has completed a high school education or its equivalent. If the custodial parent has not completed a high school education or its

equivalent and is not exempt from the requirement to attend school under paragraph (c), the county agency must complete an individual assessment for the custodial parent. The assessment must be performed as soon as possible but within 60 days of determining aid to families with dependent children eligibility for the custodial parent. The assessment must provide an initial examination of the custodial parent's educational progress and needs, literacy level, child care and supportive service needs, family circumstances, skills, work experience, and employability. The county, in consultation with educational agencies, must review the various school completion options with the parent and assist the parent in selecting the most appropriate option.

(2) [RESPONSIBILITY FOR ASSESSMENT AND PLAN.] For custodial parents who are under age 18, the assessment and the employability plan shall be completed by the county social services agency, as specified in section 257.33. For custodial parents who are age 18 or 19, the assessment and employability plan shall be completed by the case manager. Social services or the case manager shall consult with representatives of educational agencies required to assist in developing educational plans under section 126.235.

(3) [EDUCATION DETERMINED TO BE APPROPRIATE.] If the case manager or county social services agency identifies an appropriate educational option, it must develop an employability plan in consultation with the custodial parent which specifies that participation in an educational activity is required, what school or educational program is most appropriate, the services which will be provided, the activities in which the parent will take part, including child care and supportive services, the consequences to the custodial parent for failing to participate or comply with the specified requirements, and the right to appeal any adverse action.

(4) [EDUCATION DETERMINED TO BE NOT APPROPRIATE.] If the case manager determines that there is no appropriate educational option for a custodial parent who is age 18 or 19, the case manager must indicate the reasons for such determination. The case manager shall then notify the county agency, who shall refer the custodial parent to case management services under subdivision 11 for completion of an employability plan and services. If the custodial parent fails to participate or cooperate with case management services and does not have good cause for failing to participate or cooperate, the county agency shall apply the sanctions listed in subdivision 4, beginning with the first payment month after issuance of notice.

If the county social services agency determines that school attendance is not appropriate for a custodial parent who is under age 18, the county agency shall refer the custodial parent to social services for services as provided in section 257.33.

(c) [SCHOOL ATTENDANCE REQUIRED.] Notwithstanding subdivision 3, a minor custodial parent must attend school if all of the following apply:

(1) the minor parent has no child living with the parent who is younger than six weeks of age the custodial parent is less than 20 years of age;

(2) transportation services needed to enable the minor custodial parent to attend school are available;

(3) licensed or legal nonlicensed child care services needed to enable the minor custodial parent to attend school are available;

(4) the minor custodial parent has not already graduated from high school and has not received a general educational development (GED) diploma received a high school diploma or its equivalent; and

(5) the minor custodial parent does not have good cause for failing to attend school, as provided in paragraph (d); is not exempt because the custodial parent is:

(i) ill or incapacitated seriously enough to prevent the custodial parent from attending school;

(ii) needed in the home because of the illness or incapacity of another member of the household; this includes a custodial parent of a child who is younger than six weeks of age;

(iii) works 30 or more hours a week;

(iv) is pregnant if it has been medically verified that the child's birth is expected in the current month or within the next six months.

(e) (d) [ENROLLMENT AND ATTENDANCE.] The minor custodial parent must be enrolled in school and meeting the school's attendance requirements. The minor custodial parent is considered to be attending when the minor parent the custodial parent is enrolled but the school is not in regular session, including during holiday and summer breaks.

(d) (e) [GOOD CAUSE FOR NOT ATTENDING SCHOOL.] The local agency shall not impose the sanctions in subdivision 4 if it determines that a custodial parent has good cause for not being enrolled or for not meeting the school's attendance requirements. The local agency shall determine whether good cause for not attending or not enrolling in school exists, according to this paragraph:

(1) Good cause exists when the minor parent is ill or injured seriously enough to prevent the minor parent from attending school.

(2) Good cause exists when the minor parent's child is ill or injured and the minor parent's presence in the home is required to care for the child.

(3) Good cause exists when the local agency has verified that the only available school program requires round trip commuting time from the minor custodial parent's residence of more than two hours by available means of transportation, excluding the time necessary to transport children to and from child care.

(4) Good cause exists when there is an interruption in availability of child care services.

(5) (2) Good cause exists when the minor custodial parent has indicated a desire to attend school, but the public school system is not providing for the minor parent's the custodial parent's education and alternative programs are not available.

(6) Good cause exists when the school does not cooperate with the local agency in providing verification of the minor parent's education or attendance.

(7) Good cause exists when the minor parent or the minor parent's child has a medical appointment or an appointment with the local welfare agency, is required to appear in court during the minor parent's normal school hours, or has any other obligation consistent with the case management contract.

(8) For the minor parent of a child between six and 12 weeks of age, good cause exists when child care is not available on the premises of the school, or a medical doctor certifies that it would be better for the health of either the parent or the child for the parent to remain at home with the child for a longer period of time.

(e) (f) [FAILURE TO COMPLY.] The case manager and social services shall establish ongoing contact with appropriate school staff to monitor problems that custodial parents may have in pursuing their educational plan, and jointly seek solutions to prevent parents from failing to complete education. If the school notifies the local agency that the minor custodial parent is not enrolled or is not meeting the school's attendance requirements, and the local agency or appears to be facing barriers to completing education, such information shall be conveyed to the case manager for a custodial parent age 18 or 19, or to social services for a custodial parent under age 18. The case manager or social services shall reassess the appropriateness of school attendance as specified in paragraph (c). If after consultation school attendance is still

appropriate and the case manager or social services determines that the ~~minor~~ custodial parent has failed to enroll or is not meeting the school's attendance requirements and the custodial parent does not have good cause, the local agency case manager or social services shall inform the custodial parent's financial worker who shall apply the sanctions listed in subdivision 4 beginning with the first payment month after issuance of notice.

(f) (g) [NOTICE AND HEARING.] A right to notice and fair hearing shall be provided in accordance with section 256.045 and the Code of Federal Regulations, title 45, section 205.10.

(g) (h) [SOCIAL SERVICES.] When a ~~minor~~ custodial parent under the age of 18 has failed to attend school, is not exempt, and does not have good cause, the local agency shall refer the ~~minor~~ custodial parent to social services for services, as provided in section 257.33.

(h) (i) [VERIFICATION.] No less often than quarterly, the local agency financial worker must verify that the ~~minor~~ custodial parent is meeting the requirements of this subdivision. Notwithstanding section 13.32, subdivision 3, when the local agency notifies the school that a ~~minor~~ custodial parent is subject to this subdivision, the school must furnish verification of school enrollment and attendance, and progress to the local agency. In no situation shall the county agency impose the sanctions in paragraph (f) if the school fails to cooperate in providing verification of the minor parent's education, attendance, or progress.

Sec. 17. Minnesota Statutes 1988, section 256.736, is amended by adding a subdivision to read:

Subd. 3d. [COORDINATION OF SERVICES FOR AT-RISK ADOLESCENTS.] (a) [PURPOSE.] The departments of education, human services, and jobs and training, shall coordinate services between those departments for at-risk adolescents and teenage parents, in order to improve access to educational programs, to evaluate current at-risk or teen parent programs, and to promote self-sufficiency. This shall include, but not be limited to, educating staff about the educational options and programs available through each department which are appropriate for adolescents and teenage parents; methods of informing adolescents and teenage parents of services and programs; methods of encouraging and motivating adolescents and teenage parents to use such services and programs; and the advantages of doing so.

(b) [PILOT PROJECTS.] Funds under this section may be used for one or more pilot projects designed to improve access to education for at-risk adolescents and minor parents, especially those receiving aid to families with dependent children. Pilot projects may focus on one or more of the following: improving access to services dealing with

the needs of adolescent parents or adolescents at risk of pregnancy that address issues such as male responsibility and alternative placements for teen mothers with infants; or development of service models for adolescent parents already in the social services system. The commissioners of education, human services, and jobs and training shall request proposals for the projects and shall jointly review and select proposals.

(c) [PRIVATE FUNDING FOR LOCAL PROJECTS.] The commissioners of education, human services, and jobs and training may jointly seek private sources of funding to facilitate pilot projects at the local level. The commissioners shall determine how the private funding is to be allocated to local projects.

Sec. 18. Minnesota Statutes 1988, section 256.736, subdivision 4, is amended to read:

Subd. 4. [CONDITIONS OF CERTIFICATION.] The commissioner of human services shall:

(1) Arrange for or provide any caretaker or child required to participate in employment and training services pursuant to this section with child-care services, transportation, and other necessary family services;

(2) Pay ten percent of the cost of the work incentive program and any other costs that are required of that agency by federal regulation for employment and training services for recipients of aid to families with dependent children;

(3) Provide that in determining a recipient's needs any monthly incentive training payment made to the recipient by the department of jobs and training is disregarded and the additional expenses attributable to participation in a program are taken into account in grant determination to the extent permitted by federal regulation; and

(4) (3) Provide that the county board shall impose the sanctions in clause (5) or (6) (4) when the county board:

(a) is notified that a caretaker or child required to participate in employment and training services has been found by the employment and training service provider to have failed without good cause to participate in appropriate employment and training services or to have failed without good cause to accept a bona fide offer of public or other employment;

(b) determines that a minor custodial parent under the age of 16 who is required to attend school under subdivision 3b has, without good cause, failed to attend school;

(e) (b) determines that subdivision 3c applies to a minor parent and the minor parent has, without good cause, failed to cooperate with development of a social service plan or to participate in execution of the plan, to live in a group or foster home, or to participate in a program that teaches skills in parenting and independent living; or

(d) (c) determines that a caretaker has, without good cause, failed to attend orientation.

(5) (4) To the extent permissible by federal law, impose the following sanctions ~~must be imposed~~ for a recipient's failure to participate in required employment and training services, education, orientation, or the requirements of subdivision 3c:

(a) For the first failure, 50 percent of the grant provided to the family for the month following the failure shall be made in the form of protective or vendor payments;

(b) For the second and subsequent failures, the entire grant provided to the family must be made in the form of protective or vendor payments. Assistance provided to the family must be in the form of protective or vendor payments until the recipient complies with the requirement; and

(c) When protective payments are required, the local agency may continue payments to the caretaker if a protective payee cannot reasonably be found.

(6) When the sanctions provided by clause (5) are not permissible under federal law, the following sanctions shall be imposed for a recipient's failure to participate in required employment and training services, education, orientation, or the requirements of subdivision 3c

(5) Provide that the county board shall impose the sanctions in clause (6) when the county board:

(a) Determines that a caretaker or child required to participate in employment and training services has been found by the employment and training service provider to have failed without good cause to participate in appropriate employment and training services or to have failed without good cause to accept, through the job search program described in subdivision 14, or the community work experience program described in section 256.737, a bona fide offer of public or other employment; or

(b) Determines that a custodial parent aged 16 through 19 who is required to attend school under subdivision 3b has, without good cause, failed to enroll or attend school.

(6) To the extent required by federal law, the following sanctions must be imposed for a recipient's failure to participate in required employment and training services, to accept a bona fide offer of public or other employment, or to enroll or attend school under subdivision 3b.

(a) If the caretaker fails to participate, the caretaker's For the first failure, the needs of the noncompliant individual shall not be taken into account in making the grant determination, and aid for any dependent child in the family will be made in the form of protective or vendor payments, except that when protective payments are made, the local agency may continue payments to the caretaker if a protective payee cannot reasonably be found. The standard of assistance for the remaining eligible members of the assistance unit is the standard that is used in other instances in which the caretaker is excluded from the assistance unit for noncompliance with a program requirement until the individual complies with the requirements.

(b) For the second failure, the needs of the noncompliant individual shall not be taken into account in making the grant determination until the individual complies with the requirement or for three consecutive months, whichever is longer.

(c) For subsequent failures, the needs of the noncompliant individual shall not be taken into account in making the grant determination until the individual complies with the requirement or for six consecutive months, whichever is longer.

(d) Aid with respect to a dependent child will be denied if a child who fails to participate is the only child receiving aid in the family.

(e) If there is more than one child receiving aid in the family, aid for the child who fails to participate will be denied and the child's needs will not be taken into account in making the grant determination.

(d) If the assistance unit's eligibility is based on the nonexempt principal earner's unemployment and this principal earner fails without good cause to participate or to accept employment, the entire assistance unit is ineligible for benefits under sections 256.72 to 256.87.

(e) If the noncompliant individual is a parent or other relative caretaker, payments of aid for any dependent child in the family shall be made in the form of protective or vendor payments. When protective payments are required, the county agency may continue payments to the caretaker if a protective payee cannot reasonably be found. When protective payments are imposed on assistance units whose basis of eligibility is unemployed parent or incapacitated parent, cash payments may continue to the nonsanctioned

caretaker in the assistance unit, subject to clause (f). After removing a caretaker's needs from the grant, the standard of assistance applicable to the remaining eligible members of the assistance unit is the standard that is used in other instances in which the caretaker is excluded from the assistance unit for noncompliance with a program requirement.

(f) If the noncompliant individual is a parent or other caretaker of a family whose basis of eligibility is unemployed parent and the noncompliant individual's spouse is not participating in an approved employment and training service, the needs of such spouse shall not be taken into account in making the grant determination.

Sec. 19. Minnesota Statutes 1988, section 256.736, subdivision 10, is amended to read:

Subd. 10. [COUNTY DUTIES.] To the extent of available state appropriations, county boards shall:

(1) refer all priority caretakers required to register under subdivision 3 to an employment and training service provider for participation in employment and training services;

(2) identify to the employment and training service provider caretakers who fall into the priority groups;

(3) provide all caretakers with an orientation which (a) gives information on available employment and training services and support services; and (b) encourages clients to view AFDC as a temporary program providing grants and services to clients who set goals and develop strategies for supporting their families without AFDC assistance meets the requirements in subdivisions 10a and 10b;

(4) work with the employment and training service provider to encourage voluntary participation by caretakers in the priority groups;

(5) work with the employment and training service provider to collect data as required by the commissioner;

(6) to the extent permissible under federal law, require all caretakers coming into the AFDC program to attend orientation;

(7) encourage nonpriority caretakers to develop a plan to obtain self-sufficiency;

(8) notify the commissioner of the caretakers required to participate in employment and training services;

(9) inform appropriate caretakers of opportunities available through the head start program and encourage caretakers to have their children screened for enrollment in the program where appropriate;

(10) provide transportation assistance using the employment special needs fund or other available funds to caretakers who participate in employment and training programs, with priority for services to caretakers in priority groups;

(11) ensure that orientation, employment search, and case management services are made available to appropriate caretakers under this section, except that payment for case management services is governed by subdivision 13; and

(12) explain in its local service unit plan under section 268.88 how it will ensure that priority caretakers determined to be in need of social services are provided with such social services. The plan must specify how the case manager and the county social service workers will ensure delivery of needed services.

A county board may provide other employment and training services that it considers necessary to help caretakers obtain self-sufficiency.

Notwithstanding section 256G.07, when a priority caretaker relocates to another county to implement the provisions of the caretaker's case management contract or other written employability development plan approved by the county human service agency or its case manager, the county that approved the plan is responsible for the costs of case management, child care, and other services required to carry out the plan. The county agency's responsibility for those costs ends when all plan obligations have been met, the caretaker loses aid to families with dependent children eligibility for at least 30 days, or when approval of the plan is withdrawn for a reason stated in the plan, whichever is earliest. A county human service agency may pay for the costs of case management, child care, and other services required in an approved employability development plan when the nonpriority caretaker relocates to another county or when a priority caretaker again becomes eligible for aid to families with dependent children after having been ineligible for at least 30 days.

(13) to the extent allowed by federal laws and regulations, provide a job search program as defined in subdivision 14 and at least one of the following employment and training services:

(a) community work experience program (CWEP) as defined in section 256.737;

(b) grant diversion as defined in section 268.86;

(c) on-the-job training as defined in section 256.738; or

(d) another work and training program as approved by the commissioner and the secretary of the United States Department of Health and Human Services.

Planning and approval for employment and training services listed in this clause must be obtained through submission of the local service unit plan as specified under section 268.88. Each county is urged to adopt grant diversion as the second program required under this clause.

(14) provide an assessment of each aid to families with dependent children recipient who is required or volunteers to participate in one of the employment and training services specified in clause (13), including job search, and to recipients who volunteer for participation in case management under subdivision 11. The assessment shall include an evaluation of the participant's (a) educational, child care, and other supportive service needs; (b) skills and prior work experience; (c) ability to secure and retain a job which, when wages are added to child support, will support the participant's family; and (d) a review of the participant's family circumstances.

