

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION — 1989

TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 28, 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	Osthoff	Segal
Anderson, G.	Girard	Lieder	Ostrom	Simoneau
Anderson, R.	Greenfield	Limmer	Otis	Skoglund
Battaglia	Gruenes	Long	Ozment	Solberg
Bauerly	Gutknecht	Lynch	Pappas	Sparby
Beard	Hasskamp	Macklin	Pauly	Stanius
Begich	Haukoos	Marsh	Pellow	Steensma
Bennett	Heap	McEachern	Pelowski	Sviggum
Bertram	Henry	McGuire	Peterson	Swenson
Bishop	Himle	McLaughlin	Poppenhagen	Tjornhom
Blatz	Hugoson	McPherson	Price	Tompkins
Boo	Jacobs	Miller	Pugh	Trimble
Brown	Jaros	Morrison	Quinn	Tunheim
Burger	Jefferson	Munger	Redalen	Uphus
Carlson, D.	Jennings	Murphy	Reding	Valento
Carlson, L.	Johnson, A.	Nelson, C.	Rest	Vellenga
Carruthers	Johnson, R.	Nelson, K.	Rice	Wagenius
Conway	Johnson, V.	Neuenschwander	Richter	Waltman
Cooper	Kahn	O'Connor	Rodosovich	Weaver
Dauner	Kalis	Ogren	Rukavina	Welle
Dawkins	Kelly	Olsen, S.	Runbeck	Wenzel
Dempsey	Kelso	Olson, E.	Sarna	Williams
Dille	Kinkel	Olson, K.	Schafer	Winter
Dorn	Knickerbocker	Omann	Scheid	Wynia
Forsythe	Kostohryz	Onnen	Schreiber	Spk. Vanasek
Frederick	Krueger	Orenstein	Seaberg	

A quorum was present.

Hartle, Janezich, McDonald and Milbert were excused.

Clark was excused until 3:10 p.m.

The Chief Clerk proceeded to read the Journals of the preceding days. Frederick moved that further reading of the Journals be dispensed with and that the Journals 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. 774, 804, 436, 603, 707, 827, 925, 943, 46 and 266 and S. F. Nos. 671 and 227 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 17, 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. 267, relating to the military; reducing from two years to one year the number of years the adjutant general of the Minnesota national guard is required to serve as a brigadier general before promotion to major general.

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:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and	
			Date Approved 1989	Date Filed 1989
	267	11	8:40-March 17	March 17
644		12	13:30-March 17	March 17

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 3, A bill for an act relating to crimes; providing for life imprisonment without parole for persons convicted of premeditated murder or intentional homicide in the course of committing a drug offense; expanding the crime of first degree murder to include drug-related homicides; eliminating juvenile court jurisdiction over minors 14 years old and older accused of murder or manslaughter; increasing penalties and imposing mandatory minimum sentences for certain violent crimes; prohibiting waiver of certain mandatory minimum sentences; amending Minnesota Statutes 1988, sections 152.15; 244.05, subdivision 4; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 609.11, subdivision 7; 609.185; 609.19; 609.195; 609.20; 609.221; 609.223; 609.224, subdivision 2; 609.255, subdivision 3; 609.342, subdivision 2; 609.343, subdivision 2; 609.344, subdivision 2; 609.345, subdivision 2; and 609.377; repealing Minnesota Statutes 1988, section 609.11, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 169.09, subdivision 14, is amended to read:

Subd. 14. [PENALTIES.] (a) The driver of any vehicle who violates subdivision 1 or 6 and who caused the accident is punishable as follows:

(1) if the accident results in the death of any person, the driver is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or to payment of a fine of not more than \$20,000, or both;

(2) if the accident results in great bodily harm to any person, as defined in section 609.02, subdivision 8, the driver is guilty of a felony and may be sentenced to imprisonment for not more than five years, or to payment of a fine of not more than \$10,000, or both; or

(3) if the accident results in substantial bodily harm to any person, as defined in section 609.02, subdivision 7a, the driver is guilty of a felony and may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$5,000, or both.

(b) The driver of any vehicle who violates subdivision 1 or 6 and who did not cause the accident is punishable as follows:

(1) if the accident results in the death of any person, the driver is guilty of a felony and may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$5,000, or both;

(2) if the accident results in great bodily harm to any person, as defined in section 609.02, subdivision 8, the driver is guilty of a felony and may be sentenced to imprisonment for not more than ~~one year and one day~~ two years, or to payment of a fine of not more than ~~\$3,000~~ \$4,000, or both; or

(3) if the accident results in substantial bodily harm to any person, as defined in section 609.02, subdivision 7a, the driver may be sentenced to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both.

(c) The driver of any vehicle involved in an accident not resulting in substantial bodily harm or death who violates subdivision 1 or 6 may be sentenced to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both.

(d) Any person who violates subdivision 3, clause (b) is guilty of a petty misdemeanor.

(e) Any person who violates subdivision 2, 3, clause (a), 4, 5, 7, 8, 10, 11, or 12 is guilty of a misdemeanor.

The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

Sec. 2. Minnesota Statutes 1988, section 243.05, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONAL RELEASE.] The commissioner of corrections may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(a) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185, who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(b) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony, is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(c) any inmate sentenced prior to September 1, 1963 who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(d) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change. Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner. The written order of the commissioner of corrections, is sufficient authority for any peace officer or state parole and probation agent to retake and place in actual custody any person on

parole or supervised release, but any state parole and probation agent may, without order of warrant, when it appears necessary in order to prevent escape or enforce discipline, take and detain a parolee or person on supervised release or work release to the commissioner for action. The written order of the commissioner of corrections is sufficient authority for any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without an order, when it appears necessary in order to prevent escape or enforce discipline, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14. Persons conditionally released, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or outside the boundaries of the state at the discretion of the commissioner of corrections or the court, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

In considering applications for conditional release or discharge, the commissioner is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the department of corrections in favor of or against the parole or release of any inmates, but the commissioner may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of the inmate, and to that end shall have authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. The commissioner is authorized to administer oaths to witnesses for these purposes.

Sec. 3. Minnesota Statutes 1988, section 244.05, subdivision 4, is amended to read:

Subd. 4. [MINIMUM IMPRISONMENT, LIFE SENTENCE.] An inmate serving a mandatory life sentence for conviction of murder in the first degree under section 609.185 must not be given supervised release under this section unless otherwise authorized by the board of pardons under section 29. An inmate serving a mandatory life sentence shall under section 609.385 must not be given supervised release under this section without having served a minimum term of imprisonment of 17 years.

Sec. 4. Minnesota Statutes 1988, section 244.05, subdivision 5, is amended to read:

Subd. 5. [SUPERVISED RELEASE, LIFE SENTENCE.] The commissioner of corrections may, under rules promulgated by the commissioner, give supervised release to an inmate serving a mandatory life sentence under section 609.385 after the inmate has

served the minimum term of imprisonment specified in subdivision 4. The commissioner may, under rules promulgated by the commissioner, give supervised release to an inmate serving a mandatory life sentence for conviction of murder in the first degree under section 609.185 if the board of pardons authorizes the granting of supervised release under section 29.

Sec. 5. Minnesota Statutes 1988, section 297D.09, subdivision 1a, is amended to read:

Subd. 1a. [CRIMINAL PENALTY; SALE WITHOUT AFFIXED STAMPS.] In addition to the tax penalty imposed, a dealer distributing or possessing marijuana or controlled substances without affixing the appropriate stamps, labels, or other indicia is guilty of a crime and, upon conviction, may be sentenced to imprisonment for not more than five seven years or to payment of a fine of not more than \$10,000 \$14,000, or both.

Sec. 6. Minnesota Statutes 1988, section 299F.80, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivision 2, whoever possesses explosives without a valid license or permit may be sentenced to imprisonment for not more than three five years.

Sec. 7. Minnesota Statutes 1988, section 325D.56, subdivision 2, is amended to read:

Subd. 2. Any person who is found to have willfully committed any of the acts enumerated in section 325D.53 shall be guilty of a felony and subject to a fine of not more than \$50,000 or imprisonment in the state penitentiary for not more than five seven years, or both.