(15) develop an employability development plan for each recipient for whom an assessment is required under clause (14) which (a) takes into consideration the recipient's physical capacity, skills, experience, health and safety, family responsibilities, place of residence, proficiency, child care and other supportive service needs; (b) is based on available resources and local employment opportunities; (c) specifies the services to be provided by the employment and training service provider; (d) specifies the activities the recipient will participate in; (e) specifies necessary supportive services such as child care; and (f) specifies the recipient's employment goal.

(16) assure that no work assignment under this section or sections 256.737 and 256.738 shall result in:

(a) termination, layoff, or reduction of the work hours of an employee for the purpose of hiring an individual under the above sections;

(b) the hiring of an individual if any other person is on layoff from the same or a substantially equivalent job;

(c) any infringement of the promotional opportunities of any currently employed individual;

(d) the impairment of existing contracts for services or collective bargaining agreements; or

(e) a participant filling an established unfilled position vacancy.

Funds available under the above sections may not be used to assist, promote, or deter union organizing.

Sec. 20. Minnesota Statutes 1988, section 256.736, is amended by adding a subdivision to read:

Subd. 10a. [ORIENTATION.] Each county agency must provide an orientation to all caretakers within its jurisdiction whose attendance at such orientation is mandatory and who are determined eligible for aid to families with dependent children on or after July 1, 1989. The county agency shall require attendance at orientation of all caretakers, except those who are: physically disabled, mentally ill, or developmentally disabled and whose condition has or is expected to continue for at least 90 days and will prevent participation in educational programs or employment and training services; aged 55 or older; and, those who are currently employed in unsubsidized employment that is expected to continue at least 30 days and which provides an average of at least 30 hours of employment per week.

The orientation must consist of a presentation that informs caretakers of:

(1) the identity, location, and phone numbers of employment and training and support services available in the county;

(2) the types and locations of child care services available through the county agency which are accessible to participate in educational programs or employment and training services;

(3) the availability of assistance for participants to help select appropriate child care services and that, on request, assistance will be provided to select appropriate child care services;

(4) the obligations of the county agency and service providers under contract to the county agency;

(5) the rights, responsibilities, and obligations of participants;

(6) the grounds for exemption from mandatory employment and training services or educational requirements;

(7) the consequences for failure to participate in mandatory services or requirements; and

(8) the method of entering educational programs or employment and training services available through the county.

Orientation must encourage recipients to view aid to families with dependent children as a temporary program providing grants and services to individuals who set goals and develop strategies for supporting their families without aid to families with dependent children assistance. The content of the orientation must not imply that a recipient's eligibility for aid to families with dependent children is time limited. Orientation may be provided through audio-visual methods, but the caretaker must be given an opportunity for face-to-face interaction with staff of the county agency or the entity providing the orientation, and an opportunity to express the desire to participate in educational programs and employment and training services offered through the county agency.

County agencies shall not require caretakers to attend orientation for more than three hours during any period of 12 continuous months. The local agency shall also arrange for or provide needed transportation and child care to enable caretakers to attend.

Sec. 21. Minnesota Statutes 1988, section 256.736, is amended by adding a subdivision to read:

Subd. 10b. [INFORMING.] Each county agency must provide written information concerning the topics identified in subdivision 10a, clauses (1) to (8), to all aid to families with dependent children caretakers within the county agency's jurisdiction who are exempt from the requirement to attend orientation, except those under age 16, and to recipients who have good cause for failing to attend orientation as specified in rules adopted by the commissioner. The written materials must tell the individual how the individual may indicate the desire to participate in educational programs and employment and training services offered through the county, and must be mailed or hand delivered to the recipient at the time that the recipient is determined to be exempt or have good cause for failing to attend an orientation.

Sec. 22. Minnesota Statutes 1988, section 256.736, subdivision 14, is amended to read:

Subd. 14. [EMPLOYMENT JOB SEARCH.] (a) The commissioner of human services shall establish an employment a job search program under United States Code, title 42, section 602(a)(35) Public Law Number 100-485. The principal wage earner in an AFDC-UP assistance unit must participate be referred to and must begin participation in the employment job search program within four months of being determined eligible for AFDC-UP unless:

- (1) the caretaker is already participating in another approved employment and training service;
- (2) the caretaker's employability plan specifies other activities; or

(3) the caretaker is exempt from registration under section 256.736, subdivision 3; or

(4) the caretaker is unable to secure employment due to inability to communicate in the English language, is participating in an English as a second language course, and is making satisfactory progress towards completion of the course. If an English as a second language course is not available to the caretaker, the caretaker shall be exempt from participation until such time as a course becomes available.

The employment and training service provider shall refer caretakers unable to communicate in the English language to English as a second language courses.

(b) The employment job search program must provide the following services:

(1) an initial period of up to four weeks of job search activities for not more than 32 hours per week. The employment and training service provider shall specify for each participating caretaker the number of weeks and hours of job search to be conducted and shall report to the county board if the caretaker fails to cooperate with the employment search requirement; and

(2) an additional period of job search following the first period at the discretion of the employment and training service provider. The total of these two periods of job search may not exceed eight weeks for any 12 consecutive month period beginning with the month of application.

(c) The employment search program may provide services to non-AFDC-UP caretakers.

Sec. 23. Minnesota Statutes 1988, section 256.736, subdivision 16, is amended to read:

Subd. 16. [ALLOCATION AND USE OF MONEY.] (a) State money appropriated for employment and training services under this section must be allocated to counties as follows:

(1) Forty percent of the state money must be allocated based on the average monthly number of caretakers receiving AFDC in the county who are under age 21 and the average monthly number of AFDC cases open in the county for 24 or more consecutive months and residing in the county for the 12-month period ending March December 31 of the previous fiscal year.

(2) Twenty percent of the state money must be allocated based on the average monthly number of nonpriority caretakers receiving

AFDC in the county for the period ending ~~March~~ December 31 of the previous fiscal year. Funds may be used to develop employability plans for nonpriority caretakers if resources allow.

(3) Twenty-five percent of the state money must be allocated based on the average monthly number of assistance units in the county receiving AFDC-UP for the period ending ~~March~~ December 31 of the previous fiscal year.

(4) Fifteen percent of the state money must be allocated at the discretion of the commissioner based on participation levels for priority group members in each county.

(b) No more than 15 percent of the money allocated under paragraph (a) may be used for administrative activities.

(c) Except as provided in paragraph (d), at least 70 percent of the money allocated to counties must be used for case management services and employment and training services for caretakers in the priority groups. Up to 30 percent of the money may be used for employment search activities and employment and training services for nonpriority caretakers.

(d) A county ~~whose proportion of the statewide average monthly AFDC-UP caseload exceeds its proportion of the statewide AFDC caseload having a high proportion of nonpriority caretakers which interferes with the county's ability to meet the 70 percent spending requirement of clause (c)~~ may, with the approval of the commissioner of human services, use up to 40 percent of the money allocated under this section for ~~employment search activities orientation and employment and training services for nonpriority caretakers.~~

(e) Funds appropriated to cover the nonfederal share of costs for bilingual case management services to refugees for the employment and training programs under this section are allocated to counties based on the county's proportion of the total statewide number of aid to families with dependent children refugee cases. However, counties with less than one percent of the statewide number of aid to families with dependent children refugee cases shall not receive an allocation.

(f) Counties and the department of jobs and training shall bill the commissioner of human services for any expenditures incurred by the county, the county's employment and training service provider, or the department of jobs and training that may be reimbursed by federal money. The commissioner of human services shall bill the United States Department of Health and Human Services and the United States Department of Agriculture for the reimbursement and appropriate the reimbursed money to the county or employment and training service provider that submitted the original bill. The

reimbursed money must be used to expand employment and training services.

(g) The commissioner of human services shall review county expenditures of case management and employment and training block grant funds at the end of the fourth quarter of the biennium and each quarter thereafter, and may reallocate unencumbered or unexpended funds allocated under this section to those counties which can demonstrate a need for additional funds. Reallocation of funds shall be based on the formula set forth in clause (a), excluding the counties who have not demonstrated a need for additional funds.

Sec. 24. Minnesota Statutes 1988, section 256.737, is amended to read:

256.737 [COMMUNITY WORK EXPERIENCE PROGRAM.]

Subdivision 1. [PILOT PROGRAMS ESTABLISHMENT AND PURPOSE.] In order that persons receiving aid under this chapter may be assisted in achieving self-sufficiency by enhancing their employability through meaningful work experience and training and the development of job search skills, the commissioner of human services may continue the pilot community work experience demonstration programs that were approved by January 1, 1984. No new pilot community work experience demonstration programs may be established under this subdivision establish additional community work experience programs in as many counties as necessary to comply with the participation requirement of the Family Support Act of 1988, Public Law Number 100-485. Programs established on or after July 1, 1989, must be operated on a volunteer basis.

Subd. 1a. [COMMISSIONER'S DUTIES.] The commissioner shall: (a) assist counties in the design, implementation, and evaluation of these demonstration programs; (b) promulgate, in accordance with chapter 14, emergency rules necessary for the implementation of this section, except that the time restrictions of section 14.35 shall not apply and the rules may be in effect until the termination of the demonstration programs June 30, 1990, unless superseded by permanent rules; and (c) seek any federal waivers necessary for proper implementation of this section in accordance with federal law. The commissioner shall; and (d) prohibit the use of participants in the programs to do work that was part or all of the duties or responsibilities of an authorized public employee position established as of January 1, 1985-1989. The exclusive bargaining representative shall be notified no less than 14 days in advance of any placement by the community work experience program. Concurrence with respect to job duties of persons placed under the community work experience program shall be obtained from the appropriate exclusive bargaining representative. The appropriate oversight committee shall be given monthly lists of all job placements under a community work experience program.

As the commissioner phases in case management and other employment and training services under section 256.736, and no later than June 30, 1989, the commissioner may phase out projects under this section.

Subd. 2. [ADDITIONAL PROGRAMS REQUIREMENTS.] In addition to the pilot programs established in subdivision 1, the commissioner may approve the application of up to eight additional counties to enter into a community work experience program. The programs under this subdivision are governed by subdivision 1 except as in paragraphs (a) and (b). Programs under this section shall be limited to projects that serve a useful public service such as: health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, and child care. To the extent possible, the prior training, skills, and experience of a recipient shall be used in making appropriate work experience assignments. County agencies which choose to operate a community work experience program must:

(a) As a condition to placing a person receiving aid to families with dependent children in a program under this subdivision, the county shall first provide the recipient the opportunity to participate in the following services:

(1) placement in suitable subsidized or unsubsidized employment through participation in job search under section 256.736, subdivision 14; or

(2) basic educational or vocational or occupational training for an identifiable job opportunity.

(b) If the recipient refuses suitable employment and a training program, the county may, subject to subdivision 1, require the recipient to participate in a community work experience program as a condition of eligibility.

(c) Limit the maximum number of hours any participant under this section may be required to work in any month to a number equal to the amount of the aid to families with dependent children payable to the family divided by the greater of the federal minimum wage or the applicable state minimum wage.

(d) After a participant has been assigned to a position under this section for nine months, the participant shall not be required to continue in that assignment unless the maximum number of hours a participant is required to work is no greater than the amount of the aid to families with dependent children payable with respect to the family divided by the higher of (1) the federal minimum wage or the applicable state minimum wage, whichever is greater, or (2) the

rate of pay for individuals employed in the same or similar occupations by the same employer at the same site.

(e) After each six months of a recipient's participation in an assignment, and at the conclusion of each assignment under this section, reassess and revise, as appropriate, each participant's employability development plan.

(f) Apply the grant reduction sanctions specified in section 256.736, subdivision 4, clause (6), when it is determined that a mandatory participant has failed, without good cause, to participate in the program.

Sec. 25. [256.738] [ON-THE-JOB TRAINING.]

County agencies may, in accordance with section 256.736, subdivision 10, develop on-the-job training programs which permit voluntary participation by aid to families with dependent children recipients. A county agency which chooses to provide on-the-job training as one of its optional employment and training services may make payments to employers for on-the-job training costs which, during the period of such training, average less than 50 percent of the wages paid by the employer to the participant. Such payments shall be deemed to be in compensation for the extraordinary costs associated with training participants under this section, and in compensation for the costs associated with the lower productivity of such participants during training.

County agencies shall limit the length of training based on the complexity of the job and the recipient's previous experience and training. Placement in an on-the-job training position with an employer shall be for the purpose of training and employment with the same employer, who has agreed to retain the person upon satisfactory completion of training.

Placement of any recipient in an on-the-job training position must be compatible with the assessment and employability development plan established for the recipient under section 256.736, subdivision 10, clauses (14) and (15).

Provision of an on-the-job training program under the job training partnership act, in and of itself, does not qualify as an on-the-job training program under section 256.736, subdivision 10, clause (13).

Sec. 26. Minnesota Statutes 1988, section 256.74, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] The amount of assistance which shall be granted to or on behalf of any dependent child and mother or other needy eligible relative caring for the dependent child shall be

determined by the county agency in accordance with rules promulgated by the commissioner and shall be sufficient, when added to all other income and support available to the child, to provide the child with a reasonable subsistence compatible with decency and health. The amount shall be based on the method of budgeting required in Public Law Number 97-35, section 2315, United States Code, title 42, section 602, as amended and federal regulations at Code of Federal Regulations, title 45, section 233. Nonrecurring lump sum income received by an assistance unit must be budgeted in the normal retrospective cycle. The number of months of ineligibility is determined by dividing the amount of the lump sum income and all other income, after application of the applicable disregards, by the standard of need for the assistance unit. An amount remaining after this calculation is income in the first month of eligibility. If the total monthly income including the lump sum income is larger than the standard of need for a single month the first month of ineligibility is the payment month that corresponds with the budget month in which the lump sum income was received. In making its determination the county agency shall disregard the following from family income:

(1) all of the earned income of each dependent child receiving aid to families with dependent children who is a full-time student or part-time student, and not a full-time employee, attending a school, college, or university, or a course of vocational or technical training designed to fit students for gainful employment as well as all the earned income derived from the job training and partnership act (JTPA) for a dependent child for six calendar months per year, together with unearned income derived from the job training and partnership act;

(2) all educational grants and loans;

(3) the first \$75 \$90 of each individual's earned income. For self-employed persons, the expenses directly related to producing goods and services and without which the goods and services could not be produced shall be disregarded pursuant to rules promulgated by the commissioner;

(4) an amount equal to the actual expenditures but not to exceed \$160 for the care of each dependent child or incapacitated individual living in the same home and receiving aid. In the case of a person not engaged in full-time employment or not employed throughout the month, the commissioner shall prescribe by rule a lesser amount to be disregarded;

(5) thirty dollars plus one-third of the remainder of each individual's earned income not already disregarded for individuals found otherwise eligible to receive aid or who have received aid in one of the four months before the month of application. With respect to any

month, the county welfare agency shall not disregard under this clause any earned income of any person who has:

(a) reduced earned income without good cause within 30 days preceding any month in which an assistance payment is made; or

(b) refused without good cause to accept an offer of suitable employment; or

(c) left employment or reduced earnings without good cause and applied for assistance so as to be able later to return to employment with the advantage of the income disregard; or

(d) failed without good cause to make a timely report of earned income in accordance with rules promulgated by the commissioner of human services.

Persons who are already employed and who apply for assistance shall have their needs computed with full account taken of their earned and other income. If earned and other income of the family is less than need, as determined on the basis of public assistance standards, the county agency shall determine the amount of the grant by applying the disregard of income provisions. The county agency shall not disregard earned income for persons in a family if the total monthly earned and other income exceeds their needs, unless for any one of the four preceding months their needs were met in whole or in part by a grant payment.

The disregard of \$30 and one-third of the remainder of earned income described in clause ~~(5)~~ (4) shall be applied to the individual's income for a period not to exceed four consecutive months. Any month in which the individual loses this disregard because of the provisions of clauses ~~(5)(a)~~ (4)(a) to ~~(5)(d)~~ (4)(d) shall be considered as one of the four months. An additional \$30 work incentive must be available for an eight-month period beginning in the month following the last month of the combined \$30 and one-third work incentive. This period must be in effect whether or not the person has earned income or is eligible for AFDC. To again qualify for the earned income disregards under clause ~~(d)~~ (4), the individual must not be a recipient of aid for a period of 12 consecutive months. When an assistance unit becomes ineligible for aid due to the fact that these disregards are no longer applied to income, the assistance unit shall be eligible for medical assistance benefits for a 12-month period beginning with the first month of AFDC ineligibility;

(5) an amount equal to the actual expenditures but not to exceed the amounts listed in clauses (a) and (b) for the care of each dependent child or incapacitated individual living in the same home and receiving aid;

(a) \$175 for each individual age two and older, and \$200 for each individual under the age of two, when the family member whose needs are included in the eligibility determination is employed for 30 or more hours per week; or

(b) \$174 for each individual age two or older, and \$199 for each individual under the age of two, when the family member whose needs are included in the eligibility determination is not employed throughout the month or when employment is less than 30 hours per week.

The dependent care disregard shall be applied after all other disregards under subdivision I have been applied.

(6) the first \$50 per assistance unit of the monthly support obligation collected by the support and recovery (IV-D) unit; and. The first \$50 of periodic support payments collected by the public authority responsible for child support enforcement from a person with a legal obligation to pay support for a member of the assistance unit shall be paid to the assistance unit within 15 days after the end of the month in which the collection of such periodic support payments occurred and shall be disregarded in determining the amount of assistance;

(7) that portion of an insurance settlement earmarked and used to pay medical expenses, funeral and burial costs, or to repair or replace insured property; and

(8) all earned income tax credit payments received by the family as a refund of federal income taxes or made as advance payments by an employer.

The first \$50 of periodic support payments collected by the public authority responsible for child support enforcement from a person with a legal obligation to pay support for a member of the assistance unit shall be paid to the assistance unit within 15 days after the end of the month in which the collection of such periodic support payments occurred and shall be disregarded in determining the amount of assistance.

Sec. 27. Minnesota Statutes 1988, section 256.74, subdivision 1a, is amended to read:

Subd. 1a. [STEPPARENT'S INCOME.] In determining income available, the county agency shall take into account the remaining income of the dependent child's stepparent who lives in the same household after disregarding:

(1) the first \$75 of the stepparent's gross earned income. The commissioner shall prescribe by rule lesser amounts to be disre-

garded for stepparents who are not engaged in full-time employment or not employed throughout the month;

(2) an amount for support of the stepparent and any other individuals whom the stepparent claims as dependents for determining federal personal income tax purposes liability and who live in the same household but whose needs are not considered in determining eligibility for assistance under sections 256.72 to 256.87. The amount equals the standard of need for a family of the same composition as the stepparent and these other individuals;

(3) amounts the stepparent actually paid to individuals not living in the same household but whom the stepparent claims as dependents for determining federal personal income tax purposes liability; and

(4) alimony or child support, or both, paid by the stepparent for individuals not living in the same household.

Sec. 28. [256.983] [FRAUD PREVENTION INVESTIGATIONS.]

(a) Within the limits of available appropriations, and to the extent either required or authorized by applicable federal regulations, the commissioner of human services shall select and fund not less than four pilot projects for a two-year period to test the effectiveness of fraud prevention investigations conducted at the point of application for assistance. County agencies shall be selected to be involved in the pilot projects based on their response to requests for proposals issued by the commissioner. One of the county agencies selected must be located in either Hennepin or Ramsey county, one must be from the rest of the seven-county metropolitan area, and two must be located outside the metropolitan area.

(b) If proposals are not submitted, the commissioner may select the county agencies to be involved. The county agencies must be selected from the locations described in paragraph (a).

Sec. 29. Minnesota Statutes 1988, section 256D.051, subdivision 6, is amended to read:

Subd. 6. [LOCAL AGENCY OPTIONS USE OF WORK READINESS FUNDS.] The local agency may, at its option, provide up to \$200 for each registrant who has completed an employment development plan for direct expenses incurred by the registrant for transportation, clothes, and tools necessary for employment. After paying direct expenses as needed by individual registrants, the local agency may use any remaining money to provide additional services as needed by any registrant including education, orientation, placement, other work experience, on-the-job training, and other appropriate activities. The county agency shall pay the costs of clothing

and tools needed for training or employment, and transportation and child care costs that are incurred by recipients and that are needed for participation in the work readiness program. After paying these direct participant expenses, the local agency may use available funding to pay the costs of services such as education, training, orientation, placement, work experience, on-the-job training, and other appropriate activities, including operation of the work readiness program.

Sec. 30. Minnesota Statutes 1988, section 256D.051, is amended by adding a subdivision to read:

Subd. 10a. [REIMBURSEMENT OF PROGRAM EXPENDITURES.] The county agency shall be reimbursed for 75 percent of the nonfederal share of actual costs paid to provide a work readiness program under subdivisions 2 and 6. Reimbursement must not exceed on average \$200 for each registrant for whom an employment development plan has been completed.

Sec. 31. Minnesota Statutes 1988, section 256D.051, is amended by adding a subdivision to read:

Subd. 10b. [FEDERAL REIMBURSEMENT.] Federal financial participation from the United States Department of Agriculture for work readiness expenditures that are eligible for reimbursement through the food stamp employment and training program are dedicated funds and shall be used to operate the work readiness program.

Sec. 32. [REPEALER.]

Minnesota Statutes 1988, sections 256D.051, subdivision 6a, and 268.86, subdivision 7, are repealed.

Sec. 33. [EFFECTIVE DATE.]

Sections 12 to 25 and 27 to 32 are effective July 1, 1989. Section 11 is effective October 1, 1990. Section 26 is effective October 1, 1989."

Delete the title and insert:

"A bill for an act relating to human services; authorizing creation of the Minnesota family investment plan; establishing grant projects for refugees; fraud prevention; appropriating money; amending Minnesota Statutes 1988, sections 245.771, subdivision 3; 256.045, subdivision 3; 256.12, subdivision 14; 256.73, subdivision 3a; 256.736, subdivisions 3, 3b, 4, 10, 14, 16, and by adding subdivisions; 256.737; 256.74, subdivisions 1 and 1a; and 256D.051, subdivision 6, and by adding subdivisions; proposing coding for new law in

Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1988, sections 256D.051, subdivision 6a; and 268.86, subdivision 7."

With the recommendation that when so amended 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. 871, A bill for an act relating to taxation; allowing a special levy to the cities of Windom and Jackson to meet costs of operating municipal hospitals; amending Minnesota Statutes 1988, section 275.50, subdivision 5, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 917, A bill for an act relating to taxation; allowing a special levy to Goodhue county for a county historical society; amending Minnesota Statutes 1988, section 275.50, subdivision 5, and by adding a subdivision.

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

The report was adopted.

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

H. F. No. 925, A bill for an act relating to Hennepin county; permitting appropriations for the arts; proposing coding for new law in Minnesota Statutes, chapter 383B.

Reported the same back with the following amendments:

Page 1, line 20, after "support" insert "nonprofit"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 123.70, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivisions 3 and 4, no person over two months old may be allowed to enroll or remain enrolled in any elementary or secondary school or day care facility in this state until the person has submitted to the administrator or other person having general control and supervision of the school or day care facility, one of the following statements:

(1) a statement from a physician or a public clinic which provides immunizations stating that the person has received immunization, consistent with medically acceptable standards, against red measles after having attained the age of 12 months, rubella, diphtheria, tetanus, pertussis, polio, and mumps and which indicates the month, day, and year of each immunization received; or

(2) a statement from a physician or a public clinic which provides immunizations stating that the person has received immunizations against red measles after having attained the age of 12 months, rubella, and mumps and that the person has commenced a schedule of immunizations for diphtheria, tetanus, pertussis, and polio and which indicates the month, day, and year of each immunization received.

Sec. 2. Minnesota Statutes 1988, section 123.70, subdivision 2, is amended to read:

Subd. 2. No person who has commenced a treatment schedule of immunization pursuant to subdivision 1, clause (2), may remain enrolled in any day care facility, elementary, or secondary school in

this state after 18 months of enrollment unless there is submitted to the administrator, or other person having general control and supervision of the school or day care facility, a statement from a physician or a public clinic which provides immunizations that the person has completed the primary schedule of immunizations for diphtheria, tetanus, pertussis, and polio and in which the month, day, and year of each additional immunization received is included. For a child less than seven years of age, a primary schedule of immunizations shall consist of four doses of vaccine for diphtheria, tetanus, and pertussis and three doses of vaccine for poliomyelitis. For a child seven years of age or older, a primary schedule of immunizations shall consist of three doses of vaccine for diphtheria, tetanus, pertussis, and polio.

Sec. 3. Minnesota Statutes 1988, section 123.70, subdivision 4, is amended to read:

Subd. 4. A person who is enrolling or enrolled in an elementary or secondary school or day care facility may substitute a statement from the emancipated person or a parent or guardian if the person is a minor child in lieu of the statement from a physician or public clinic which provides immunizations. If the statement is from a parent or guardian or emancipated person, the statement shall indicate the month, day, and year of each immunization given. In order for the statement to be acceptable for a person who is six years of age or younger, enrolling in an elementary school or day care facility, it must indicate that the following was given: no less than one dose of vaccine each for measles, mumps, and rubella given separately or in combination, and no less than four doses of vaccine for poliomyelitis, unless the third dose was given after the fourth birthday, then three doses are minimum, and no less than five doses of vaccine for diphtheria, tetanus, and pertussis, unless the fourth dose was given after the fourth birthday, then four are minimum. In order for the statement to be acceptable for a person who is seven years of age or older, enrolling in an elementary or secondary school, the statement must indicate no less than one dose of vaccine each for measles, mumps, and rubella given separately or in combination, and no less than three doses of vaccine for poliomyelitis, diphtheria, and tetanus. The commissioner of health, on finding that any of the above requirements are not necessary to protect the public's health, may suspend for one year that requirement.

Sec. 4. Minnesota Statutes 1988, section 123.70, subdivision 8, is amended to read:

Subd. 8. The administrator or other person having general control and supervision of the elementary or secondary school shall file a report with the commissioner of education on all children persons enrolled in the school, except that the superintendent of each school district shall file a report with the commissioner of education for all persons within the district receiving instruction in a home school in

compliance with sections 120.101 and 120.102. The parent of persons receiving instruction in a home school shall submit the statements as required by subdivisions 1, 2, and 4 to the superintendent of the school district in which the person resides by October 1 of each school year. The school report shall be prepared on forms developed jointly by the commissioner of health and the commissioner of education and be distributed to the local school districts by the commissioner of health and shall state the number of children persons attending the school, the number of children persons who have not been immunized according to subdivision 1 or 2, and the number of children persons who received an exemption under subdivision 3, clause (c) or (d). The school report shall be filed with the commissioner of education within 60 days of the commencement of each new school term. The commissioner of education shall forward the report, or a copy thereof, to the commissioner of health who shall provide summary reports to boards of health as defined in section 145A.02, subdivision 2. The administrator or other person having general control and supervision of the day care facility shall file a report with the commissioner of human services on all children persons enrolled in the day care facility. The day care facility report must be prepared on forms developed jointly by the commissioner of health and the commissioner of human services and be distributed to day care facilities by the commissioner of health and must state the number of children persons enrolled in the facility, the number of children persons with no immunizations, the number of children persons who received an exemption under subdivision 3, clause (c) or (d), and the number of children persons with partial or full immunization histories. The day care facility report shall be filed with the commissioner of human services by November 1 of each year. The commissioner of human services shall forward the report, or a copy thereof, to the commissioner of health who shall provide summary reports to boards of health as defined in section 145A.02, subdivision 2. The report required by this subdivision is not required of a family day care or group family day care facility.

Sec. 5. Minnesota Statutes 1988, section 123.70, subdivision 9, is amended to read:

Subd. 9. As used in this section the following terms have the meanings given them.

(a) "Elementary or secondary school" includes any public, private, or parochial schools school as defined in section 120.05, or nonpublic school, church, or religious organization, or home school in which a child is provided instruction in compliance with sections 120.101 and 120.102.

(b) "Person enrolled in any elementary or secondary school" means a person enrolled in grades kindergarten through 12 and a handicapped child receiving special instruction and services as

required in section 120.17, excluding a child being provided services according to section 120.17, subdivision 2, clause (c) or (h).

(c) "Family day care" means day care for no more than ten children at one time of which no more than six are under school age. The licensed capacity must include all children of any caregiver when the children are present in the residence.

(e) (d) "Group family day care" means day care for no more than 14 children at any one time. The total number of children includes all children of any caregiver when the children are present in the residence.

Sec. 6. Minnesota Statutes 1988, section 123.70, is amended by adding a subdivision to read:

Subd. 10. A statement required to be submitted under subdivisions 1, 2, and 4 to document evidence of immunization shall include month, day, and year for immunizations administered after January 1, 1990.

Sec. 7. [135A.14] [STATEMENT OF IMMUNIZATION OF POST-SECONDARY STUDENTS.]

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms have the meanings given them.

(a) "Administrator" means the administrator of the institution or other person with general control and supervision of the institution.

(b) "Public or private post-secondary educational institution" or "institution" means any of the following institutions: (1) the University of Minnesota; (2) the state universities; (3) the state community colleges; (4) private four-year and graduate colleges; and (5) private two-year colleges.

(c) "Student" means a person born after 1956 and who is (1) registering for more than one class during a full academic term, such as a quarter or a semester; or (2) housed on campus and is registering for one or more classes. Student does not include persons enrolled in extension classes only or correspondence classes only.

Subd. 2. [STATEMENT OF IMMUNIZATION REQUIRED.] Ex-cept as provided in subdivision 3, no student may remain enrolled in a public or private post-secondary educational institution unless the student has submitted to the administrator a statement that the student has received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months, and against diphtheria and tetanus within ten years of first registration

at the institution. This statement must indicate the month and year of each immunization given.

Subd. 3. [EXEMPTIONS FROM IMMUNIZATION.] (a) An immunization listed in subdivision 2 is not required if the student submits to the administrator a statement signed by a physician that shows:

(1) that, for medical reasons, the student did not receive an immunization;

(2) that the student has experienced the natural disease against which the immunization protects; or

(3) that a laboratory has confirmed the presence of adequate immunity.

(b) If the student submits a notarized statement that the student has not been immunized as required in subdivision 2 because of the student's conscientiously held beliefs, the immunizations described in subdivision 2 are not required. The institution shall forward this statement to the commissioner of health.

Subd. 4. [IMMUNIZATION FILES REQUIRED.] The institution must maintain an immunization record within the student's file for all students governed by this section. The records may be inspected by the department of health and the local board of health in whose jurisdiction the institution is located.

Subd. 5. [DEADLINE FOR SUBMITTING STATEMENT.] The institution shall require that the statement from the student, as required within subdivision 2 or 3, be submitted within 45 days of commencement of the academic term for which the student has registered.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 4 are effective July 1, 1989. Sections 5 and 7 are effective July 1, 1990. Section 6 is effective January 1, 1990."

Delete the title and insert:

"A bill for an act relating to health; requiring post-secondary students to submit a statement of immunization; providing exemptions; amending Minnesota Statutes 1988, section 123.70, subdivisions 1, 2, 4, 8, 9, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 135A."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1117, A bill for an act relating to occupations and professions; regulating the practice of accountancy; creating standards of care; amending Minnesota Statutes 1988, sections 326.165; 326.20, subdivision 1; 326.211, subdivision 6; and 326.212, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

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

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 1194, A bill for an act relating to insurance; requiring obligors to issue an insurance identification card; requiring a driver or owner to produce an insurance identification card, policy, or written statement; providing for administrative review; exempting certain vehicles; providing for the impoundment of registration plates; providing for a limited license in certain circumstances; defining terms; providing penalties; amending Minnesota Statutes 1988, sections 65B.67, subdivisions 2 and 4; 168.041, subdivisions 4, 4a, and by adding a subdivision; 169.09, subdivision 14; 171.29, subdivision 1; and 171.30, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 65B and 169; repealing Minnesota Statutes 1988, section 65B.481.

Reported the same back with the following amendments:

Page 1, line 21, delete "14" and insert "15"

Page 7, line 7, before the period insert ", and such service by mail is valid notwithstanding section 629.34"

Page 7, line 10, delete "reasonably should have known" and insert "had reason to know"

Page 7, line 34, after the period insert "It is not a defense that a person failed to file a change of address with the post office or failed to notify the department of public safety of a change of name or address as required under section 171.11."

Page 8, lines 35 and 36, delete "reasonably should have known" and insert "had reason to know"

Page 9, line 16, after the period insert "It is not a defense that a

person failed to file a change of address with the post office or failed to notify the department of public safety of a change of name or address as required under section 171.11."