Sec. 8. Minnesota Statutes 1988, section 609.11, subdivision 7, is amended to read:

Subd. 7. [PROSECUTOR SHALL ESTABLISH.] Whenever reasonable grounds exist to believe that the defendant or an accomplice used a firearm or other dangerous weapon or had in possession a firearm, at the time of commission of an offense listed in subdivision 9, the prosecutor shall, at the time of trial or at the plea of guilty, present on the record all evidence tending to establish that fact unless it is otherwise admitted on the record. The question of whether the defendant or an accomplice, at the time of commission of an offense listed in subdivision 9, used a firearm or other dangerous weapon or had in possession a firearm shall be determined by the court on the record at the time of a verdict or finding of guilt at trial or the entry of a plea of guilty based upon the record of the trial or the plea of guilty. The court shall determine on the record at the time of sentencing whether the defendant has been

convicted of a second or subsequent offense in which the defendant or an accomplice, at the time of commission of an offense listed in subdivision 9, used a firearm or other dangerous weapon or had in possession a firearm.

Sec. 9. Minnesota Statutes 1988, section 609.185, is amended to read:

609.185 [MURDER IN THE FIRST DEGREE.]

Whoever does any of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) causes the death of a human being with premeditation and with intent to effect the death of the person or of another;

(2) causes the death of a human being while committing or attempting to commit criminal sexual conduct in the first or second degree with force or violence, either upon or affecting the person or another;

(3) causes the death of a human being with intent to effect the death of the person or another, while committing or attempting to commit burglary, aggravated robbery, kidnapping, arson in the first or second degree, tampering with a witness in the first degree, or escape from custody, or any violation of chapter 152 involving the unlawful sale of a controlled substance;

(4) causes the death of a peace officer or a guard employed at a Minnesota state correctional facility, with intent to effect the death of that person or another, while the peace officer or guard is engaged in the performance of official duties; or

(5) causes the death of a minor under circumstances other than those described in clause (1) or (2) while committing or attempting to commit child abuse, when the perpetrator has engaged in a past pattern of child abuse upon the child and the death occurs under circumstances manifesting an extreme indifference to human life.

For purposes of clause (5), "child abuse" means an act committed against a minor victim that constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.342, 609.343, 609.344, 609.345, 609.377, or 609.378.

Sec. 10. Minnesota Statutes 1988, section 609.19, is amended to read:

609.19 [MURDER IN THE SECOND DEGREE.]

Whoever does either of the following is guilty of murder in the second degree and may be sentenced to imprisonment for, upon conviction, shall be committed to the commissioner of corrections for a term of imprisonment of at least 20 years but not more than 40 years, notwithstanding sections 242.19, 243.05, 244.04, 609.11, 609.12, and 609.135:

(1) Causes the death of a human being with intent to effect the death of that person or another, but without premeditation, or

(2) Causes the death of a human being, without intent to effect the death of any person, while committing or attempting to commit a felony offense other than criminal sexual conduct in the first or second degree with force or violence.

Sec. 11. Minnesota Statutes 1988, section 609.195, is amended to read:

609.195 [MURDER IN THE THIRD DEGREE.]

(a) Whoever, without intent to effect the death of any person, causes the death of another by perpetrating an act eminently dangerous to others and evincing a depraved mind, without regard for human life, is guilty of murder in the third degree and may be sentenced to imprisonment for, upon conviction, shall be committed to the commissioner of corrections for a term of imprisonment of at least ten years but not more than 25 years, notwithstanding sections 242.19, 243.05, 244.04, 609.11, 609.12, and 609.135.

(b) Whoever, without intent to cause death, proximately causes the death of a human being by, directly or indirectly, unlawfully selling, giving away, bartering, delivering, exchanging, distributing, or administering a controlled substance classified in schedule I or II, is guilty of murder in the third degree and may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$40,000, or both.

Sec. 12. Minnesota Statutes 1988, section 609.205, is amended to read:

609.205 [MANSLAUGHTER IN THE SECOND DEGREE.]

A person who causes the death of another by any of the following means is guilty of manslaughter in the second degree and may be sentenced to imprisonment for not more than seven ten years or to payment of a fine of not more than \$14,000 \$20,000, or both:

(1) by the person's culpable negligence whereby the person creates an unreasonable risk, and consciously takes chances of causing death or great bodily harm to another; or

(2) by shooting another with a firearm or other dangerous weapon as a result of negligently believing the other to be a deer or other animal; or

(3) by setting a spring gun, pit fall, deadfall, snare, or other like dangerous weapon or device; or

(4) by negligently or intentionally permitting any animal, known by the person to have vicious propensities or to have caused great or substantial bodily harm in the past, to run uncontrolled off the owner's premises, or negligently failing to keep it properly confined.

If proven by a preponderance of the evidence, it shall be an affirmative defense to criminal liability under clause (4) that the victim provoked the animal to cause the victim's death.

Sec. 13. Minnesota Statutes 1988, section 609.221, is amended to read:

609.221 [ASSAULT IN THE FIRST DEGREE.]

Whoever assaults another and inflicts great bodily harm may be sentenced to imprisonment for not more than ~~ten~~ 20 years or to payment of a fine of not more than ~~\$20,000~~ \$30,000, or both.

Sec. 14. Minnesota Statutes 1988, section 609.222, is amended to read:

609.222 [ASSAULT IN THE SECOND DEGREE.]

Whoever assaults another with a dangerous weapon may be sentenced to imprisonment for not more than ~~five seven~~ years or to payment of a fine of not more than ~~\$10,000~~ \$14,000, or both.

Sec. 15. Minnesota Statutes 1988, section 609.223, is amended to read:

609.223 [ASSAULT IN THE THIRD DEGREE.]

Whoever assaults another and inflicts substantial bodily harm may be sentenced to imprisonment for not more than ~~three five~~ years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 16. Minnesota Statutes 1988, section 609.2231, subdivision 1, is amended to read:

Subdivision 1. [PEACE OFFICERS.] Whoever assaults a peace officer licensed under section 626.845, subdivision 1, when that officer is effecting a lawful arrest or executing any other duty

imposed by law and inflicts demonstrable bodily harm is guilty of a felony and may be sentenced to imprisonment for not more than ~~one year and a day~~ two years or to payment of a fine of not more than ~~\$3,000~~ \$4,000, or both.

Sec. 17. Minnesota Statutes 1988, section 609.255, subdivision 3, is amended to read:

Subd. 3. [UNREASONABLE RESTRAINT OF CHILDREN.] A parent, legal guardian, or caretaker who intentionally subjects a child under the age of 18 years to unreasonable physical confinement or restraint by means including but not limited to, tying, locking, caging, or chaining for a prolonged period of time and in a cruel manner which is excessive under the circumstances, is guilty of unreasonable restraint of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both. If the confinement or restraint results in substantial bodily harm, that person may be sentenced to imprisonment for not more than ~~three~~ five years or to payment of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 18. Minnesota Statutes 1988, section 609.2665, is amended to read:

609.2665 [MANSLAUGHTER OF AN UNBORN CHILD IN THE SECOND DEGREE.]

A person who causes the death of an unborn child by any of the following means is guilty of manslaughter of an unborn child in the second degree and may be sentenced to imprisonment for not more than ~~seven ten~~ years or to payment of a fine of not more than ~~\$14,000~~ \$20,000, or both:

(1) by the actor's culpable negligence whereby the actor creates an unreasonable risk and consciously takes chances of causing death or great bodily harm to an unborn child or a person;

(2) by shooting the mother of the unborn child with a firearm or other dangerous weapon as a result of negligently believing her to be a deer or other animal;

(3) by setting a spring gun, pit fall, deadfall, snare, or other like dangerous weapon or device; or

(4) by negligently or intentionally permitting any animal, known by the person to have vicious propensities or to have caused great or substantial bodily harm in the past, to run uncontrolled off the owner's premises, or negligently failing to keep it properly confined.

If proven by a preponderance of the evidence, it shall be an

affirmative defense to criminal liability under clause (4) that the mother of the unborn child provoked the animal to cause the unborn child's death.

Sec. 19. Minnesota Statutes 1988, section 609.267, is amended to read:

609.267 [ASSAULT OF AN UNBORN CHILD IN THE FIRST DEGREE.]

Whoever assaults a pregnant woman and inflicts great bodily harm on an unborn child who is subsequently born alive may be sentenced to imprisonment for not more than ~~ten~~ 15 years or to payment of a fine of not more than ~~\$20,000~~ \$30,000, or both.

Sec. 20. Minnesota Statutes 1988, section 609.323, subdivision 1, is amended to read:

Subdivision 1. Whoever, while acting other than as a prostitute or patron, intentionally receives profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution, of an individual under the age of 13 years, may be sentenced to imprisonment for not more than ~~ten~~ 15 years or to payment of a fine of not more than ~~\$20,000~~ \$30,000, or both.

Sec. 21. Minnesota Statutes 1988, section 609.345, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] A person convicted under subdivision 1 may be sentenced to imprisonment for not more than ~~five~~ seven years or to a payment of a fine of not more than ~~\$10,000~~ \$14,000, or both.

Sec. 22. Minnesota Statutes 1988, section 609.377, is amended to read:

609.377 [MALICIOUS PUNISHMENT OF A CHILD.]

A parent, legal guardian, or caretaker who, by an intentional act or a series of intentional acts with respect to a child, evidences unreasonable force or cruel discipline that is excessive under the circumstances is guilty of malicious punishment of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both. If the punishment results in substantial bodily harm, that person may be sentenced to imprisonment for not more than ~~three~~ five years or to payment of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 23. Minnesota Statutes 1988, section 609.445, is amended to read:

609.445 [FAILURE TO PAY OVER STATE FUNDS.]

Whoever receives money on behalf of or for the account of the state or any of its agencies or subdivisions and intentionally refuses or omits to pay the same to the state or its agency or subdivision entitled thereto, or to an officer or agent authorized to receive the same, may be sentenced to imprisonment for not more than three five years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 24. Minnesota Statutes 1988, section 609.48, subdivision 4, is amended to read:

Subd. 4. [SENTENCE.] Whoever violates this section may be sentenced as follows:

(1) If the false statement was made upon the trial of a felony charge, or upon an application for an explosives license or use permit, to imprisonment for not more than five seven years or to payment of a fine of not more than ~~\$10,000~~ \$14,000, or both; or

(2) In all other cases, to imprisonment for not more than ~~three five~~ years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 25. Minnesota Statutes 1988, section 609.487, subdivision 4, is amended to read:

Subd. 4. [FLEEING AN OFFICER; DEATH; BODILY INJURY.] Whoever flees or attempts to flee by means of a motor vehicle a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or should reasonably know the same to be a peace officer, and who in the course of fleeing causes the death of a human being not constituting murder or manslaughter or any bodily injury to any person other than the perpetrator may be sentenced to imprisonment as follows:

(a) If the course of fleeing results in death, to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both; or

(b) If the course of fleeing results in great bodily harm, to imprisonment for not more than five seven years or to payment of a fine of not more than ~~\$10,000~~ \$14,000, or both; or

(c) If the course of fleeing results in substantial bodily harm, to imprisonment for not more than ~~three~~ five years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both.

Sec. 26. Minnesota Statutes 1988, section 609.576, is amended to read:

609.576 [NEGLIGENT FIRES.]

Whoever is culpably negligent in causing a fire to burn or get out of control thereby causing damage or injury to another, and as a result thereof:

(a) a human being is injured and great bodily harm incurred, is guilty of a crime and may be sentenced to imprisonment of not more than ~~three~~ five years or to a fine of not more than ~~\$5,000~~ \$10,000, or both; or

(b) property of another is injured, thereby, is guilty of a crime and may be sentenced as follows:

(1) to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, if the value of the property damage is under \$300;

(2) to imprisonment for not more than one year, or to a fine of \$3,000 or both, if the value of the property damaged is at least \$300 but is less than \$10,000;

(3) to imprisonment for not less than 90 days nor more than three years, or to a fine of not more than \$5,000, or both, if the value of the property damaged is \$10,000 or more.

Sec. 27. Minnesota Statutes 1988, section 609.62, subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING.] Whoever, with intent to defraud, does any of the following may be sentenced to imprisonment for not more than ~~two~~ three years or to payment of a fine of not more than ~~\$4,000~~ \$6,000, or both:

(1) Conceals, removes, or transfers any personal property in which the actor knows that another has a security interest; or

(2) Being an obligor and knowing the location of the property refuses to disclose the same to an obligee entitled to possession thereof.

Sec. 28. Minnesota Statutes 1988, section 609.86, subdivision 3, is amended to read:

Subd. 3. [SENTENCE.] Whoever commits commercial bribery may be sentenced as follows:

(1) To imprisonment for not more than ~~three five~~ years or to payment of a fine of not more than ~~\$5,000~~ \$10,000, or both, if the value of the benefit, consideration, compensation or reward is greater than \$500;

(2) In all other cases where the value of the benefit, consideration, compensation or reward is \$500 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700; provided, however, in any prosecution of the value of the benefit, consideration, compensation or reward received by the defendant within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed, or all of the offenses aggregated under this clause.

Sec. 29. [638.025] [COMMUTATION OF LIFE SENTENCE FOR FIRST DEGREE MURDER.]

A person convicted of murder in the first degree and serving a mandatory sentence of life imprisonment without possibility of supervised release may apply to the board of pardons for a commutation of sentence only if the person has served at least 30 years in prison. After considering the person's application under the procedures set forth in this chapter, the board shall either (1) grant the application and commute the person's sentence to a term of years, (2) deny the application, or (3) deny commutation of the person's life imprisonment sentence, but authorize the commissioner of corrections to grant the person supervised release as provided in section 244.05 and the commissioner's rules.

Sec. 30. [SENTENCING GUIDELINES COMMISSION; STUDY OF MANDATORY MINIMUM SENTENCING LAW.]

The sentencing guidelines commission shall study sentencing practices under section 609.11 to determine the following issues:

(1) whether prosecutors are complying with the statute's requirement to place on the record any evidence tending to show that a gun or dangerous weapon was used to commit an offense listed in section 609.11, subdivision 9;

(2) whether courts are complying with the statute's requirement to determine on the record the question of whether a gun or dangerous weapon was used to commit an offense listed in section 609.11, subdivision 9;

(3) the number of cases in which a prosecutor files a motion under section 609.11, subdivision 8, seeking waiver of the mandatory

minimum sentence, the reasons given in these cases to support the motion, and the disposition of these motions; and

(4) the number of cases in which the court, on its own motion, sentences a defendant without regard to the mandatory minimum sentence, the reasons given in these cases for the court's departure, and the sentences pronounced by the court.

The commission shall submit a written report to the legislature on or before February 1, 1991, summarizing its findings on this study and recommending any changes necessary to improve the operation of section 609.11.

Sec. 31. [EFFECTIVE DATE.]

Sections 1 to 7 and 9 to 29 are effective August 1, 1989, and apply to crimes committed on or after that date. Sections 8 and 30 are effective June 1, 1989."

Delete the title and insert:

"A bill for an act relating to crime; providing for life imprisonment without supervised release for persons convicted of first degree murder; authorizing the board of pardons to commute these life sentences after the person has served 30 years in prison; expanding the crime of first degree murder to include certain drug-related homicides; imposing mandatory minimum sentences on persons convicted of second or third degree murder; increasing statutory maximum sentences for a number of crimes; clarifying certain sentencing provisions; amending Minnesota Statutes 1988, sections 169.09, subdivision 14; 243.05, subdivision 1; 244.05, subdivisions 4 and 5; 297D.09, subdivision 1a; 299F.80, subdivision 1; 325D.56, subdivision 2; 609.11, subdivision 7; 609.185; 609.19; 609.195; 609.205; 609.221; 609.222; 609.223; 609.2231, subdivision 1; 609.255, subdivision 3; 609.2665; 609.267; 609.323, subdivision 1; 609.345, subdivision 2; 609.377; 609.445; 609.48, subdivision 4; 609.487, subdivision 4; 609.576; 609.62, subdivision 2; and 609.86, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 638."

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

The report was adopted.

Nelson, C., from the Committee on Agriculture to which was referred:

H. F. No. 91, A bill for an act relating to agriculture; authorizing

a grant for the further study of the culture of shiitake mushrooms in Minnesota; appropriating money.

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

The report was adopted.

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

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

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

The report was adopted.