Page 9, line 17, delete "At the time" and insert "When"

Page 9, line 18, before the comma insert "and none is in possession"

Page 12, line 10, after "(1)" insert "to issue."

Page 12, line 19, after "knowing" insert "or having reason to know"

Page 12, line 27, delete "15" and insert "16"

Page 12, after line 27, insert:

"Sec. 14. [169.796] [VERIFICATION OF INSURANCE COVERAGE.]

An insurance company shall release information to the department of public safety or the law enforcement authorities necessary to the verification of insurance coverage and information."

Renumber the sections in sequence

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

The report was adopted.

Wynia from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 25, A bill for an act relating to the legislature; correcting inaccurate references to senate committees; removing an obsolete reference to senate and house committees; amending Minnesota Statutes 1988, sections 97A.045, subdivision 8; 97A.065, subdivision 3; 116E.035; and 480.256.

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

The report was adopted.

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

S. F. No. 227, A bill for an act relating to health; enacting the uniform determination of death act; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 1, lines 9 and 10, delete "An individual is dead if the individual sustains" and insert "No one shall be declared dead unless there is"

Page 1, line 14, after "with" insert "generally"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wynia from the Committee on Rules and Legislative Administration to which was referred:

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.

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

The report was adopted.

Wynia from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 4, A house resolution proclaiming September 14-16, 1989, as Korea: An American Remembrance in the State of Minnesota.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 436, 603, 707, 774, 804, 827, 925 and 943 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 25, 227 and 686 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Neuenschwander; Carlson, D.; Begich; Pugh and Miller introduced:

H. F. No. 1266, A bill for an act proposing an amendment to the Minnesota Constitution, article I; adding a section to provide that the right to keep and bear arms shall not be abridged; appropriating money.

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

Quinn, Jacobs, Weaver and Simoneau introduced:

H. F. No. 1267, A bill for an act relating to Anoka county; permitting the appointment of the auditor, recorder, and treasurer; authorizing the reorganization of county offices.

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

Janezich, Vanasek, Quinn, Gutknecht and Battaglia introduced:

H. F. No. 1268, A bill for an act relating to education; allowing alternative postseason extracurricular competition; proposing coding for new law in Minnesota Statutes, chapter 129.

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

Kinkel introduced:

H. F. No. 1269, A bill for an act relating to water use; requiring the city of Minneapolis to develop alternative water supplies.

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

Munger and Jaros introduced:

H. F. No. 1270, A bill for an act relating to capital improvements; appropriating money for the Lake Superior Zoological Gardens; providing for the issuance of state building bonds.

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

Kelso; Nelson, C.; Dauner; Simoneau and Ozment introduced:

H. F. No. 1271, A bill for an act relating to occupations and professions; providing that psychologists licensed by the board of psychology and competent in the area may practice marriage and family therapy and present themselves to the public as marriage and family therapists without being licensed by the board of marriage and family therapy examiners; amending Minnesota Statutes 1988, section 148B.32, subdivisions 1 and 2.

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

McLaughlin introduced:

H. F. No. 1272, A bill for an act relating to human services; expanding the work readiness program; removing time limits on work readiness assistance; requiring participation in work readiness activities as a condition of receiving assistance; establishing notice and appeal requirements; establishing residency requirements; amending Minnesota Statutes 1988, sections 256D.01, subdivisions 1, 1a, 1b, and 1c; 256D.02, subdivisions 1, 4, and by adding a subdivision; 256D.03, subdivision 2; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 2, 3, 6, 8, 13, and by adding subdivisions; 256D.052, subdivisions 1, 2, 3, and 4; 256D.101; 2456D.111, subdivision 5; and 256G.03, subdivision 1; repealing Minnesota Statutes 1988, section 256D.052, subdivisions 5, 6, and 7.

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

Ozment introduced:

H. F. No. 1273, A bill for an act relating to state historic sites; authorizing sale of state bonds; appropriating money for the William G. LeDuc House.

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

Anderson, G.; Vanasek; Rice; Johnson, V., and Simoneau introduced:

H. F. No. 1274, A bill for an act relating to agriculture; transferring the Minnesota trade office from the department of trade and economic development to the department of agriculture; amending Minnesota Statutes 1988, sections 17.03, subdivision 8; 17.101, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1988, section 116J.967.

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

Milbert introduced:

H. F. No. 1275, A bill for an act relating to the city of Inver Grove Heights; permitting the city to impose a fee on waste facilities.

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

Clark introduced:

H. F. No. 1276, A bill for an act relating to human services; requiring proposals for decreasing the size of intermediate care facilities for persons with mental retardation; proposing coding for new law in Minnesota Statutes, chapter 252.

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

Blatz introduced:

H. F. No. 1277, A bill for an act relating to commerce; prohibiting car rental companies from holding renters liable for damages, except under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Carruthers, Skoglund, Pappas and Pugh introduced:

H. F. No. 1278, A bill for an act relating to insurance; accident and health; requiring coverage for the diagnosis and treatment of infertility to the same extent as covered pregnancy-related benefits; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Seaberg, Kelly, Macklin and Morrison introduced:

H. F. No. 1279, A bill for an act relating to criminal procedure; proposing an amendment to the Minnesota Constitution, article I, section 7, to eliminate the right to cash bail; authorizing the pretrial detention of criminal defendants under certain circumstances; providing procedures governing pretrial and postconviction release and detention decisions; providing for appellate review of release and detention orders; imposing penalties for failure to appear in court as required and for commission of a crime while on release; amending Minnesota Statutes 1988, sections 589.16; 629.53; 629.63; and 629.72, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609; proposing coding for new law as Minnesota Statutes, chapter 629A; repealing Minnesota Statutes 1988, sections 609.49; 629.44; 629.45; 629.47; 629.48; 629.49; 629.54; 629.55; 629.58; 629.59; 629.60; 629.61; 629.62; and 629.64.

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

Lieder, Kalis, Seaberg and Anderson, G., introduced:

H. F. No. 1280, A bill for an act relating to motor vehicles; providing for suspension of apportioned license plates and fuel tax compact licenses for certain interstate vehicle fleet owners who are delinquent in required filings or payments; providing for installment payments by interstate fleet owners; amending Minnesota Statutes 1988, sections 168.187, by adding a subdivision; and 168.31, subdivision 4, and by adding a subdivision.

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

Redalen; Carlson, D.; Ogren and Johnson, V., introduced:

H. F. No. 1281, A bill for an act relating to public lands; conditions for acceptance of transfers from the federal government; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Orenstein introduced:

H. F. No. 1282, A bill for an act relating to mechanics' liens; clarifying and simplifying the contractors' and subcontractors' notice; amending Minnesota Statutes 1988, section 514.011, subdivisions 1 and 2.

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

Winter, Skoglund, Quinn and Peterson introduced:

H. F. No. 1283, A bill for an act relating to insurance; property and casualty; regulating policy provisions, forms, nonrenewals, coverages; regulating trade practices in these and other lines; regulating the Minnesota joint underwriting association; making certain technical changes; amending Minnesota Statutes 1988, sections 60A.02, by adding a subdivision; 60A.06, by adding a subdivision; 60A.08, by adding a subdivision; 60A.198, subdivision 3; 62I.02, subdivision 2; 62I.16, subdivision 3; 65A.29, subdivision 8, and by adding subdivisions; 65A.33, subdivision 3; 65B.15, subdivision 1; 65B.44, subdivision 3; 65B.47, subdivision 1; 65B.525, subdivision 1; 72A.20, subdivision 17, and by adding subdivisions; 72A.201, subdivision 5, and by adding subdivisions; and 79.251, by adding a subdivision; repealing Minnesota Rules, part 2780.2700.

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

Wenzel; Dorn; Nelson, C.; Brown and Lieder introduced:

H. F. No. 1284, A bill for an act relating to taxation; sales and use; repealing accelerated payment of June liability; amending Minnesota Statutes 1988, section 297A.27, subdivision 1; repealing Minnesota Statutes 1988, section 297A.275.

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

Skoglund; Wynia; Greenfield; Anderson, G., and Hartle introduced:

H. F. No. 1285, A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; requiring reasonable cost controls that do not impair the quality or amount of services provided; requiring that the association develop new methods to enlist the participation of the enrollee in the control of health care costs; requiring the writing carrier to be liable for the direct and indirect expenses of administration; making technical changes; amending Minnesota Statutes 1988, sections 62D.181, subdivisions 4 and 8; 62E.02, subdivision 18; 62E.08, by adding a subdivision; 62E.09; 62E.10, subdivisions 1, 2, 3, 7, and 9; 62E.11, subdivisions 3, 4, 9, and 10; 62E.12; 62E.13, subdivisions 2, 3, and 5; and 62E.16; repealing Minnesota Statutes 1988, sections 62E.02, subdivisions 21, 22, and 23; 62E.035; 62E.08, subdivisions 1 and 2; 62E.11, subdivisions 5, 6, and 7; and 62E.13, subdivision 7.

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

Skoglund introduced:

H. F. No. 1286, A bill for an act relating to insurance; requiring coverage for child health supervision and prenatal services; clarifying certain definitions; amending Minnesota Statutes 1988, section 62A.047.

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

Scheid, Sarna, Bennett, O'Connor and Peterson introduced:

H. F. No. 1287, A bill for an act relating to commerce; securities; exempting nonissuer sales of securities issued by the state, its subdivisions, or instrumentalities from regulation; amending Minnesota Statutes 1988, section 80A.15, subdivision 2.

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

Wynia, Vanasek and Schreiber introduced:

H. F. No. 1288, A bill for an act relating to state buildings; establishing a state policy of barrier-free environments for state owned and leased buildings; appropriating money.

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

Lasley, Kalis, Kahn, Simoneau and Knickerbocker introduced:

H. F. No. 1289, A bill for an act relating to forestry; directing a study and report on urban reforestation; appropriating money.

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

Scheid, Sarna, Bennett, O'Connor and Peterson introduced:

H. F. No. 1290, A bill for an act relating to commerce; providing for the regulation of real estate closing agents; prescribing penalties; appropriating money; amending Minnesota Statutes 1988, sections 82.17, subdivisions 7, 9, and 10; 82.18; 82.19, subdivisions 1, 2, 3, and 4; 82.20, subdivisions 1, 2, 3, 4, 5, 8, and 12; 82.21, subdivision 1; 82.22, subdivisions 1, 5, 6, 10, and 11; 82.23, subdivisions 2 and 3; 82.24, subdivisions 1, 2, 3, 4, 5, 6, and 7; 82.27, subdivisions 1 and 2; 82.30, subdivision 1; 82.31, subdivision 1; 82.33, subdivision 1; 82.34, subdivisions 3, 4, 6, 7, 13, and 14; and 609.52, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1988, section 82.34, subdivision 12.

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

Wynia; Olsen, S.; Knickerbocker; Skoglund and Blatz introduced:

H. F. No. 1291, A bill for an act relating to insurance; accident and health; regulating coverage for dental procedures; amending Minnesota Statutes 1988, section 62A.043, by adding a subdivision.

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

Solberg, Bennett, Kelly, Sarna and Milbert introduced:

H. F. No. 1292, A bill for an act relating to commerce; motor fuel franchises; regulating franchise agreements; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 80C.

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

Nelson, K.; Wynia; Rest; Hartle and McEachern introduced:

H. F. No. 1293, A bill for an act relating to education; establishing powers and duties of the Minnesota Academic Excellence Foundation; appropriating money; amending Minnesota Statutes 1988, section 121.612; repealing Laws 1988, chapter 718, article 5, section 4.

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

Scheid, McEachern, Bauerly, Pelowski and Weaver introduced:

H. F. No. 1294, A bill for an act relating to education; equalizing a portion of the referendum levy; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Neuenschwander, Otis, Battaglia and Boo introduced:

H. F. No. 1295, A bill for an act relating to economic development; establishing a cold weather resource center at International Falls; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 116Q.

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

Dauner, Williams, Bishop and Gutknecht introduced:

H. F. No. 1296, A bill for an act relating to occupations and professions; changing licensure requirements for dental assistants; changing the procedure for setting the salary of the director of the board of dentistry; amending Minnesota Statutes 1988, sections 150A.06, subdivision 2a; and 214.04, subdivision 3; repealing Minnesota Statutes 1988, section 150A.06, subdivision 7.

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

Clark, Kahn, Weaver, Dorn and Johnson, R., introduced:

H. F. No. 1297, A bill for an act relating to employment; providing for demonstration grants for the youth employment and housing for homeless program; appropriating money; amending Minnesota

Statutes 1988, section 268.361, subdivision 4, and by adding a subdivision; 268.362; 268.364; 268.365; 268.366; and 268.367.

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

Marsh, Wenzel, Steensma and Omann introduced:

H. F. No. 1298, A bill for an act relating to health; prohibiting abortions when states are given authority to regulate abortions by the United States Supreme Court, United States Congress, or by constitutional amendment; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1988, sections 145.411; 145.412; 145.413; 145.414; 145.415; and 145.416.

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

Bishop; Brown; Anderson, G.; Orenstein and Forsythe introduced:

H. F. No. 1299, A bill for an act relating to drivers' licenses; providing for living will designation on driver's license; amending Minnesota Statutes 1988, sections 171.06, subdivision 3; and 171.07, by adding a subdivision.

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

Himle and Blatz introduced:

H. F. No. 1300, A bill for an act relating to education; allowing school districts to use certain community education levies to purchase capital equipment; amending Minnesota Statutes 1988, section 275.125, subdivision 8.

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

Olsen, S.; McGuire; Forsythe; Scheid and Stanius introduced:

H. F. No. 1301, A bill for an act relating to taxation; clarifying golf course membership requirements for open space property 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.

Simoneau; Reding; Knickerbocker; Johnson, R., and O'Connor introduced:

H. F. No. 1302, A bill for an act relating to retirement; governmental employees in general; establishing a normal retirement age of 65 years; changing contribution rates; lowering minimum service periods required for annuities and disability benefits; applying a uniform percentage to all years of service; adopting a rule of 90; altering reductions for early retirement; increasing rates of interest on refunds; increasing interest assumptions; extending the date for full funding; granting authority for certain bylaw amendments; amending Minnesota Statutes 1988, sections 352.01, subdivision 19, and by adding a subdivision; 352.04, subdivisions 2 and 3; 352.113, subdivisions 1 and 12; 352.115, subdivisions 1, 2, and 3; 352.116; 352.12, subdivisions 1, 2, and 6; 352.22, subdivisions 2 and 3; 352.72, subdivisions 1, 2, and 5; 352.85, subdivision 1; 352.93, subdivisions 1 and 3; 352.95, subdivisions 2 and 5; 352B.01, subdivision 11; 352B.08, subdivision 1; 352B.11, subdivisions 1 and 2; 352B.30, subdivision 1; 353.01, by adding a subdivision; 353.27, subdivision 2; 353.29, subdivisions 1, 2, and 3; 353.30; 353.32, subdivisions 1 and 1a; 353.33, subdivisions 1, 3, and 11; 353.34, subdivisions 2, 3, and 3a; 353.651, subdivisions 1 and 2; 353.657, subdivision 2a; 353.71, subdivisions 1, 2, and 5; 353C.06, subdivisions 1, 2, and 4; 353C.08, subdivision 5; 354.05, by adding a subdivision; 354.35; 354.41, subdivision 3; 354.42, subdivisions 2 and 3; 354.44, subdivisions 1, 1a, 6, and 7; 354.45, subdivision 1, and by adding a subdivision; 354.46, subdivision 2; 354.47, subdivision 1; 354.48; subdivisions 1, 3, and 10; 354.49, subdivisions 2 and 3; 354.55, subdivision 11; 354.60; 354A.011, subdivision 20, and by adding a subdivision; 354A.12, subdivisions 1 and 2; 354A.21; 354A.31, subdivisions 1, 4, 5, 6, and by adding a subdivision; 354A.32, subdivision 1, and by adding a subdivision; 354A.35, subdivisions 1 and 2; 354A.36, subdivisions 1, 3, and 10; 354A.37, subdivisions 2, 3, and 4; 354A.39; 356.215, subdivisions 4d and 4g; 356.30, subdivision 1; and 356.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1988, section 354A.32, subdivision 2.

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

Wagenius; Johnson, A.; Ostrom; Pelowski and Dorn introduced:

H. F. No. 1303, A bill for an act relating to administrative procedure; clarifying the applicability of the requirement that

agencies consider the impact of proposed rules on small business; amending Minnesota Statutes 1988, section 14.115, subdivision 7.