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

H. F. No. 489, A bill for an act relating to public employment; regulating fair share fees, unfair labor practices, arbitration procedures and grievance procedures; amending Minnesota Statutes 1988, sections 179A.03, subdivision 7; 179A.06, subdivision 3; 179A.13, subdivision 1; 179A.14, subdivision 1; 179A.16, subdivisions 1, 2, and 3; 179A.20, subdivision 4; repealing Laws 1984, chapter 654, article 2, section 116.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1988, section 179.02, is amended by adding a subdivision to read:

Subd. 4. The commissioner shall maintain a roster of persons suited and qualified by training and experience to act as arbitrators of labor disputes and shall provide parties to a labor dispute with the names of persons on the roster upon written request. The commissioner shall adopt rules governing appointments to, removals from, and administration of this roster."

Page 2, after line 1, insert:

"Sec. 3. Minnesota Statutes 1988, section 179A.05, subdivision 6, is amended to read:

Subd. 6. [~~LIST OF ARBITRATORS ADMINISTRATION OF ARBITRATOR ROSTER.~~] The board shall maintain a list of names of arbitrators qualified by experience and training in the field of labor management negotiations and arbitration. Names on the list may be selected and removed at any time by a majority of the board. In maintaining the list the board shall, to the maximum extent possible, select persons from varying geographical areas of the state. The board shall adopt rules under chapter 14 governing the administration of the arbitration roster."

Page 4, line 17, after "employer" insert "of a unit of employees of other than essential employees"

Page 5, line 36, delete "final"

Page 6, after line 2, insert:

"Sec. 10. Minnesota Statutes 1988, section 179A.16, subdivision 4, is amended to read:

Subd. 4. [CONSTRUCTION OF ARBITRATION PANEL.] The board shall provide the parties to the interest arbitration a list of seven arbitrators. ~~In submitting names of arbitrators to the parties, the board shall try to include names of persons from the geographical area in which the public employer is located. The parties shall, under the direction of the chair of the board, alternately strike names from the list of arbitrators until only three names remain, or if requested by either party, until only a single arbitrator remains, unless the parties request and mutually agree to utilize a panel of three arbitrators. If the parties are unable to agree on who shall strike the first name, the question shall be decided by the flip of a coin. The arbitrator or arbitrators remaining after the striking procedure constitute the arbitration panel.~~

Page 6, line 7, after "all" insert "written"

Page 6, delete lines 12 to 17

Page 6, delete section 9

Page 7, line 1, delete "9" and insert "11"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 2, delete "public".

Page 1, line 5, after "sections" insert "179.02, by adding a subdivision," and before "179A.06," insert "179A.05, subdivision 6,"

Page 1, line 7, delete "and 3" and insert "3, and 4"

Page 1, line 8, before "179A.20," insert "and" and delete "; repealing Laws 1984, chapter" and insert a period

Page 1, delete line 9

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 520, A bill for an act relating to state government; restricting additional types of payroll deductions for state employees; proposing coding for new law in Minnesota Statutes, chapter 16A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [16A.135] [EMPLOYEE BENEFIT PAYROLL DEDUCTIONS.]

In addition to payroll deductions authorized by statute, payroll deductions may be started under the terms of a collective bargaining agreement entered into by the commissioner of employee relations and an exclusive representative of state employees or a compensation plan adopted under section 43A.18. The commissioner of finance may implement an agreement or compensation plan that provides for payroll deductions. Section 181.06, subdivision 1 does not apply to payroll deductions authorized under this section."

Amend the title as follows:

Page 1, line 2, delete "restricting" and insert "permitting"

With the recommendation that when so amended the bill pass.

The report was adopted.

Nelson, C., from the Committee on Agriculture to which was referred:

H. F. No. 623, A bill for an act relating to agriculture; appropriating money for farm and small business management programs at technical institutes.

Reported the same back with the following amendments:

Page 1, line 14, delete the second "and"

Page 1, delete line 15 and insert:

"(3) new staff for farm and small business management and beginning farmer programs; and

(4) evaluation of present available farm business analysis systems."

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

The report was adopted.

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

H. F. No. 799, A bill for an act relating to veterans; changing admissions, removal, and utilization review procedures for veterans homes; granting rulemaking authority to the veterans homes board; changing certain rights and presumptions; amending Minnesota Statutes 1988, sections 198.003; 198.007; 198.022; 198.03; and 198.32; proposing coding for new law in Minnesota Statutes, chapter 198.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 198.003, is amended to read:

198.003 [POWERS AND DUTIES.]

(a) It is the duty of the board and the board has the power to:

(1) determine policy and, subject to chapter 14, adopt, amend, and repeal rules for the governance of the homes, and to adopt emergency rules necessary to implement this chapter;

(2) report quarterly to the governor on the management, operations, and quality of care provided at the homes; and

(3) take other action as provided by law.

(b) The board may appoint a deputy commissioner who shall serve as secretary of the board.

Sec. 2. Minnesota Statutes 1988, section 198.007, is amended to read:

198.007 [QUALITY ASSURANCE.]

The board shall create a utilization review committee for each home comprised of the appropriate professionals employed by or under contract to the home. The committee shall use the case-mix system established under section 144.072 to assess the appropriateness and quality of care and services provided residents of the homes.

The board shall create an admissions committee for each home comprised of the appropriate professionals employed by or under contract to each home and adopt a preadmission screening program, such as the one established under section 256B.091, for all applicants for admission to the homes who may require nursing or boarding care, taking into account the eligibility requirements in section 198.022, the admissions criteria established by board rules, and the availability of space in the homes.

Sec. 3. Minnesota Statutes 1988, section 198.022, is amended to read:

198.022 [ELIGIBILITY OF SPOUSES, SURVIVING SPOUSES, PARENTS.]

The board is authorized to admit eligible spouses of those veterans who are or if living would be, eligible for admission to the homes.

(1) Except as provided in section 198.03, all applicants for admission to one of the Minnesota veterans home homes must be without adequate means of support and unable by reason of wounds, disease, old age, or infirmity to properly maintain themselves.

(2) Veterans must have served in a Minnesota regiment or have been credited to the state of Minnesota, or have been a resident of the state preceding the date of application for admission.

(3) Spouses and surviving spouses of eligible veterans must be at least 55 years of age, and have been residents of the state of Minnesota preceding the date of application for admission, and meet

the criteria for admission to a home established in the rules of the home in accordance with this chapter and the applicable statutes and rules of the department of health.

Sec. 4. Minnesota Statutes 1988, section 198.03, is amended to read:

198.03 [MAINTENANCE CHARGES.]

Subdivision 1. [DISCRETIONARY ADMISSION.] Any person otherwise eligible for admission to the Minnesota veterans homes, except that the person has means of support, may, at the discretion of the board, be admitted to one of the Minnesota veterans homes upon entering into and complying with the terms of a contract made by the person with the board, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support.

Subd. 2. [COST OF CARE.] The board shall set out in rules the method of calculating the average cost of care for the domiciliary and nursing care residents. The cost must be determined yearly based upon the average cost per resident taking into account, but not limited to, administrative cost of the homes, the cost of service available to the resident, and food and lodging costs. These average costs must be calculated separately for domiciliary and nursing care residents. The amount charged each resident for maintenance, if anything, must be based on the appropriate average cost of care calculation and the assets and income of the resident but must not exceed the appropriate average cost of care.

Subd. 3. [ARREARAGES.] Nothing in this section forgives a resident from paying overdue maintenance charges, with interest as provided in section 334.01, that accrued prior to the effective date of this section, and residents are liable for these arrearages. If the resident pays a reasonable monthly amount on the arrearages, as determined by the home administrator, the resident must not be discharged from the home because of arrearages that accrued prior to the effective date of this section.

Sec. 5. [198.045] [DISCHARGE.]

Subdivision 1. [STAY.] An appeal to the court of appeals does not automatically stay a discharge order. The administrator or the utilization review committee may, however, in its sole discretion, stay the order of discharge until a final decision has been issued by the court of appeals.

Subd. 2. [COURT ORDER.] If a resident who is ordered discharged

from a home refuses to leave the home, the administrator of the home may apply to the district court for an order enforcing the administrative order of discharge. The district court shall order the sheriff of the county in which the home is located to remove the resident from the home and authorize the administrator to remove the resident's property from the resident's room and hold it until it can be returned to the resident.

Sec. 6. Minnesota Statutes 1988, section 198.32, is amended to read:

198.32 [VETERANS HOME; COMPLAINTS; RESIDENT'S RIGHTS.]

Subdivision 1. [RESIDENT'S RIGHTS.] A resident of a Minnesota veterans home has the right to complain and otherwise exercise freedom of expression and assembly which is guaranteed by amendment I of the United States Constitution. The administrator of the home shall inform each resident in writing at the time of admission of the right to complain to the administrator about home accommodations and services. A notice of the right to complain shall be posted in the home. The administrator shall also inform each resident of the right to complain to the board or to the commissioner of veterans affairs. Each resident of a home shall be encouraged and assisted, throughout the period of stay in the home, to understand and exercise the rights of freedom of expression and assembly as a resident and as a citizen, and, to this end, the resident may voice grievances and recommend changes in policies and services to home staff, other residents, and outside representatives of the resident's choice, free from restraint, interference, coercion, discrimination, or reprisal, including retaliatory eviction. A resident of a home may not be denied any tenant rights available under chapter 566, including the right to recover possession of the premises.

Subd. 2. [RETALIATION PROHIBITED.] An administrator may not retaliate against any resident who exercises the right to voice grievances by evicting the resident. There shall be a rebuttable presumption that any eviction within 45 days of the exercise by a resident of the right to voice grievances is retaliatory. This presumption does not apply in favor of a resident who has failed to pay maintenance fees unless the resident pays the overdue fees.

Sec. 7. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 2, delete "removal" and insert "discharge"

Page 1, line 5, delete "certin" and insert "certain"

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

The report was adopted.

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

H. F. No. 866, A bill for an act relating to the city of Mankato; authorizing the establishment of special service districts in the city.

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

The report was adopted.

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

H. F. No. 892, A bill for an act relating to public safety; changing the definition of "dwelling"; authorizing more stringent local smoke detector requirements; creating the position of public fire safety educator; appropriating money; amending Minnesota Statutes 1988, section 299F.362, subdivisions 1, 9, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 20, strike "shall" and insert "may"

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. 921, A bill for an act relating to the city of Hopkins; authorizing the establishment of special service districts.

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

The report was adopted.

Nelson, C., from the Committee on Agriculture to which was referred:

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

Reported the same back with the following amendments:

Page 4, after line 2, insert:

"Sec. 5. Minnesota Statutes 1988, section 31.11, is amended to read:

31.11 [RULES.]

Subdivision 1. [FOOD LAWS.] For the purpose of preventing fraud and deception in the manufacture, use, sale, and transportation of food, or for the purpose of protecting and preserving the public health, it shall also be the duty of the commissioner to make and publish uniform rules, not inconsistent with law, for carrying out and enforcing the provisions of laws now or hereafter enacted relating to food; which rules shall be made in the manner provided by law. Until such rules are made and published, the rules heretofore made by the commissioner shall remain in full force and effect, except as otherwise prescribed by law. Any person who shall manufacture, use, sell, transport, offer for use, sale or transportation, or have in possession with intent to use, sell or transport, any article of food contrary to the provisions of any such rule, or who shall fail to comply with any such rule, shall be guilty of a misdemeanor.

Subd. 2. [PLAN REVIEW FEES.] The commissioner may, by rule, set plan review fees that will approximate the cost to the department of its review of plans and specifications submitted by food handlers.

There is created in the state treasury an account known as the food handler plan review fund. Fees paid under this subdivision must be deposited in the food handler plan review fund. Money in the food handler plan review fund is annually appropriated to the commissioner to pay the costs of the food handler plan and specifications review program."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for fees for review of certain plans; establishing a food handler plan review fund; appropriating money;"

Page 1, line 5, delete "and" and after "31.104" insert "; and 31.11"

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. 988, A bill for an act relating to local government; changing conditions for the establishment and operation of special service districts in Sartell, Sauk Rapids, St. Cloud, Isle, Mora, Becker, and Waite Park; amending Laws 1985, chapter 301, sections 5, subdivision 5; 7, subdivision 1; 9; 12; and 13, subdivision 2; repealing Laws 1985, chapter 301, section 7, subdivision 4.

Reported the same back with the following amendments:

Page 3, line 14, before "No" insert "Subdivision 1. [CERTAIN CITIES.] This subdivision applies in the cities of Sartell, Sauk Rapids, Isle, Mora, Becker, and Waite Park."

Page 3, lines 16 to 31, reinstate the stricken language and delete the new language

Page 3, lines 17 and 24, strike "assessed value" and insert "net tax capacity"

Page 4, after line 4 insert:

"Subd. 2. [ST. CLOUD.] This subdivision applies in the city of St. Cloud. No action may be taken pursuant to section 6 unless owners of 15 percent or more of the land area of the proposed special service district, owners of 15 percent or more of the net tax capacity of the proposed district, or either 15 percent of the individuals resident or business organizations located in the proposed area file a petition requesting a public hearing on the proposed action with the city clerk. No action may be taken pursuant to section 7 to impose an ad valorem tax unless the class of persons who petitioned for establishment of the district file a petition requesting a public hearing on the proposed action with the city clerk. No action may be taken pursuant to section 7 to impose a service charge unless the class of persons who petitioned for establishment of the district file a petition requesting a public hearing on the proposed action with the city clerk. If the boundaries of a proposed district are changed or the land area or net tax capacity subject to a tax or the individuals or business organizations subject to a service charge are changed after the public hearing, a petition meeting the requirements of this

section must be filed with the city clerk before the ordinance establishing the district or resolution imposing the tax or service charge may become effective."

Page 4, line 7, after "VETO" insert "; CERTAIN CITIES" and before "If" insert "This subdivision applies in the cities of Sartell, Sauk Rapids, Isle, Mora, Becker, and Waite Park." and reinstate the stricken "35" and delete "50"

Page 4, lines 8, 13, 14, and 18, reinstate the stricken "35" and delete "50"

Page 4, after line 23, insert:

"Sec. 6. Laws 1985, chapter 301, section 13, is amended by adding a subdivision to read:

Subd. 3. [REQUIREMENT FOR VETO; ST. CLOUD.] This subdivision applies in the city of St. Cloud. If owners of 50 percent of the land area in the district or owners of 50 percent of the net tax capacity in the district file an objection to the ordinance adopted by the city pursuant to section 6 with the city clerk before the effective date of the ordinance, the ordinance shall not become effective. If owners of 50 percent of the land area subject to a tax or owners of 50 percent of the net tax capacity subject to a tax file an objection to the resolution adopted levying an ad valorem tax pursuant to section 7 with the city clerk before the effective date of the resolution, the resolution shall not become effective. If 50 percent of individuals and business organizations subject to a service charge file an objection to the resolution adopted imposing a service charge pursuant to section 7 with the city clerk before the effective date of the resolution, the resolution shall not become effective."

Page 4, line 29, delete "cities" and insert "city of"

Page 4, delete line 30 and insert "St. Cloud"

Page 4, line 31, delete "Waite Park"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "Sartell, Sauk Rapids," and delete ", Isle,"

Page 1, line 5, delete "Mora, Becker, and Waite Park"

Page 1, line 7, after "2" insert ", and by adding a subdivision"

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

The report was adopted.

Jacobs from the Committee on Regulated Industries to which was referred:

H. F. No. 1056, A bill for an act relating to utilities; regulating noncompetitive and competitive telephone services; amending Minnesota Statutes 1988, sections 237.07; 237.081; 237.295, subdivisions 1 and 2; 237.57, subdivision 1; 237.58, subdivision 1; 237.59, subdivisions 1, 2, 3, and 6; 237.60, subdivisions 1 and 2; 237.62, subdivisions 1 and 2, and by adding a subdivision; 237.63, subdivision 1, and by adding subdivisions; and 237.64, subdivisions 1 and 2; Laws 1987, chapter 340, section 26; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1988, sections 237.075, subdivision 1a; and 237.081, subdivision 3.