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

Haukoos introduced:

H. F. No. 1304, A bill for an act relating to retirement; Albert Lea police pensions and disability benefits.

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

Uphus and Bertram introduced:

H. F. No. 1305, A bill for an act relating to taxation; property; providing a special levy for city libraries; amending Minnesota Statutes 1988, section 275.50, subdivision 5.

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

Burger, Kinkel, McEachern, Olsen, S., and Bauerly introduced:

H. F. No. 1306, A bill for an act relating to education; permitting one levy referendum each year by a school board; requiring special school district canvassing boards in certain elections; amending Minnesota Statutes 1988, sections 124A.03, subdivision 2; and 205A.10, subdivision 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 204C.

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

Reding introduced:

H. F. No. 1307, A bill for an act relating to economic development; clarifying the responsibilities of the science and technology office; appropriating money; amending Minnesota Statutes 1988, sections 116J.970; and 116J.971, subdivisions 4, 6, 7, 8, and 9.

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

O'Connor, Rukavina, Knickerbocker, Runbeck and Simoneau introduced:

H. F. No. 1308, A bill for an act relating to state government; extending the expiration date on certain advisory councils; amending Minnesota Statutes 1988, section 15.059, subdivision 5; repealing Minnesota Statutes 1988, section 84B.11, subdivision 4.

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

Dorn, Pelowski, Heap, Williams and Johnson, R., introduced:

H. F. No. 1309, A bill for an act relating to education; vocational; clarifying powers and duties of the state board and state director of vocational technical education; making technical corrections; amending Minnesota Statutes 1988, sections 136C.04, subdivisions 1, 2, 6, 9, 10, 18, and by adding subdivisions; 136C.042, subdivision 2; 136C.05, by adding subdivisions; 136C.07, subdivision 4; 136C.08, subdivision 1; 136C.42, subdivision 1; 136C.43, subdivision 1; 169.44, subdivision 18; 275.125, subdivision 14a; 354.094, subdivisions 1a and 1b; 354A.091, subdivision 1a; and 355.46, subdivision 3; repealing Minnesota Statutes 1988, sections 121.936, subdivision 1a; 136C.21; 136C.211; 136C.212; 136C.213; 136C.22; 136C.221; 136C.222; 136C.223; 136C.25; 136C.26, subdivisions 1, 3, 4, 5, 6, and 7; 136C.27, subdivision 2; 136C.28, subdivisions 1 and 2; 136C.29, subdivisions 3, 4, and 5; and 136C.33, subdivisions 1 and 2.

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

Solberg, Neuenschwander and Carlson, D., introduced:

H. F. No. 1310, A bill for an act relating to natural resources; establishing a prescribed burn program; requiring permits for prescribed burns; providing assistance for prescribed burns; establishing the position of prescribed burn coordinator; appropriating money; amending Minnesota Statutes 1988, section 84.97.

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

Jefferson, Greenfield, Pauly, McLaughlin and Bishop introduced:

H. F. No. 1311, A bill for an act relating to state employees; providing a policy prohibiting racial harassment; requiring discipline for employees who engage in racial harassment; amending Minnesota Statutes 1988, section 43A.01, by adding a subdivision.

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

Jennings, Osthoff and Carlson, D., introduced:

H. F. No. 1312, A bill for an act relating to transportation; transferring motor carrier regulatory responsibilities from department of transportation to department of public safety; making technical corrections; amending Minnesota Statutes 1988, sections 13.69, by adding subdivisions; 168.82, subdivision 1; 169.04; 169.073; 169.09, subdivision 13; 169.80, subdivision 1; 169.81, subdivisions 1, 2, and 3; 169.825, subdivision 11; 169.833, subdivision 3; 169.86; 169.862; 174A.02, subdivision 2; 216.13; 216A.08; 221.011, subdivisions 2 and 2a; 221.221, subdivision 2; 221.65; 296.17, subdivision 20; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 1988, section 13.72, subdivisions 4 and 5.

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

Jennings introduced:

H. F. No. 1313, A bill for an act relating to local government; providing procedures for the conduct of certain detachments and annexations; amending Minnesota Statutes 1988, section 414.061, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 414.

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

Olson, K.; Pelowski; Ozment; McEachern and Olson, E., introduced:

H. F. No. 1314, A bill for an act relating to education; requiring post-secondary institutions to provide periodic reports under the post-secondary enrollment options act; requiring counseling prior to enrollment in a post-secondary course or program; restricting participation; requiring reimbursement for certain courses; amending Minnesota Statutes 1988, section 123.3514, subdivisions 4, 4a, 4c, and 5.

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

Wynia; Orenstein; Carlson, L.; Bishop and Greenfield introduced:

H. F. No. 1315, A bill for an act relating to education; appropriating money for a cancer research center at the University of Minnesota.

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

Cooper, Brown, Kalis, Wenzel and Dille introduced:

H. F. No. 1316, A bill for an act relating to agriculture; developing a portable computerized system adapting fertilization rates to soil characteristics; appropriating money.

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

Reding; Johnson, R.; Williams; Hasskamp and Dorn introduced:

H. F. No. 1317, A bill for an act relating to retirement; state university and community college faculty; authorizing collective bargaining for matching employer contributions to the supplemental retirement plan instead of the Minnesota deferred compensation plan; amending Minnesota Statutes 1988, sections 136.80, subdivision 1; 136.81, subdivision 1; and 356.24.

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

Reding, Dorn, Williams, Hasskamp and Johnson, R., introduced:

H. F. No. 1318, A bill for an act relating to retirement; individual retirement account plan; providing that members of the plan are members of the teachers retirement association for purposes of social security coverage; changing the effective date of the plan; amending Minnesota Statutes 1988, sections 354.05, subdivisions 2a and 5; 354.66, subdivision 2; 354B.02; 354B.04, subdivision 2; and 354B.05, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 354B.

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

Marsh introduced:

H. F. No. 1319, A bill for an act relating to claims; appropriating money for payment of a certain World War II veteran's bonus claim.

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

Price; McEachern; Carlson, L.; Dorn and Wynia introduced:

H. F. No. 1320, A bill for an act relating to education; establishing a staff exchange program.

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

Battaglia, Ogren, Tunheim and Anderson, R., introduced:

H. F. No. 1321, A bill for an act relating to Cook county; permitting establishment of a county hospital district; authorizing the district's levy.

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

Battaglia, Ogren, Tunheim and Anderson, R., introduced:

H. F. No. 1322, A bill for an act relating to Cook county; authorizing the county to appropriate money for county hospitals.

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

Carlson, L.; Sparby; Morrison; Rodosovich and Olsen, S., introduced:

H. F. No. 1323, A bill for an act relating to financial institutions; industrial loan and thrifts; regulating capital stock and surplus requirements; regulating the publication of application notices; imposing a residency requirement on directors of certain companies; imposing special dividend conditions for deposit companies; amending Minnesota Statutes 1988, sections 53.015; 53.02; 53.03, subdivisions 1 and 5; 53.05; 53.06; 53.08; and 53.09, subdivision 3.

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

O'Connor; Johnson, R.; Simoneau; Knickerbocker and Reding introduced:

H. F. No. 1324, A bill for an act relating to retirement; Minnesota state retirement system; administrative and operational changes in the governing law; establishing an appeal procedure; amending Minnesota Statutes 1988, sections 352.01, subdivision 11; 352.021, subdivision 5; 352.03, subdivision 11; 352.116, subdivision 3; 352.22, subdivisions 1 and 2a; 352.93, subdivision 3; 352B.08, subdivision 3; 352B.10, subdivision 5; 352B.11, subdivision 2; 352D.06, subdivision 1; and 352D.075, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 352; repealing Minnesota Statutes 1988, sections 352.03, subdivision 13; and 352.73, subdivision 3.

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

Nelson, K.; Hartle; Johnson, A.; Begich and Orenstein introduced:

H. F. No. 1325, A bill for an act relating to education; providing aid for certain international baccalaureate program costs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Bertram introduced:

H. F. No. 1326, A bill for an act relating to highways; providing for paving of road in town of Clearwater.

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

Williams, Reding and Skoglund introduced:

H. F. No. 1327, A bill for an act relating to insurance; accident and health; clarifying certification of nurses in advanced nursing practice for purposes of payment of insurance benefits; amending Minnesota Statutes 1988, section 62A.15, subdivision 3a.

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

Reding introduced:

H. F. No. 1328, A bill for an act relating to water; mandating requirements on certain development; proposing coding for new law in Minnesota Statutes, chapter 110B.

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

Murphy, Lasley, Poppenhagen, Neuenschwander and Marsh introduced:

H. F. No. 1329, A bill for an act relating to rural economic development; repealing the requirement for specific labels on fuel pumps that dispense gasoline-alcohol blends; repealing Minnesota Statutes 1988, section 239.79, subdivision 2.

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

Krueger, Wenzel, Redalen, Uphus and Bertram introduced:

H. F. No. 1330, A bill for an act relating to agriculture; changing the dairy industry checkoff rate; amending Minnesota Statutes 1988, section 17.59, by adding a subdivision.

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

Otis, Simoneau, Begich and Clark introduced:

H. F. No. 1331, A bill for an act relating to employment; creating a program to develop expertise and provide assistance to those wishing to establish employee owned businesses; establishing a loan guaranty and bonding program to aid the establishment of employee owned businesses; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 268A.

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

Carlson, L.; McEachern; Price; Olson, K., and Heap introduced:

H. F. No. 1332, A bill for an act relating to state government; authorizing the Minnesota Educational Computing Corporation to sell or offer for sale all or substantially all of the assets or any of the ownership of the Minnesota Educational Computing Corporation;

clarifying disposition of assets upon dissolution; amending Minnesota Statutes 1988, sections 119.04, subdivision 2, and by adding subdivisions; and 119.09.

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

Rukavina, Simoneau, Redalen, Reding and Carlson, D., introduced:

H. F. No. 1333, A bill for an act relating to state government; regulating the location of state agencies; amending Minnesota Statutes 1988, sections 16B.24, by adding subdivisions; 43A.01, by adding a subdivision; and 43A.15, subdivision 1.

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

Kostohryz introduced:

H. F. No. 1334, A bill for an act relating to traffic regulations; requiring prominent signs at points on interstate highways where speed limit is reduced from 65 miles per hour to 55 miles per hour; repealing provisions relating to recording of certain speed violations; amending Minnesota Statutes 1988, section 169.14, by adding a subdivision; repealing Minnesota Statutes 1988, sections 169.99, subdivision 1b; and 171.12, subdivision 6.

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

Valento, Schreiber and Rest introduced:

H. F. No. 1335, A bill for an act relating to tax increment financing; adjusting levy limits for certain tax increment revenues; imposing restrictions on the expenditure and collection of tax increments; amending Minnesota Statutes 1988, sections 275.51, subdivision 3f, and by adding a subdivision; 469.174, subdivision 10, and by adding a subdivision; 469.175, subdivision 3; 469.176, subdivisions 1, 3, 4c, 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Wynia; Anderson, G.; Kalis; Lieder and Boo introduced:

H. F. No. 1336, A bill for an act relating to metropolitan airport planning; requiring various actions, plans, and reports by the metropolitan council and the metropolitan airports commission; establishing a state advisory council on metropolitan airport planning; proposing coding for new law in Minnesota Statutes, chapter 473.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 148, A bill for an act relating to local government; permitting the counties of Washington and Anoka to establish certain payment procedures.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 214, A bill for an act relating to taxation; making technical corrections and clarifications to individual income and corporate franchise taxes; updating references to the Internal Revenue Code; imposing a tax and providing for withholding of certain payments to nonresidents; requiring surety payment by out-of-state contractors; amending Minnesota Statutes 1988, sections 290.01, subdivisions 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 19f; 290.06, subdivision 22; 290.067, subdivision 1; 290.0802, subdivisions 1 and 2; 290.095, subdivision 9; 290.17, subdivisions 1 and 2; 290.311, subdivision 1; 290.92, by adding subdivisions; and 291.005, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1988, section 290.01, subdivision 6a.

PATRICK E. FLAHAVEN, Secretary of the Senate

Long moved that the House refuse to concur in the Senate amendments to H. F. No. 214, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to Senate File No. 156:

S. F. No. 156, A bill for an act relating to gambling; authorizing the governor to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Mrs. Lantry; Messrs. Peterson, R. W., and Knaak,

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Kostohryz moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 156. The motion prevailed.

Mr. Speaker:

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

S. F. No. 671.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 671, A bill for an act relating to the commission on uniform state laws; providing for its composition; amending Minnesota Statutes 1988, section 3.251.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 214:

Welle, Long and Schreiber.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Wynia, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved that the Permanent Rules of the House of Representatives for the 76th Session be amended to read as follows:

(1) Rule 1.16 is amended to read:

"1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee or division (other than a bill in Appropriations) no report has been made upon it by the committee or division, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee or division shall have ten calendar days thereafter in which to vote upon the bill requested. If the Committee or division fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the end of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

After Friday, May 12, 1989, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate or from the Governor."

(2) Rule 3.4 is amended to read:

"3.4 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House. A motion for reconsideration can be made at any time in the Order of Business and shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

In an odd-numbered year, notice of intention to move reconsideration shall not be in order after Monday, April 24, 1989."

(3) Rule 4.11 is amended to read:

"4.11 NO SMOKING IN HOUSE CAPITOL AREA. Smoking is prohibited in areas of the Capitol under the jurisdiction of the House of Representatives, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, except private offices excluded from the definition of "public place" in section 144.413, subdivision 2, and areas meeting the criteria set out in section 16B.24, subdivision 9, for designation as smoking areas."

(4) Rule 6.10 is amended to read:

"6.10 COMMITTEE ON ETHICS. The Speaker shall appoint a Committee on Ethics. An equal number of members from the majority group and the minority group and one alternate from each group shall be appointed. The committee shall adopt written procedures, which shall include due process requirements, for handling complaints and issuing guidelines.

Complaints regarding a member's conduct must be submitted in writing to the Speaker verified and signed by two or more members of the House and shall be referred to the committee within 15 days for processing by the committee according to its rules of procedure. Prior to referring the matter to the committee, the Speaker shall inform the member against whom a question of conduct has been raised of the complaint and the complainant's identity. The Speaker, the members making the complaint, the members of the Committee on Ethics, and employees of the House shall hold the complaint in confidence until the committee or the member subject of the complaint cause a public hearing to be scheduled. A complaint of a breach of the confidentiality requirement by a member or employee of the House shall be immediately referred by the Speaker to the Ethics Committee for disciplinary action. The committee shall act in an investigatory capacity and may make recommendations regarding questions of ethical conduct received prior to adjournment sine die.

Ethics committee recommendations for disciplinary action shall be referred to the Committee on Rules and Legislative Administration, which committee may adopt, amend, or reject the recommendations of the Ethics committee. Recommendations adopted by the Committee on Rules and Legislative Administration to expel, censure, or reprimand shall be reported to the House for final disposition."

(5) Rule 6.11 is amended to read:

"6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

A conference committee report shall include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House. The member presenting the conference committee report to the House shall disclose all substantive changes from the House version of the bill.

In an odd-numbered year except after Monday, May 15, 1989, a written copy of a report of a conference committee shall be placed on the desk of each member of the House 24 hours before action on the report by the House. If the report has been reprinted in the Journal of the House for a preceding day and is available to the members, the Journal copy shall serve as the written report."

(6) Rule 9.3 is amended to read:

"9.3 DEADLINES. In odd-numbered years, committee reports on

bills favorably acted upon by a committee in the house of origin after Friday, April 14, 1989, and committee reports on bills originating in the other house favorably acted upon by a committee after Wednesday, April 26, 1989, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. However, referral is not required after the first deadline when, by the second deadline, a committee acts on a bill that is a companion to a bill that has then been acted upon by the first deadline in the Senate. This rule does not apply in the House Committees on Appropriations and on Taxes and to the education finance bill in the Committee on Education."

The motion prevailed and the report amending the Permanent Rules of the House for the 76th Session was adopted.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Wynia, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bill as Special Orders to be acted upon immediately preceding General Orders pending for today, Monday, March 20, 1989:

H. F. No. 46.

CONSENT CALENDAR

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

The bill was read for the 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	Brown	Dempsey	Hartle	Jennings
Anderson, G.	Burger	Dille	Hasskamp	Johnson, R.
Anderson, R.	Carlson, D.	Dorn	Haukoos	Johnson, V.
Battaglia	Carlson, L.	Forsythe	Henry	Kahn
Bauerly	Carruthers	Frederick	Himle	Kalis
Beard	Clark	Frerichs	Hugoson	Kelly
Begich	Conway	Girard	Jacobs	Kelso
Bennett	Cooper	Greenfield	Janezich	Kinkel
Bertram	Dauner	Gruenes	Jaros	Knickerbocker
Boo	Dawkins	Gutknecht	Jefferson	Kostohryz

Krueger	Morrison	Ozment	Rodosovich	Swenson
Lasley	Munger	Pappas	Rukavina	Tjornhom
Lieder	Murphy	Pauly	Runbeck	Tompkins
Limmer	Nelson, C.	Pellow	Sarna	Trimble
Long	Nelson, K.	Pelowski	Schafer	Tunheim
Lynch	Neuenschwander	Peterson	Schreiber	Uphus
Macklin	O'Connor	Poppenhagen	Seaberg	Valento
Marsh	Ogren	Price	Segal	Vellenga
McDonald	Olsen, S.	Pugh	Simoneau	Wagenius
McEachern	Olson, E.	Quinn	Skoglund	Waltman
McGuire	Omnn	Redalen	Solberg	Weaver
McLaughlin	Onnen	Reding	Sparby	Wenzel
McPherson	Orenstein	Rest	Stanius	Williams
Milbert	Ostrom	Rice	Steensma	Winter
Miller	Otis	Richter	Sviggum	Wynia
				Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 695, A bill for an act relating to education; reducing the Askov school board from seven to six members; requiring local approval.

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

The bill was passed and its title agreed to.

H. F. No. 819, A bill for an act relating to Hennepin county; providing for the number of commissioners of the county housing and redevelopment authority; amending Minnesota Statutes 1988, section 383B.77, 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

The bill was passed and its title agreed to.

H. F. No. 1115, A bill for an act relating to Dakota county; permitting the county to pay costs of a morgue; proposing coding for new law in Minnesota Statutes, chapter 383D.

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

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

The bill was passed and its title agreed to.

S. F. No. 149, A bill for an act relating to education; authorizing the Minneapolis school district to pay health insurance premium subsidies more often than annually; amending Minnesota Statutes 1988, section 275.125, subdivision 6h.

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 100, A bill for an act relating to state government;

regulating part-time employees and employment policies; amending Minnesota Statutes 1988, sections 16A.11, subdivision 3; and 43A.24, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1988, section 43A.25.

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 122 yeas and 5 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dempsey	Frerichs	McDonald	Schreiber	Sviggum
---------	----------	----------	-----------	---------

The bill was passed and its title agreed to.

SPECIAL ORDERS

H. F. No. 46 was reported to the House.

Ozment moved to amend H. F. No. 46, the second engrossment, as follows:

Page 23, after line 15, insert:

"Sec. 21. Minnesota Statutes 1988, section 16B.61, is amended by adding a subdivision to read:

Subd. 6. [TEMPORARY CERTIFICATES OF OCCUPANCY.] The code must require that temporary certificates of occupancy are valid for only three months. At the end of three months the temporary certificate may be renewed if the applicant can currently satisfy the requirements for issuing a temporary certificate. A temporary certificate may be renewed an unlimited number of times; however, each renewal may be for a maximum of a three-month period."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 20, after "sections" insert "16B.61, by adding a subdivision;"

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

Stanius; Olsen, S.; McDonald; Omann; Lynch; Pellow; Frerichs; Forsythe; Seaberg; Schafer; Tjornhom and McPherson moved to amend H. F. No. 46, the second engrossment, as follows:

Page 2, delete lines 9 to 15

Page 4, delete lines 26 to 30

Renumber sections and subdivisions accordingly and adjust totals

A roll call was requested and properly seconded.

The question was taken on the Stanius et al amendment and the roll was called.

Pursuant to rule 2.5, Weaver requested that he be excused from voting on the Stanius et al amendment to H. F. No. 46. The request was granted.

There were 50 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Burger	Forsythe	Gruenes	Henry
Bennett	Dauner	Frederick	Gutknecht	Himle
Bishop	Dempsey	Frerichs	Hartle	Hugoson
Boo	Dille	Girard	Haukoos	Jacobs

Knickerbocker	McPherson	Ozment	Richter	Svigum
Limmer	Miller	Pauly	Runbeck	Swenson
Lynch	Morrison	Pellow	Schafer	Tjornhom
Macklin	Olsen, S.	Poppenhagen	Schreiber	Tompkins
Marsh	Omann	Quinn	Seaberg	Valento
McDonald	Onnen	Redalen	Stanius	Waltman

Those who voted in the negative were:

Abrams	Greenfield	Lieder	Ostrom	Solberg
Anderson, G.	Hasskamp	Long	Otis	Sparby
Battaglia	Janezich	McEachern	Pappas	Steensma
Bauerly	Jaros	McGuire	Pelowski	Trimble
Beard	Jefferson	McLaughlin	Peterson	Tunheim
Begich	Jennings	Milbert	Price	Uphus
Bertram	Johnson, R.	Munger	Pugh	Vellenga
Brown	Johnson, V.	Murphy	Reding	Wagenius
Carlson, D.	Kahn	Nelson, C.	Rest	Wenzel
Carlson, L.	Kalis	Nelson, K.	Rice	Williams
Carruthers	Kelly	Neuenschwander	Rodosovich	Winter
Clark	Kelso	O'Connor	Rukavina	Wynia
Conway	Kinkel	Ogren	Sarna	Spk. Vanasek
Cooper	Kostohryz	Olson, E.	Segal	
Dawkins	Krueger	Olson, K.	Simoneau	
Dorn	Lasley	Orenstein	Skoglund	

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

Johnson, V., moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 19, delete "\$4,000,000" and insert "\$8,000,000"

Page 11, line 21, delete "\$123,085,000" and insert "\$127,085,000"

Page 11, line 23, delete "\$4,000,000" and insert "\$8,000,000"

Page 24, line 7, delete "\$56,000,000" and insert "\$60,000,000"

Page 24, line 20, delete "\$56,000,000" and insert "\$60,000,000"

Page 24, line 29, delete "\$54,500,000" and insert "\$58,500,000"

Page 24, line 35, delete "\$13,860,000" and insert "\$16,220,000"

Page 25, line 1, delete "\$2,060,000" and insert "\$2,620,000"

Page 25, line 2, delete "\$22,080,000" and insert "\$23,160,000"

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

The question recurred on the Johnson, V., amendment and the roll was called.

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

There were 55 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Ferichs	Knickerbocker	Nelson, C.	Runbeck
Anderson, R.	Girard	Lieder	Olson, K.	Schafer
Bennett	Gruenes	Limmer	Omann	Schreiber
Boo	Gutknecht	Lynch	Onnen	Seaberg
Burger	Hartle	Macklin	Ostrom	Steenma
Carlson, D.	Haukoos	Marsh	Ozment	Swiggum
Cooper	Himle	McDonald	Pauly	Swenson
Dempsey	Hugoson	McPherson	Pellow	Uphus
Dille	Janezich	Milbert	Poppenhagen	Valento
Forsythe	Johnson, V.	Miller	Redalen	Waltman
Frederick	Kelso	Morrison	Richter	Weaver

Those who voted in the negative were:

Anderson, G.	Bishop	Dauner	Jacobs	Kalis
Battaglia	Brown	Dawkins	Jaros	Kelly
Bauerly	Carlson, L.	Dorn	Jefferson	Kinkel
Beard	Carruthers	Greenfield	Jennings	Kostohryz
Begich	Clark	Hasskamp	Johnson, R.	Krueger
Bertram	Conway	Henry	Kahn	Lasley

Long	Ogren	Pugh	Skoglund	Wagenius
McEachern	Olsen, S.	Quinn	Solberg	Wenzel
McGuire	Olson, E.	Reding	Sparby	Williams
McLaughlin	Orenstein	Rest	Stanis	Winter
Munger	Otis	Rodosovich	Tjornhoim	Wynia
Murphy	Pappas	Rukavina	Tompkins	Spk. Vanasek
Nelson, K.	Pelowski	Sarna	Trimble	
Neuenschwander	Peterson	Segal	Tunheim	
O'Connor	Price	Simoneau	Vellenga	

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

Johnson, R., moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 10, delete "24,747,000" and insert "25,248,500"

Page 11, line 21, delete "\$123,085,000" and insert "\$123,586,500"

Page 11, line 24, delete "114,661,000" and insert "115,162,500"

Page 11, line 27, delete "120,661,000" and insert "121,162,500"

Page 11, line 29, delete "75,861,000" and insert "76,362,500"

Page 15, line 49, delete "24,747,000" and insert "25,248,500"

Page 17, line 58, delete "150,000" and insert "651,500"

Page 17, line 59, before "This" insert "(a)" and after the language insert "150,000"

Page 17, after line 60, insert:

"(b) This appropriation is for planning for a new library or the complete renovation of and addition to the A.C. Clark Library.

\$501,500"

The question was taken on the Johnson, R., amendment and the roll was called.

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

There were 24 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Anderson, R. Beard Boo Carruthers Dempsey

Dille	Haukoos	Knickerbocker	Nelson, C.	Quinn
Frederick	Janezich	Lasley	Ogren	Rukavina
Frerichs	Johnson, R.	Marsh	Olson, E.	Simoneau
Gutknecht	Kinkel	McDonald	Omann	

Those who voted in the negative were:

Abrams	Greenfield	Macklin	Pelowski	Steensma
Anderson, G.	Gruenes	McEachern	Peterson	Sviggum
Battaglia	Hartle	McLaughlin	Poppenhagen	Swenson
Bauerly	Hasskamp	McPherson	Price	Tjornhom
Begich	Henry	Milbert	Pugh	Tompkins
Bennett	Himle	Miller	Redalen	Trimble
Bertram	Hugoson	Morrison	Reding	Tunheim
Bishop	Jacobs	Murphy	Rice	Uphus
Brown	Jefferson	Nelson, K.	Richter	Valento
Burger	Jennings	O'Connor	Rodosovich	Vellenga
Carlson, D.	Johnson, V.	Olsen, S.	Runbeck	Wagenius
Carlson, L.	Kahn	Olson, K.	Sarna	Waltman
Clark	Kalis	Onnen	Schafer	Weaver
Conway	Kelso	Orenstein	Schreiber	Wenzel
Cooper	Kostohryz	Ostrom	Seaberg	Williams
Dauner	Krueger	Otis	Segal	Winter
Dawkins	Lieder	Ozment	Skoglund	Wynia
Dorn	Limmer	Pappas	Solberg	Spk. Vanasek
Forsythe	Long	Pauly	Sparby	
Girard	Lynch	Pellow	Stanuis	

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

Gruenes moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 10, delete "24,747,000" and insert "27,747,000"

Page 11, line 21, delete "\$123,085,000" and insert "\$126,085,000"

Page 11, line 24, delete "114,661,000" and insert "117,661,000"

Page 11, line 27, delete "120,661,000" and insert "123,661,000"

Page 11, line 29, delete "75,861,000" and insert "78,861,000"

Page 15, line 49, delete "24,747,000" and insert "27,747,000"

Page 18, line 9, delete "2,240,000" and insert "5,240,000"

Page 18, line 10, before "This" insert "(a)" and after the language insert "2,240,000"

Page 18, after line 12, insert:

"(b) This appropriation is for land acquisition at the St. Cloud and Winona state university campuses.

3,000,000"

The question was taken on the Gruenes amendment and the roll was called.

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

There were 31 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Frederick	Knickerbocker	Felowski	Uphus
Bauerly	Frerichs	Marsh	Poppenhagen	Valento
Bertram	Gruenes	McDonald	Redalen	Waltman
Boo	Gutknecht	McPherson	Richter	
Dempsey	Hartle	Omann	Schafer	
Dille	Haukoos	Onnen	Schreiber	
Forsythe	Johnson, V.	Pauly	Swenson	

Those who voted in the negative were:

Abrams	Hasskamp	Long	Orenstein	Skoglund
Anderson, G.	Henry	Lynch	Ostrom	Solberg
Battaglia	Himle	Macklin	Otis	Sparby
Beard	Hugoson	McEachern	Ozment	Stanius
Begich	Jacobs	McGuire	Pappas	Steensma
Bennett	Janezich	McLaughlin	Pellow	Sviggum
Brown	Jaros	Milbert	Peterson	Tjornhom
Burger	Jefferson	Miller	Price	Tompkins
Carlson, D.	Jennings	Morrison	Pugh	Trimble
Carlson, L.	Johnson, R.	Munger	Quinn	Tunheim
Carruthers	Kahn	Murphy	Reding	Vellenga
Clark	Kalis	Nelson, C.	Rice	Wagenius
Conway	Kelso	Nelson, K.	Rodosovich	Weaver
Cooper	Kinkel	Neuenschwander	Rukavina	Wenzel
Dauner	Kostohryz	O'Connor	Runbeck	Williams
Dawkins	Krueger	Ogren	Sarna	Winter
Dorn	Lasley	Olsen, S.	Seaberg	Wynia
Girard	Lieder	Olson, E.	Segal	Spk. Vanasek
Greenfield	Limmer	Olson, K.	Simoneau	

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

Ozment moved to amend H. F. No. 46, the second engrossment, as follows:

Page 23, after line 15, insert:

"Sec. 21. Minnesota Statutes 1988, section 16B.61, subdivision 1a, is amended to read:

Subd. 1a. [ADMINISTRATION BY COMMISSIONER.] The commissioner shall administer and enforce the state building code as a municipality with respect to public buildings in the state. The commissioner shall establish appropriate permit, plan review, and inspection fees for public buildings. Fees and surcharges for public

buildings must be remitted to the commissioner, who shall deposit them in the state treasury for credit to the special revenue fund.

Municipalities other than the state having a contractual agreement with the commissioner for code administration and enforcement service for public buildings shall charge their customary fees, including surcharge, to be paid directly to the contractual jurisdiction by the applicant seeking authorization to construct a public building. The commissioner ~~shall~~ may contract with a municipality other than the state for plan review, code administration, and code enforcement service for public buildings in the contractual jurisdiction if the building officials of the municipality meet the requirements of section 16B.65 and wish to provide those services and if the commissioner determines that the municipality has enough adequately trained and qualified building inspectors to provide those services for the construction project."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 20; after "sections" insert "16B.61, subdivision 1a;"

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

CALL OF THE HOUSE LIFTED

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

Ozment moved to amend H. F. No. 46, the second engrossment, as follows:

Page 23, after line 15, insert:

"Sec. 21. [BUILDING CODE AND STANDARDS DIVISION TRANSFER.]

The responsibilities of the building code and standards division of the department of administration are transferred to the department of public safety under Minnesota Statutes, section 15.039. The transferred division shall be a separate division of the department of public safety."

Renumber the sections in sequence

Correct internal references

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

Schreiber moved to amend H. F. No. 46, the second engrossment, as follows:

Page 4, line 41, before "Volunteer" insert "(a)"

Page 4, after line 44, insert:

"(b) State Office Building Arbitration Award 3,799,000"

Page 11, delete line 31

Reletter the clauses of section 2

Correct the totals and summary accordingly

Correct the bond sale authorizations as necessary

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment and the roll was called. There were 49 yeas and 76 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Dawkins	Kelly	Miller	Pappas
Battaglia	Dorn	Kelso	Munger	Pelowski
Bauerly	Greenfield	Kinkel	Murphy	Peterson
Beard	Hasskamp	Kostohryz	Nelson, C.	Price
Begich	Jacobs	Krueger	Nelson, K.	Pugh
Bertram	Janezich	Lasley	O'Connor	Quinn
Brown	Jaros	Lieder	Olson, E.	Reding
Carlson, L.	Jefferson	Long	Olson, K.	Rest
Carruthers	Jennings	McEachern	Orenstein	Rice
Clark	Johnson, R.	McGuire	Ostrom	Rodosovich
Cooper	Kahn	McLaughlin	Otis	Rukavina
Dauner	Kalis	Milbert		Sarna

Segal	Sparby	Vellenga	Williams
Simoneau	Steensma	Wagenius	Winter
Skoglund	Trimble	Weaver	Wynia
Solberg	Tunheim	Wenzel	Spk. Vanasek

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

Frerichs, Onnen and Dempsey moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 13, delete "15,299,000" and insert "11,162,000"

Page 11, line 21, delete "\$123,085,000" and insert "\$118,948,000"

Page 11, line 24, delete "114,661,000" and insert "110,524,000"

Page 11, line 27, delete "120,661,000" and insert "116,524,000"

Page 11, line 29, delete "75,861,000" and insert "71,724,000"

Page 19, line 25, delete "15,299,000" and insert "11,092,000"

Page 20, delete lines 10 to 12

Page 20, line 13, delete "(c)" and insert "(b)"

Page 20, line 16, delete "(d)" and insert "(c)"

Amend other amounts as necessary

A roll call was requested and properly seconded.