Reported the same back with the following amendments:

Page 14, line 9, after "shall" insert "treat both investments and related costs as though they are providing noncompetitive services and shall"

Page 17, line 4, delete "may" and insert "shall"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 1065, A bill for an act relating to judicial administration; providing for the transfer of referees, judicial officers, court reporters, law clerks, and district administration staff from county to state employment; providing that guardians ad litem are county employees for purposes of tort claims and clarifying tort liability for other court employees; providing for inclusion of the second and fourth judicial districts in the public defender system; providing for appointment of public defenders in the second and fourth judicial districts; authorizing the supreme court to adopt transition rules; appropriating money; amending Minnesota Statutes 1988, sections 3.732, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 352.01, subdivision 2b; 353.01, subdivision 2a; 466.01, subdivision 6; 484.545, subdivisions 1, 2, and 3; 484.62; 484.64, subdivision 3; 484.65, subdivisions 3 and 7; 484.68, subdivision 5; 486.05; 486.055; 486.06; 487.08, subdivision 5; and 611.26, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 480 and 611;

repealing Minnesota Statutes 1988, sections 383B.63, subdivisions 4 and 5; 486.07; 488A.05; 488A.111; 488A.22; 488A.281; 611.12; and 611.214; and Laws 1975, chapter 258, section 6, subdivisions 1, 3, 4, and 5.

Reported the same back with the following amendments:

Page 17, after line 17, insert:

"Sec. 20. [631.021] [SPEEDY CRIMINAL TRIALS; CASE DISPOSITION OBJECTIVES.]

The judges of each judicial district shall adopt and administer rules or procedures to ensure that, on and after July 1, 1994, the following timing objectives for the disposition of criminal cases are met by judges within the district:

(1) 90 percent of all criminal cases shall be disposed of within 120 days;

(2) 97 percent of all criminal cases shall be disposed of within 180 days; and

(3) 99 percent of all criminal cases shall be disposed of within 365 days.

The time periods referred to in clauses (1) to (3) shall be measured from the date on which the criminal complaint is filed, to the date on which the defendant is either found not guilty or is sentenced. If the criminal case is commenced by indictment rather than by a criminal complaint, the time period shall be measured from the date on which the indictment is returned.

Sec. 21. [COURT MANAGEMENT PLAN.]

On or before January 1, 1990, the judges of each judicial district shall prepare a written caseload management plan for implementing the goal of ensuring the right to speedy trial in criminal cases and the expeditious disposition of civil cases. The plan must discuss current caseloads in each judicial district and the time necessary to dispose of the various types of cases, including felonies, gross misdemeanors, misdemeanors, marriage dissolution and other family law matters, probate, juvenile, general civil matters, and conciliation court matters. The plan must be based on the assumption that the judicial and staff resources that will be available are those available on July 1, 1989.

In addition to preparing a caseload management plan, the judges of each judicial district shall make written recommendations for any changes in rules of procedure or statutes affecting procedure which

they find would improve the expeditious disposition of criminal and civil cases in the district courts.

A copy of the caseload management plan, including any recommendations for changes in rules of procedure or statutes affecting procedure, shall be filed with the state court administrator and the chairs of the judiciary committees in the house of representatives and in the senate on or before January 1, 1990.

Sec. 22. [CRIMINAL COURTS STUDY COMMISSION.]

The supreme court shall establish a commission to study ways to more expeditiously dispose of criminal cases in the district courts, in a manner that preserves the interest of both the defendant and the state in having a fair and just outcome. The commission shall consist of sufficient members to provide adequate representation of the viewpoints and experience of judges, prosecutors, and defense attorneys involved in the disposition of criminal matters. The commission may establish advisory groups to focus on specific areas of practice, such as juvenile law.

The commission study shall include the following:

(1) whether model proposals or rules and statutes from other jurisdictions provide any alternatives that might be followed to modify the rules of criminal procedure and statutes affecting criminal procedure in ways that would simplify procedures without sacrificing fair outcome;

(2) whether certain kinds of offenses, such as traffic petty misdemeanors and housing code violations, might be better processed if the only possible sentence were a fine rather than incarceration, if a referee or administrative officer rather than a judge presided, and if no prosecuting attorney was involved, with the option of enhancing the matter to a misdemeanor if prior judgments have been entered against a party;

(3) whether the petty misdemeanor category should be expanded to replace current misdemeanor offenses in some instances, with criteria for enhancing a petty misdemeanor to a misdemeanor in specified circumstances; and

(4) whether other administrative or legislative action can be taken to facilitate the expeditious disposition of criminal cases without sacrifice of due process of law.

The commission shall report its conclusions to the supreme court on or before January 1, 1991."

Page 18, line 4, after the period, insert "The supreme court shall

also study the right to legal counsel in juvenile justice matters and recommend criteria for that right to the legislature by July 1, 1990."

Page 19, line 3, strike "August" and insert "November"

Page 19, line 7, delete "third" and insert "fourth"

Page 19, line 8, delete "fourth" and insert "third"

Page 20, line 6, delete "1992, whichever date is later" and insert "1991"

Renumber the remaining sections

Correct internal references

Amend the title as follows:

Page 1, line 13, after the first semicolon insert "requiring a court management plan; establishing a criminal court study commission; requiring criminal case disposition objectives;"

Page 1, line 22, delete "and 611" and insert "; 611; and 631"

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

The report was adopted.

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

S. F. No. 286, A bill for an act relating to the military; clarifying the authority of the adjutant general to establish the pay grade for certain staff positions; amending Minnesota Statutes 1988, section 190.08, subdivision 6.

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

The report was adopted.

Kostohryz from the Committee on General Legislation, Veterans Affairs and Gaming reported on the following appointment which had been referred to the committee by the Speaker:

ETHICAL PRACTICES BOARD

WILLIAM HEANEY

Reported the same back with the recommendation that the appointment be confirmed.

Kostohryz moved that the report of the Committee on General Legislation, Veterans Affairs and Gaming relating to the appointment of William Heaney to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Kostohryz moved that the House, having advised, do now consent to and confirm the appointment of William Heaney, 414 Nicollet Mall, Minneapolis, Hennepin County, effective January 30, 1989, for a term expiring the first Monday in January, 1993. The motion prevailed and the appointment of William Heaney was confirmed by the House.

SECOND READING OF HOUSE BILLS

H. F. Nos. 489, 520 and 1056 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 286 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Segal introduced:

H. F. No. 1337, A bill for an act relating to crimes; prohibiting certain paramilitary training; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 624.

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

Conway, O'Connor, Bennett, Sarna and Frederick introduced:

H. F. No. 1338, A bill for an act relating to motor vehicles; restricting access to registration information concerning passenger automobile lessees; amending Minnesota Statutes 1988, section 168.345.

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

Simoneau and Jacobs introduced:

H. F. No. 1339, A bill for an act relating to agricultural societies; permitting county board members to serve on societies; amending Minnesota Statutes 1988, section 38.04.

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

Carlson, D., introduced:

H. F. No. 1340, A bill for an act relating to horse racing; regulating the medication of horses; amending Minnesota Statutes 1988, section 240.24, subdivision 2.

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

Rest, Long, Valento and Schreiber introduced:

H. F. No. 1341, A bill for an act relating to tax increment financing; imposing restrictions on the collection and expenditure of tax increments; amending Minnesota Statutes 1988, sections 469.174, subdivision 10, and by adding a subdivision; 469.176, subdivision 1, and by adding a subdivision; 469.177, subdivision 10; and Laws 1988, chapter 719, article 12, section 30, as amended; 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.

Carruthers and Scheid introduced:

H. F. No. 1342, A bill for an act relating to retirement; repealing the local laws governing the Brooklyn Center firemen's relief association; repealing Laws 1967, chapter 815, as amended.

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

Carruthers and Scheid introduced:

H. F. No. 1343, A bill for an act relating to retirement; volunteer firefighters; excluding volunteer firefighters serving with the Brooklyn Center fire department from the definition of public employee.

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

Valento introduced:

H. F. No. 1344, A bill for an act relating to taxation; allocating motor vehicle excise tax revenues; amending Minnesota Statutes 1988, section 297B.09, subdivision 1.

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

Wagenius and Vellenga introduced:

H. F. No. 1345, A bill for an act relating to juvenile court; providing that foster parents may participate in juvenile court proceedings under certain circumstances; amending Minnesota Statutes 1988, section 260.155, by adding a subdivision.

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

Segal and Ogren introduced:

H. F. No. 1346, A bill for an act relating to human services; providing for coordination of child and family services; establishing the position of assistant commissioner for child and family services; authorizing grants for demonstration resource centers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 245.

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

O'Connor introduced:

H. F. No. 1347, A bill for an act relating to the state patrol; appointment powers of the chief supervisor; amending Minnesota Statutes 1988, sections 299D.01, subdivisions 2 and 3; and 299D.03, subdivision 12.

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

Seaberg introduced:

H. F. No. 1348, A bill for an act relating to courts; providing that the prosecuting political subdivision shall be responsible for the payment of prosecution witness fees in criminal and juvenile cases; amending Minnesota Statutes 1988, sections 357.24; 357.241; and 357.32.

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

Seaberg introduced:

H. F. No. 1349, A bill for an act relating to public safety; providing for "promise to appear" procedure for certain violations of motor vehicle laws; amending Minnesota Statutes 1988, sections 169.91, subdivisions 1 and 3; 169.92; 169.99, subdivision 2; and 171.01, subdivision 3.

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

O'Connor; Johnson, R.; Sarna and Nelson, C., introduced:

H. F. No. 1350, A bill for an act relating to retirement; improving the annuity and disability formulas and authorizing early retirement at reduced annuities for highway patrol officers; amending Minnesota Statutes 1988, sections 352B.08, subdivision 2, and by adding a subdivision; and 352B.10, subdivision 1.

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

Morrison and Price introduced:

H. F. No. 1351, A bill for an act relating to local government; permitting the Dakota and Washington county housing and redevelop-

opment authorities to waive performance bonds for single family housing construction; amending Laws 1971, chapter 333; and Laws 1974, chapter 475.

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

Quinn, Jacobs and Runbeck introduced:

H. F. No. 1352, A bill for an act relating to intoxicating liquor; authorizing the city of Blaine to issue one additional on-sale license.

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

Carruthers, Skoglund and Pugh introduced:

H. F. No. 1353, A bill for an act relating to insurance; requiring insurers to pay the insured's deductible first when recovering from an uninsured motorist under a subrogation claim; amending Minnesota Statutes 1988, section 72A.201, subdivision 6.

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

Carruthers, Skoglund and Pugh introduced:

H. F. No. 1354, A bill for an act relating to insurance; prohibiting insurance companies from terminating agents who contact the commerce department; amending Minnesota Statutes 1988, section 72A.20, by adding a subdivision.

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

Carruthers, Kelly, Pugh and Wagenius introduced:

H. F. No. 1355, A bill for an act relating to probate; modifying provisions for the award of sentimental property and family allowances; amending Minnesota Statutes 1988, sections 525.151; and 525.152.

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

Jacobs and Quinn introduced:

H. F. No. 1356, A bill for an act relating to economic development; designating a medical enterprise park opportunity zone in the city of Coon Rapids; providing tax benefits for the zone; appropriating money.

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

Jacobs introduced:

H. F. No. 1357, A bill for an act relating to taxation; liquor; changing the time limit for certain claims for refund; amending Minnesota Statutes 1988, section 297C.06, subdivisions 2 and 5.

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

Jacobs and Quinn introduced:

H. F. No. 1358, A bill for an act relating to charitable gambling; permitting organizations to treat legal expenses as an allowable expense; amending Minnesota Statutes 1988, section 349.15.

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

Bauerly, McEachern, Dauner and Bertram introduced:

H. F. No. 1359, A bill for an act relating to education; providing for secondary vocational aid and programs; amending Minnesota Statutes 1988, section 124.573, subdivision 2b, and by adding subdivisions.

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

Blatz introduced:

H. F. No. 1360, A bill for an act relating to taxation; property; extending the homestead and agricultural credit to taxes payable after 1989; abolishing transition aid, disparity aid, and other aids and credits; repealing increases in income maintenance payments; amending Minnesota Statutes 1988, sections 124.155, subdivision 2; 124.2131, subdivision 3; 124.2139; 124A.02, subdivision 3a; 256.01, subdivision 2; 256.72; 256.81; 256.82, subdivision 1; 256.863;

256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041, subdivisions 5 and 7; 256B.05, subdivision 1; 256B.091, subdivision 8; 256B.15; 256B.19, subdivisions 1 and 2; 256D.03, subdivisions 2 and 6; 256D.04; 256D.36, subdivision 1; 256G.01, subdivision 3; 256G.02, subdivision 4; 256G.04, subdivision 1; 256G.05; 256G.07; 256G.10; 256G.11; 273.123, subdivisions 4 and 5; 273.124, subdivisions 11 and 13; 273.13, subdivisions 22 and 23; 273.132, subdivisions 1, 2, and 5; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1392; 273.165, subdivision 2; 275.065, subdivision 2; 275.07, subdivision 1; 275.08, subdivisions 1a and 1b; 275.50, subdivision 5; 275.51, subdivisions 3f and 3h; 276.04, subdivision 2; 290A.04, subdivision 2; 393.07, subdivisions 2 and 10; 473.446, subdivision 1; 473F.02, subdivision 23; 473F.05; 473F.06; 473F.07, subdivisions 1, 4, and 5; 473F.08, subdivisions 1, 2, 3a, 4, 5, 6, and 10; 473F.10; 477A.011, subdivisions 15, 20, and 21; and 477A.013, subdivision 3; Laws 1988, chapter 719, article 5, sections 81 and 84; repealing Minnesota Statutes 1988, sections 256.017; 256.018; 256.019; 273.13, subdivision 21a; 273.135, subdivision 2a; 273.1391, subdivision 2a; 273.1398; 275.07, subdivision 3; 275.08, subdivision 1c; 290A.04, subdivision 2b; and Laws 1988, chapter 719, article 8, sections 32, 33, 34, 35, and 36.

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

Schreiber, Rest, Jacobs and Himle introduced:

H. F. No. 1361, A bill for an act relating to taxation; individual income; allowing a credit for alternative minimum tax paid on deferral preferences in prior years; amending Minnesota Statutes 1988, section 290.091, subdivision 2, and by adding a subdivision.

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

Reding; Johnson, R., and Nelson, C., introduced:

H. F. No. 1362, A bill for an act relating to retirement; authorizing payment to retired members of the state patrol retirement fund for the cost of medical and hospital insurance; appropriating money; amending Minnesota Statutes 1988, section 352B.02, subdivisions 1a, 1c, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 352B.

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

Kelso, Price, Pugh, Segal and Rest introduced:

H. F. No. 1363, A bill for an act relating to education; providing for cost of living differential revenue; appropriating money; amending Minnesota Statutes 1988, section 124A.22, subdivision 1; 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.

Hasskamp, McGuire and Weaver introduced:

H. F. No. 1364, A bill for an act relating to adoption; creating a postadoption service and grants program; defining eligibility criteria; providing for certification statement by local social service agency; proposing coding for new law in Minnesota Statutes, chapter 259.

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

Carruthers, Kelly, Pugh, Blatz and Dempsey introduced:

H. F. No. 1365, A bill for an act relating to meetings of public bodies; government data practices; defining final disposition of a disciplinary action regarding personnel records; making clear that the open meeting law applies to advisory bodies and that meetings may not be closed on the basis of data classification statutes; providing an exception to the open meeting law for preliminary discussions concerning allegations of misconduct against government employees; amending Minnesota Statutes 1988, sections 13.43, subdivision 2; and 471.705, subdivision 1, and by adding a subdivision.

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

Solberg introduced:

H. F. No. 1366, A bill for an act relating to taxation; property; providing a levy limit base adjustment for county agricultural society levies; amending Minnesota Statutes 1988, section 275.51, subdivisions 3f and 3i.

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

McEachern; Bauerly; Schafer; Olson, K., and Wenzel introduced:

H. F. No. 1367, A bill for an act relating to education; changing education district laws; making education districts eligible to levy and receive aid for general education, community education, early childhood family education, limited English proficiency programs, secondary vocational handicapped programs, and special education; providing for a variance from education district formation requirements; adjusting education district revenue if a member district withdraws; changing requirements for education district board members; allowing member districts to discontinue grades; requiring a common calendar; requiring a five-year plan; specifying minimum community education revenue and early childhood family education revenue for qualifying education districts; prohibiting member school districts and qualifying education districts from receiving revenue for the same programs except special education; allowing qualifying education districts to increase general education levy through a referendum; allowing intermediate districts to levy for special education; capping the interdistrict cooperation levy; amending Minnesota Statutes 1988, sections 121.88; 121.882; 122.91; 122.92; 122.93, by adding subdivisions; 122.94, subdivision 1, and by adding a subdivision; 122.95, by adding a subdivision; 123.34, subdivision 9; 124.17, subdivision 1b; 124.26; 124.271, subdivisions 3, 4, 7, and by adding subdivisions; 124.2711; 124.2721; 124.273; 124.32; 124.574; 124A.22; 124A.23; 124A.24; 124A.26; 124A.27; 124A.28, subdivisions 2 and 3; 124A.29; 275.125, subdivisions 8, 8b, 8c, and 8e; proposing coding for new law in Minnesota Statutes, chapters 122; 124A; and 275; repealing Minnesota Statutes 1988, section 124.271, subdivision 2b; and 124A.22, subdivision 7.