The question was taken on the Frerichs et al amendment and the roll was called. There were 31 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Burger	Gruenes	Limmer	Onnen	Schreiber
Dempsey	Gutknecht	Marsh	Poppenhagen	Sviggum
Forsythe	Hartle	McDonald	Redalen	Tjornhom
Frederick	Haukoos	McPherson	Richter	Tompkins
Frerichs	Henry	Miller	Runbeck	Uphus
Girard	Hugoson	Morrison	Schafer	Valento
				Waltman

Those who voted in the negative were:

Abrams	Bauerly	Bertram	Carlson, L.	Cooper
Anderson, G.	Beard	Boo	Carruthers	Dauner
Anderson, R.	Begich	Brown	Clark	Dawkins
Battaglia	Bennett	Carlson, D.	Conway	Dille

Dorn	Kinkel	Nelson, K.	Pelowski	Solberg
Greenfield	Knickerbocker	Neuenschwander	Peterson	Spary
Hasskamp	Kostohryz	O'Connor	Price	Stanius
Himle	Krueger	Ogren	Pugh	Steenasma
Jacobs	Lasley	Olsen, S.	Quinn	Swenson
Janezich	Lieder	Olson, E.	Reding	Trimble
Jaros	Long	Olson, K.	Rest	Tunheim
Jefferson	Lynch	Omann	Rice	Vellenga
Jennings	Macklin	Orenstein	Rodosovich	Wagenius
Johnson, R.	McEachern	Ostrom	Rukavina	Weaver
Johnson, V.	McGuire	Otis	Sarna	Wenzel
Kahn	McLaughlin	Ozment	Seaberg	Williams
Kalis	Milbert	Pappas	Segal	Winter
Kelly	Munger	Pauly	Simoneau	Wynia
Kelso	Murphy	Fellow	Skoglund	Spk. Vanasek

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

Marsh moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 14, delete "2,881,000" and insert "22,881,000"

Page 11, line 21, delete "\$123,085,000" and insert "143,085,000"

Page 11, line 24, delete "114,661,000" and insert "134,661,000"

Page 11, line 27, delete "120,661,000" and insert "140,661,000"

Page 11, line 29, delete "75,861,000" and insert "95,861,000"

Page 21, line 4, delete "2,881,000" and insert "22,881,000"

Page 21, line 7, before "Replace" insert "(a)"

Page 21, after line 24, insert:

"(b) Subd. 7. This amount is to be used to increase bed capacity. The funds may not be used to construct wholly new correctional facilities.

20,000,000"

Amend other amounts as necessary

The question was taken on the Marsh amendment and the roll was called. There were 15 yeas and 108 nays as follows:

Those who voted in the affirmative were:

Boo	Frederick	Knickerbocker	Olsen, S.	Schreiber
Carruthers	Gruenes	Marsh	Omann	Swenson
Dempsey	Gutknecht	McPherson	Pauly	Valento

Those who voted in the negative were:

Abrams	Frerichs	Krueger	Orenstein	Skoglund
Anderson, G.	Girard	Lasley	Ostrom	Solberg
Anderson, R.	Greenfield	Lieder	Otis	Sparby
Battaglia	Hartle	Limmer	Ozment	Stanisus
Bauerly	Hasskamp	Long	Pappas	Steensma
Beard	Haukoos	Macklin	Pellow	Sviggum
Begich	Henry	McDonald	Pelowski	Tjornhom
Bennett	Himle	McEachern	Peterson	Tompkins
Bertram	Hugoson	McGuire	Price	Trimble
Bishop	Jacobs	McLaughlin	Pugh	Tunheim
Brown	Janezich	Milbert	Quinn	Uphus
Burger	Jaros	Miller	Reding	Vellenga
Carlson, D.	Jefferson	Munger	Rest	Wagenius
Carlson, L.	Jennings	Murphy	Rice	Waltman
Clark	Johnson, R.	Nelson, C.	Rodosovich	Weaver
Conway	Johnson, V.	Nelson, K.	Rukavina	Wenzel
Cooper	Kahn	Neuenschwander	Runbeck	Williams
Dauner	Kalis	O'Connor	Sarna	Winter
Dawkins	Kelly	Ogren	Schafer	Wynia
Dille	Kelso	Olson, E.	Seaberg	Spk. Vanasek
Dorn	Kinkel	Olson, K.	Segal	
Forsythe	Kostohryz	Onnen	Simoneau	

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

Runbeck; Carlson, D.; Begich; Solberg; Rukavina; Quinn and Battaglia moved to amend H. F. No. 46, the second engrossment, as follows:

Page 11, line 7, delete "580,000" and insert "1,580,000"

Page 11, line 21, delete "\$123,085,000" and insert "\$124,085,000"

Page 11, line 24, delete "114,661,000" and insert "115,661,000"

Page 11, line 27, delete "120,661,000" and insert "121,611,000"

Page 11, line 29, delete "75,861,000" and insert "76,861,000"

Page 13, after line 2, insert:

"(e) National Sports Center 500,000

This appropriation is for seating expansion at the Blaine national sports center stadium.

(f) National Shooting Sports Center 500,000

This appropriation is for the planning of a national shooting sports center to

be located at Giant's Ridge in Biwabik."

Amend other amounts as necessary

The question was taken on the Runbeck et al amendment and the roll was called. There were 68 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Battaglia	Gruenes	Lynch	Onnen	Schreiber
Beard	Gutknecht	Macklin	Otis	Simoneau
Begich	Hartle	Marsh	Ozment	Solberg
Bennett	Henry	McDonald	Pauly	Stanius
Boo	Hugoson	McPherson	Pellow	Swenson
Burger	Jacobs	Milbert	Pelowski	Tjornhom
Carlson, D.	Janezich	Morrison	Poppenhagen	Trimble
Carruthers	Jaros	Munger	Pugh	Uphus
Cooper	Jefferson	Murphy	Quinn	Valento
Dempsey	Johnson, R.	Nelson, C.	Redalen	Waltman
Dille	Johnson, V.	Neuenschwander	Richter	Weaver
Forsythe	Kinkel	O'Connor	Rukavina	Wenzel
Frederick	Knickerbocker	Ogren	Runbeck	
Frerichs	Limmer	Olsen, S.	Schafer	

Those who voted in the negative were:

Abrams	Greenfield	Long	Peterson	Swiggum
Anderson, G.	Hasskamp	McEachern	Price	Tompkins
Anderson, R.	Haukoos	McGuire	Reding	Tunheim
Bauerly	Jennings	McLaughlin	Rest	Vellenga
Bertram	Kahn	Miller	Rice	Wagenius
Brown	Kalis	Nelson, K.	Rodosovich	Williams
Carlson, L.	Kelly	Olson, E.	Sarna	Winter
Clark	Kelso	Olson, K.	Seaberg	Wynia
Conway	Kostohryz	Omann	Segal	Spk. Vanasek
Dauner	Krueger	Orenstein	Skoglund	
Dawkins	Lasley	Ostrom	Sparby	
Girard	Lieder	Pappas	Steensma	

The motion prevailed and the amendment was adopted.

Carlson, D., moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 11, line 5, delete "\$22,600,000" and insert "\$21,350,000"

Page 11, line 6, delete "5,000,000" and insert "6,250,000"

Page 13, line 4, insert "Subdivision 1."

Page 13, after line 41, insert:

"Subd. 2. [APPROPRIATION ADJUSTMENT.] The commissioner of finance, upon recommendation of the commissioner of the pollution control agency, shall reduce the appropriations for the projects funded by this section by 1,250,000 in fiscal year 1990. The money shall be used as provided in section 6(b)."

Page 13, line 43, insert "(a)"

Page 14, after line 7, insert:

"(b) Local Recreation Grants 1,250,000

This appropriation is to acquire and better recreation open space projects upon application by local units of government and Indian tribes and bands recognized by the federal government. Projects that receive federal grants must be given priority. A grant under this paragraph is not contingent upon the receipt of federal grants. A project may receive grant assistance of up to 50 percent of the total capital cost of the project or, if federal money is used, 50 percent of the local share. A project must not receive grant assistance of more than 400,000. A local unit of government must not receive more than one grant during each fiscal biennium.

\$625,000, shall be granted for projects outside the metropolitan area defined in Minnesota Statutes, section 473.121."

A roll call was requested and properly seconded.

The question was taken on the Carlson, D., amendment and the roll was called. There were 28 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Carlson, D.	Frederick	Gruenes	Hugoson
Bennett	Dempsey	Frerichs	Gutknecht	Johnson, V.
Boo	Dille	Girard	Haukoos	Lynch

McDonald	Omamn	Redalen	Schafer	Waltman
McPherson	Pauly	Richter	Seaberg	
Ogren	Pellow	Runbeck	Stanius	

Those who voted in the negative were:

Abrams	Hartle	Lieder	Onnen	Skoglund
Anderson, G.	Hasskamp	Limmer	Orenstein	Solberg
Battaglia	Henry	Long	Ostrom	Sparby
Bauerly	Himle	Macklin	Otis	Steensma
Beard	Jacobs	Marsh	Pappas	Swiggum
Begich	Janezich	McGuire	Pelowski	Swenson
Bertram	Jaros	McLaughlin	Peterson	Tjornhom
Bishop	Jefferson	Milbert	Poppenhagen	Tompkins
Burger	Jennings	Miller	Price	Trimble
Carlson, L.	Johnson, R.	Morrison	Pugh	Tunheim
Carruthers	Kahn	Munger	Quinn	Uphus
Clark	Kalis	Murphy	Reding	Vellenga
Conway	Kelly	Nelson, C.	Rest	Wagenius
Cooper	Kelso	Nelson, K.	Rice	Weaver
Dauner	Kinkel	Neuenschwander	Rodosovich	Wenzel
Dawkins	Knickerbocker	O'Connor	Rukavina	Williams
Dorn	Kostohryz	Olsen, S.	Sarna	Winter
Forsythe	Krueger	Olson, E.	Segal	Wynia
Greenfield	Lasley	Olson, K.	Simoneau	Spk. Vanasek

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

McDonald, McPherson and Beard moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 21, line 16, before "Complete" insert "(a)"

Page 21, after line 17, insert:

"(b) Purchase audio visual and video equipment for educational programs for prisoners 10,000"

Amend agency totals accordingly

The question was taken on the McDonald et al amendment and the roll was called. There were 24 yeas and 100 nays as follows:

Those who voted in the affirmative were:

Beard	Frederick	McDonald	Ozment	Schafer
Boo	Gutknecht	McEachern	Quinn	Stanius
Carlson, D.	Johnson, V.	McPherson	Redalen	Swenson
Dempsey	Knickerbocker	Omamn	Richter	Valento
Forsythe	Marsh	Onnen	Sarna	

Those who voted in the negative were:

Abrams	Anderson, R.	Bauerly	Bennett	Bishop
Anderson, G.	Battaglia	Begich	Bertram	Brown

Burger	Himle	Macklin	Pappas	Solberg
Carlson, L.	Hugoson	McGuire	Pauly	Sparby
Carruthers	Jacobs	McLaughlin	Pellow	Steensma
Clark	Janezich	Milbert	Pelowski	Svigum
Conway	Jefferson	Miller	Peterson	Tjornhom
Cooper	Jennings	Morrison	Poppenhagen	Tompkins
Dauner	Johnson, R.	Munger	Price	Trimble
Dawkins	Kahn	Murphy	Pugh	Tunheim
Dille	Kalis	Nelson, C.	Reding	Uphus
Dorn	Kelso	Nelson, K.	Rest	Vellenga
Frerichs	Kinkel	Neuenschwander	Rice	Wagenius
Girard	Kostohryz	O'Connor	Rodosovich	Waltman
Greenfield	Krueger	Olsen, S.	Rukavina	Weaver
Gruenes	Lasley	Olson, E.	Runbeck	Wenzel
Hartle	Lieder	Olson, K.	Seaberg	Williams
Hasskamp	Limmer	Orenstein	Segal	Winter
Haukoos	Long	Ostrom	Simoneau	Wynia
Henry	Lynch	Otis	Skoglund	Spk. Vanasek

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

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

Begich moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 13, delete lines 51 to 55

Page 14, delete lines 1 to 7

A roll call was requested and properly seconded.

POINT OF ORDER

Beard raised a point of order pursuant to section 43, paragraph 10, of "Mason's Manual of Legislative Procedure" relating to laws, rules or decisions of a higher authority. The Speaker ruled the point of order not well taken.

CALL OF THE HOUSE

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

Abrams	Boo	Dauner	Greenfield	Jacobs
Anderson, G.	Brown	Dawkins	Gruenes	Janezich
Battaglia	Burger	Dempsey	Gutknecht	Jaros
Bauerly	Carlson, D.	Dille	Hartle	Jefferson
Beard	Carlson, L.	Dorn	Hasskamp	Johnson, R.
Begich	Carruthers	Forsythe	Haukoos	Johnson, V.
Bennett	Clark	Frederick	Henry	Kahn
Bertram	Conway	Frerichs	Himle	Kalis
Bishop	Cooper	Girard	Hugoson	Kelly

Kinkel	Milbert	Ostrom	Richter	Swenson
Knickerbocker	Miller	Otis	Rodosovich	Tjornhom
Kostohryz	Morrison	Ozment	Rukavina	Tompkins
Krueger	Munger	Pappas	Runbeck	Trimble
Lasley	Murphy	Pauly	Sarna	Tunheim
Lieder	Nelson, C.	Pellow	Schafer	Uphus
Limmer	Nelson, K.	Pelowski	Schreiber	Valento
Long	Neuenschwander	Peterson	Seaberg	Vellenga
Lynch	O'Connor	Poppenhagen	Segal	Wagenius
Macklin	Ogren	Price	Simoneau	Waltman
Marsh	Olsen, S.	Pugh	Skoglund	Weaver
McDonald	Olson, E.	Quinn	Solberg	Wenzel
McEachern	Olson, K.	Redalen	Sparby	Williams
McGuire	Omann	Reding	Stanius	Winter
McLaughlin	Onnen	Rest	Steenasma	Wynia
McPherson	Orenstein	Rice	Sviggum	Spk. Vanasek

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

The question recurred on the Begich amendment and the roll was called. There were 64 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Hasskamp	McLaughlin	Pelowski	Skoglund
Battaglia	Jacobs	Milbert	Peterson	Solberg
Bauerly	Janezich	Munger	Price	Steenasma
Bead	Jaros	Murphy	Pugh	Trimble
Begich	Jefferson	Nelson, K.	Quinn	Vellenga
Boo	Johnson, R.	Neuenschwander	Reding	Wagenius
Carlson, L.	Kahn	O'Connor	Rest	Weaver
Carruthers	Kelly	Ogren	Rice	Wenzel
Clark	Kinkel	Olson, K.	Rodosovich	Williams
Conway	Kostohryz	Orenstein	Rukavina	Winter
Dawkins	Lasley	Ostrom	Sarna	Wynia
Dorn	McEachern	Otis	Segal	Spk. Vanasek
Greenfield	McGuire	Pappas	Simoneau	

Those who voted in the negative were:

Abrams	Forsythe	Kalis	Nelson, C.	Schafer
Anderson, G.	Frederick	Knickerbocker	Olsen, S.	Schreiber
Bennett	Frerichs	Krueger	Olson, E.	Seaberg
Bertram	Girard	Lieder	Omann	Sparby
Bishop	Gruenes	Limmer	Onnen	Stanius
Brown	Gutknecht	Lynch	Ozment	Sviggum
Burger	Hartle	Macklin	Pauly	Swenson
Carlson, D.	Haukoos	Marsh	Pellow	Tjornhom
Cooper	Henry	McDonald	Poppenhagen	Tompkins
Dauner	Himle	McPherson	Redalen	Tunheim
Dempsey	Hugoson	Miller	Richter	Uphus
Dille	Johnson, V.	Morrison	Runbeck	Valento
				Waltman

The motion prevailed and the amendment was adopted.

Ogren moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 11, line 8, delete "6,126,000" and insert "5,956,000"

Page 11, line 9, delete "8,237,000" and insert "8,337,000"

Page 11, line 21, delete "\$123,085,000" and insert "\$123,015,000"

Page 11, line 24, delete "114,661,000" and insert "114,591,000"

Page 11, line 27, delete "120,661,000" and insert "120,591,000"

Page 11, line 29, delete "75,861,000" and insert "75,791,000"

Page 14, line 19, delete "6,126,000" and insert "5,956,000"

Page 14, line 27, delete "674,000"

Page 14, line 28, delete "(a)"

Page 14, delete lines 36 to 43

Page 15, line 11, delete "8,237,000" and insert "8,337,000"

Page 15, after line 38, insert:

"Subd. 4. Fond du Lac Center 100,000

This appropriation is for planning for the first phase of a permanent center."

Renumber the remaining subdivision

A roll call was requested and properly seconded.

The question was taken on the Ogren amendment and the roll was called.

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

There were 20 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Battaglia	Jacobs	Johnson, R.	Murphy	Rukavina
Beard	Janezich	Lasley	O'Connor	Sarna
Begich	Jaros	McEachern	Ogren	Segal
Clark	Jefferson	Milbert	Quinn	Solberg

Those who voted in the negative were:

Abrams	Frerichs	Macklin	Pauly	Steensma
Anderson, G.	Girard	Marsh	Pellow	Swigum
Anderson, R.	Greenfield	McDonald	Pelowski	Swenson
Bauerly	Gruenes	McGuire	Peterson	Tjornhom
Bennett	Gutknecht	McLaughlin	Poppenhagen	Tompkins
Bertram	Hartle	McPherson	Price	Trimble
Bishop	Hasskamp	Miller	Pugh	Tunheim
Boo	Haukoos	Morrison	Redalen	Uphus
Brown	Henry	Nelson, C.	Reding	Valento
Burger	Himle	Nelson, K.	Rest	Vellenga
Carlson, D.	Hugoson	Neuenschwander	Rice	Wagenius
Carlson, L.	Johnson, V.	Olsen, S.	Richter	Waltman
Carruthers	Kahn	Olsen, E.	Rodosovich	Weaver
Conway	Kinkel	Olson, K.	Runbeck	Wenzel
Cooper	Knickerbocker	Omann	Schafer	Williams
Dauner	Kostohryz	Onnen	Schreiber	Winter
Dempsey	Krueger	Orenstein	Seaberg	Wynia
Dille	Lieder	Ostrom	Simoneau	Spk. Vanasek
Dorn	Limmer	Otis	Skoglund	
Forsythe	Long	Ozment	Sparby	
Frederick	Lynch	Pappas	Stanius	

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

Lasley moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 20, after line 39, insert:

"Subd. 6. Anoka-Ramsey Community College; Cambridge Center	1,352,500
(a) Code compliance	900,000
(b) Planning for remodeling	452,000"

Amend the agency totals accordingly

The question was taken on the Lasley amendment and the roll was called.

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

There were 23 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Beard	Janezich	Lynch	Peterson	Simoneau
Dempsey	Johnson, R.	McEachern	Quinn	Stanius
Dille	Kinkel	Milbert	Rukavina	Swenson
Frerichs	Knickerbocker	Murphy	Schafer	
Gutknecht	Lasley	Ogren	Schreiber	

Those who voted in the negative were:

Abrams	Anderson, G.	Anderson, R.	Battaglia	Bauerly
--------	--------------	--------------	-----------	---------

Begich	Gruenes	McDonald	Pappas	Steensma
Bennett	Hartle	McGuire	Pauly	Sviggum
Bertram	Hasskamp	McLaughlin	Pellow	Tjornhom
Bishop	Haukoos	McPherson	Pelowski	Tompkins
Boo	Henry	Miller	Poppenhagen	Trimble
Burger	Himle	Morrison	Price	Tunheim
Carlson, D.	Hugoson	Munger	Pugh	Uphus
Carlson, L.	Jacobs	Nelson, C.	Redalen	Valento
Carruthers	Jaros	Nelson, K.	Reding	Vellenga
Clark	Jefferson	Neuenschwander	Rest	Wagenius
Conway	Kahn	Olsen, S.	Rice	Waltman
Cooper	Kelly	Olson, E.	Richter	Weaver
Dauner	Kostohryz	Olson, K.	Rodosovich	Wenzel
Dawkins	Krueger	Omman	Runbeck	Williams
Dorn	Lieder	Onnen	Seaberg	Winter
Forsythe	Limmer	Orenstein	Segal	Wynia
Frederick	Long	Ostrom	Skoglund	Spk. Vanasek
Girard	Macklin	Otis	Solberg	
Greenfield	Marsh	Ozment	Sparby	

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

Winter, Steensma and Olson, K., moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 15, after line 38, insert:

"Subd. 4. Worthington Community College	146,000
-----------------------------------------	---------

This appropriation is for planning to build a new student center and library and remodel existing facilities for student services needs."

Amend the remaining subdivision

Amend the agency totals accordingly

The question was taken on the Winter et al amendment and the roll was called.

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

There were 31 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Beard	Frerichs	Janezich	Milbert	Quinn
Bertram	Girard	Kinkel	Nelson, C.	Redalen
Conway	Gutknecht	Knickerbocker	O'Connor	Reding
Dauner	Hugoson	McDonald	Olson, K.	Richter
Dille	Jacobs	McEachern	Pugh	Rukavina

Sarna
SchaferSolberg
SteensmaUphus
Winter

Those who voted in the negative were:

Abrams	Frederick	Limmer	Otis	Stanius
Anderson, G.	Greenfield	Lynch	Ozment	Sviggum
Anderson, R.	Gruenes	Macklin	Pappas	Swenson
Battaglia	Hartle	Marsh	Pauly	Tjornhom
Bauerly	Hasskamp	McGuire	Pellow	Tompkins
Begich	Haukoos	McLaughlin	Pelowski	Trimble
Bennett	Henry	McPherson	Peterson	Tunheim
Bishop	Himle	Miller	Poppenhagen	Valento
Boo	Jaros	Morrison	Price	Vellenga
Brown	Jefferson	Murphy	Rest	Wagenius
Carlson, D.	Johnson, R.	Nelson, K.	Rice	Waltman
Carlson, L.	Johnson, V.	Neuenschwander	Rodosovich	Weaver
Carruthers	Kahn	Ogren	Runbeck	Wenzel
Clark	Kalis	Olsen, S.	Schreiber	Williams
Cooper	Kelly	Olson, E.	Seaberg	Wynia
Dawkins	Kostohryz	Omann	Segal	Spk. Vanasek
Dempsey	Krueger	Onnen	Simoneau	
Dorn	Lasley	Orenstein	Skoglund	
Forsythe	Lieder	Ostrom	Sparby	

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

Trimble moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 14, after line 24, insert:

“As part of the planning process for any new building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the new building.”

Page 15, after line 24, insert:

“As part of the planning process for any new building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the new building.”

Page 16, after line 45, insert:

“As part of the planning process for any new building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the new building.”

Page 18, after line 43, insert:

“As part of the planning process for any new building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the new building.”

The motion prevailed and the amendment was adopted.

Schreiber moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 10, line 33, delete “state building” and insert “general”

Page 11, delete lines 26 to 29

Page 22, delete lines 28 to 45

Page 23, delete lines 1 to 15

Pages 25 and 26, delete section 24

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

Valento, McGuire, Bennett, Schreiber, Wynia, McPherson and Morrison moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 14, line 15, before the period insert “to be named the John Rose Minnesota Oval”

The motion prevailed and the amendment was adopted.

Begich moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 13, after line 50, insert:

“Allotment of funds under this section is contingent upon the commissioner of

finance determining that the appropriate labor and management organizations have executed agreements assuring that no management lockout or labor strike will occur during the construction or dredging process."

A roll call was requested and properly seconded.

The question was taken on the Begich amendment and the roll was called.

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

There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

Valento moved to amend H. F. No. 46, the second engrossment, as amended, as follows:

Page 13, delete lines 11 and 12 and insert:

"The communities affected by the withdrawal of federal combined sewer overflow funding shall make up the

anticipated loss in revenue through an increase in sewer rates."

Page 13, line 13, delete "\$3,000,000" and insert "\$8,000,000"

A roll call was requested and properly seconded.

The question was taken on the Valento amendment and the roll was called. There were 60 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abrams	Ferichs	Kostohryz	Omann	Seaberg
Anderson, R.	Girard	Limmer	Onnen	Stanius
Beard	Gruenes	Lynch	Ostrom	Steensma
Bennett	Hartle	Macklin	Pauly	Sviggum
Bertram	Haukoos	Marsh	Pellow	Swenson
Bishop	Henry	McDonald	Poppenhagen	Tjornhom
Boo	Himle	McEachern	Price	Tompkins
Burger	Hugoson	McPherson	Quinn	Tunheim
Dempsey	Jacobs	Miller	Richter	Uphus
Dille	Johnson, V.	Morrison	Runbeck	Valento
Forsythe	Kalis	Ogren	Schafer	Waltman
Frederick	Knickerbocker	Olsen, S.	Schreiber	Weaver

Those who voted in the negative were:

Anderson, G.	Greenfield	McGuire	Pappas	Skoglund
Battaglia	Hasskamp	McLaughlin	Pelowski	Solberg
Bauerly	Janezich	Milbert	Peterson	Sparby
Begich	Jaros	Munger	Pugh	Trimble
Brown	Jefferson	Murphy	Redalen	Vellenga
Carlson, D.	Johnson, R.	Nelson, C.	Reding	Wagenius
Carlson, L.	Kahn	Nelson, K.	Rest	Wenzel
Clark	Kelly	Neuenschwander	Rice	Williams
Conway	Kinkel	O'Connor	Rodosovich	Winter
Cooper	Krueger	Olson, E.	Rukavina	Wynia
Dauner	Lasley	Orenstein	Sarna	Spk. Vanasek
Dawkins	Lieder	Otis	Segal	
Dorn	Long	Ozment	Simoneau	

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

H. F. No. 46, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; providing for deficiencies in and supplementing appropriations for the expenses of state government; authorizing issuance of state bonds; providing for the maximum effort school loan program and the cooperative secondary facilities grant program; clarifying the definition of mental health service provider and providing for a fee for the providers; clarifying requirements of manufactured home parks in certain cases; reducing certain bond sales authorizations; distributing the proceeds of certain litigation; increasing authorizations for certain state transportation bonds;

increasing the allocation for bridges to political subdivisions; providing for certain adjustment grants; approving a capital loan; appropriating money; amending Minnesota Statutes 1988, sections 116.18, subdivision 3d; 124.477; 124.493, subdivision 1; 124.494, subdivisions 1, 2, and 4; 124.495; 129B.72, subdivision 2, and by adding a subdivision; 129B.73, subdivision 4, and by adding a subdivision; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 327.20, subdivision 1; and Laws 1979, chapter 280, sections 1 and 2, as amended; proposing coding for new law in Minnesota Statutes, chapter 129B; repealing Laws 1987, chapter 400, section 59, as amended; and Laws 1988, chapter 686, article 1, section 37, subdivision 10.

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.

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

There were 102 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Frederick	Lynch	Ozment	Skoglund
Anderson, R.	Frerichs	Macklin	Pappas	Solberg
Battaglia	Girard	Marsh	Pellow	Sparby
Bauerly	Greenfield	McEachern	Pelowski	Steensma
Beard	Greenes	McGuire	Peterson	Svigum
Begich	Gutknecht	McLaughlin	Poppenhagen	Swenson
Bertram	Hartle	Milbert	Price	Trimble
Bishop	Hasskamp	Morrison	Pugh	Tunheim
Boo	Jacobs	Munger	Quinn	Uphus
Brown	Janezich	Murphy	Redalen	Valento
Carlson, D.	Jaros	Nelson, C.	Reding	Wagenius
Carlson, L.	Jefferson	Nelson, K.	Rest	Waltman
Carruthers	Johnson, R.	Neuenschwander	Rice	Weaver
Clark	Johnson, V.	O'Connor	Richter	Wenzel
Conway	Kahn	Ogren	Rodosovich	Williams
Cooper	Kalis	Olson, K.	Rukavina	Winter
Dawkins	Kelly	Omam	Runbeck	Wynia
Dempsey	Kinkel	Onnen	Sarna	Spk. Vanasek
Dille	Kostohryz	Orenstein	Schafer	
Dorn	Krueger	Ostrom	Segal	
Forsythe	Lieder	Otis	Simoneau	

Those who voted in the negative were:

Abrams	Henry	Limmer	Olsen, S.	Stanius
Bennett	Himle	Long	Olson, E.	Tjornhom
Burger	Hugoson	McDonald	Pauly	Tompkins
Dauner	Knickerbocker	McPherson	Schreiber	Vellenga
Haukoos	Lasley	Miller	Seaberg	

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

Olsen, S., and Morrison were excused at 9:30 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. 243, 278, 306, 765 and 862 were recommended to pass.

H. F. Nos. 484, 630 and 931 were recommended for progress.

H. F. No. 1104 was recommended for re-referral to the Committee on Judiciary.

H. F. No. 266, the first engrossment, which it recommended to pass with the following amendment offered by Long:

Pages 20 and 21, delete section 23

Pages 22 and 23, delete section 25

Page 26, line 21, delete "26, 28 to 31," and insert "24, 26 to 29,"

Page 26, line 22, delete "33" and insert "31"

Page 26, line 30, delete "27" and insert "25"

Page 26, line 31, delete "32" and insert "30"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after "permits;"

Page 1, line 13, delete "training;"

Page 1, line 25, delete "297C.02, subdivision 4; 297C.07;"

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

MOTIONS AND RESOLUTIONS

Redalen moved that the names of Brown, Steensma, Kahn and Anderson, G., be added as authors on H. F. No. 91. The motion prevailed.

Reding moved that the name of Johnson, R., be added as an author on H. F. No. 557. The motion prevailed.

Winter moved that the name of Redalen be added as an author on H. F. No. 584. The motion prevailed.

Blatz moved that the names of Welle, Ogren and Neuenschwander be added as authors on H. F. No. 732. The motion prevailed.

Kelly moved that the name of Hartle be added as an author on H. F. No. 812. The motion prevailed.

Uphus moved that the name of Schafer be stricken and the name of Dauner be added as second author on H. F. No. 911. The motion prevailed.

Waltman moved that the names of Pelowski, McGuire and Frerichs be added as authors on H. F. No. 930. The motion prevailed.

Dille moved that the name of Girard be added as an author on H. F. No. 1037. The motion prevailed.

Trimble moved that the name of Kahn be added as an author on H. F. No. 1201. The motion prevailed.

Tunheim moved that the name of Sparby be added as an author on H. F. No. 1205. The motion prevailed.

Dawkins moved that the name of Conway be added as an author on H. F. No. 1228. The motion prevailed.

Krueger moved that the name of Abrams be added as an author on H. F. No. 1242. The motion prevailed.

House Resolution No. 4 was reported to the House.

HOUSE RESOLUTION NO. 4

A house resolution proclaiming September 14-16, 1989, as Korea: An American Remembrance in the State of Minnesota.

Whereas, 54,246 American lives were lost in the Korean War between the years 1950-1953; and

Whereas, the veterans of the Korean War have seen the pride and recognition due them vanish; and

Whereas, a project, known as Korea: An American Remembrance, is planned, with the purposes of: restoring the pride and honor of the Americans who defended the glory of the United States; confirming the continuing devotion to the principles, beliefs, and values the veterans fought to preserve; and demonstrating civil and social enlightenment, responsibility, and commitment; and

Whereas, the ultimate purpose of Korea: An American Remembrance is not remembering war but commemorating peace and the price paid to preserve freedom; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it proclaims September 14-16, 1989, as Korea: An American Remembrance in the State of Minnesota. The House also commemorates the community celebrations taking place to honor this day, including parades held in Minneapolis and Saint Paul on Saturday, September 16, 1989, and encourages all Minnesotans to participate in these celebrations.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and that it be presented to Lonnie Morgan, Executive Director of the project, Korea: An American Remembrance.

Kostohryz moved that House Resolution No. 4 be now adopted. The motion prevailed and House Resolution No. 4 was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 156:

Kostohryz, Quinn and Kelso.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, March 28, 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., Tuesday, March 28, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