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

Onnen; Olsen, S.; Uphus and Sviggum introduced:

H. F. No. 1368, A bill for an act relating to taxation; allocating motor vehicle excise tax revenues; amending Minnesota Statutes 1988, section 297B.09, subdivision 1.

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

Price; Valento; Beard; Carlson, L., and Abrams introduced:

H. F. No. 1369, A bill for an act relating to education; imposing educational conditions on juveniles to enroll in driver's education courses and to receive driver's permits and licenses; amending Minnesota Statutes 1988, sections 171.04; 171.05, by adding a

subdivision; and 171.18; proposing coding for new law in Minnesota Statutes, chapters 126 and 171.

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

Gruenes, Marsh and Carruthers introduced:

H. F. No. 1370, A bill for an act relating to chemical abuse reporting; providing that law enforcement is not required to notify the school chemical abuse preassessment team within two weeks under certain circumstances; amending Minnesota Statutes 1988, section 126.036.

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

Neuenschwander, Battaglia and Tunheim introduced:

H. F. No. 1371, A bill for an act relating to taxation; sales; providing an exemption for certain purchases by Canadian residents; amending Minnesota Statutes 1988, section 297A.25, by adding a subdivision.

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

Pugh, Rest and Macklin introduced:

H. F. No. 1372, A bill for an act relating to probate; providing for a statutory will; enacting the uniform statutory will act; proposing coding as Minnesota Statutes, chapter 524A.

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

Pugh and Macklin introduced:

H. F. No. 1373, A bill for an act relating to marriage; setting out the requirements and effect of premarital agreements; enacting the uniform premarital agreement act; amending Minnesota Statutes 1988, section 524.2-204; proposing coding for new law in Minnesota Statutes, chapter 519; repealing Minnesota Statutes 1988, section 519.11.

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

Orenstein; Carlson, L.; Poppenhagen; Trimble and Ostrom introduced:

H. F. No. 1374, A bill for an act relating to education; increasing the revenue bonding authorization of the higher education facilities authority; amending Minnesota Statutes 1988, section 136A.29, subdivision 9.

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

Schafer, Sviggum and Valento introduced:

H. F. No. 1375, A resolution memorializing Congress of ratification of a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

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

Carlson, L.; Segal; Morrison; Price and Nelson, K., introduced:

H. F. No. 1376, A bill for an act relating to taxation; providing an income tax exclusion for interest earned on series EE bonds used to meet qualified higher education expenses; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

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

Kalis; Seaberg; Anderson, G., and Bishop introduced:

H. F. No. 1377, A bill for an act relating to highways; authorizing the commissioner of transportation to establish the speed limit on marked interstate highway 35E; amending Minnesota Statutes 1988, section 161.1245, subdivision 1.

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

Price, Trimble, Dorn, Quinn and Kalis introduced:

H. F. No. 1378, A bill for an act relating to education; changing a requirement for teaching in barber school; amending Minnesota Statutes 1988, section 154.065, subdivision 2.

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

Trimble, Ogren and Ozment introduced:

H. F. No. 1379, A bill for an act relating to health; establishing notice requirements for emergency medical services personnel who are first responders; providing safeguards for first responders against exposure to infectious diseases; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Runbeck; Quinn; Morrison; Olsen, S., and Simoneau introduced:

H. F. No. 1380, A bill for an act relating to manufactured homes; regulating brokers and dealers; requiring park owners to give certain information to prospective buyers and prospective sellers; regulating rentals by residents; defining certain terms; amending Minnesota Statutes 1988, sections 327B.09, by adding a subdivision; 327C.01, by adding a subdivision; and 327C.07, subdivisions 1, 2, 3, and by adding a subdivision.

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

Lynch, Conway, Trimble and Jefferson introduced:

H. F. No. 1381, A bill for an act relating to traffic regulations; providing that signs for handicapped parking spaces state penalty imposed for unlawful use; amending Minnesota Statutes 1988, section 169.346, subdivision 2.

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

Hugoson, Uphus, Steensma, Cooper and Bertram introduced:

H. F. No. 1382, A bill for an act relating to agriculture; funding pseudorabies research and pseudorabies control; appropriating money.

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

Segal, Vellenga, Morrison, Kalis and Wagenius introduced:

H. F. No. 1383, A bill for an act relating to traffic regulations; regulating use of seat belts and child passenger restraint systems; amending Minnesota Statutes 1988, section 169.685.

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

Rest; Nelson, K.; Brown; Henry and Tjornhom introduced:

H. F. No. 1384, A bill for an act relating to crimes; lowering maximum allowable alcohol concentration to 0.05 for crimes involving driving while intoxicated; amending Minnesota Statutes 1988, sections 84.911, subdivision 1; 169.121, subdivisions 1 and 2; 169.123, subdivisions 2, 4, 5a, and 6; 169.129; 192A.555; 361.12, subdivision 4; 361.121, subdivision 1; and 609.21, subdivisions 1, 2, 3, and 4.

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

Johnson, R.; Simoneau; Rukavina; O'Connor and Limmer introduced:

H. F. No. 1385, A bill for an act relating to retirement; Minnesota state retirement system; directing payment of Medicare Plan B supplemental medical coverage costs for designated retirees receiving annuities from the system; proposing coding for new law in Minnesota Statutes, chapter 352.

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

Otis, Sviggum, Peterson and Carlson, D., introduced:

H. F. No. 1386, A bill for an act relating to economic development; transferring programs under the Minnesota agricultural and economic development board to the department of trade and economic development; changing the governing structure of the certified development company; transferring program responsibilities for the allocation of bonding authority to the department of finance; eliminating certain reporting requirements; amending Minnesota Statutes 1988, sections 41A.01; 41A.02, subdivisions 7a, 15, 16, and by adding subdivisions; 41A.021; 41A.022; 41A.023; 41A.03, subdivision 3; 41A.035; 41A.036; subdivisions 1, 4, 5, and 6; 41A.04; 41A.05, subdivisions 1, 2, 3, and 4; 41A.051; 41A.06, subdivisions 2, 4, and 5; 41A.07; 41A.08; 469.175, subdivision 2; and 474A.02,

subdivision 5a; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1988, sections 41A.02, subdivision 3; 41A.065; and 469.012, subdivision 5.

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

Kahn; Nelson; K.; Hasskamp; Pappas and Weaver introduced:

H. F. No. 1387, A bill for an act relating to education; prohibiting certain punishment in schools; providing for civil liability; proposing coding for new law in Minnesota Statutes, chapter 127.

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

Otis, Quinn, Stanius, Milbert and Tjornhom introduced:

H. F. No. 1388, A bill for an act relating to professional hockey games; imposing a civil penalty on team owners for player fights; proposing coding for new law as Minnesota Statutes, chapter 341A.

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

Sviggum and Waltman introduced:

H. F. No. 1389, A bill for an act relating to Goodhue county; permitting the county to establish certain payment procedures.

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

Gruenes, Dorn, Marsh, Pelowski and Girard introduced:

H. F. No. 1390, A bill for an act relating to education; appropriating money to purchase technology equipment.

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

Gruenes, Dorn, Henry, Pelowski and Girard introduced:

H. F. No. 1391, A bill for an act relating to education; authorizing academic scholarships for the top five percent of undergraduate

classes; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Conway, Onnen, Lynch, Wynia and Greenfield introduced:

H. F. No. 1392, A bill for an act relating to human services; expanding the powers and duties of the Minnesota council for the hearing impaired; adding staff; appropriating money; amending Minnesota Statutes 1988, section 256C.28, subdivisions 2, 3, and by adding subdivisions.

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

Milbert, Ozment, Price, Kahn and Pugh introduced:

H. F. No. 1393, A bill for an act relating to air pollution; requiring a fee for certain air emissions; requiring the adoption of rules; creating a metropolitan air quality monitoring fund; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Osthoff introduced:

H. F. No. 1394, A bill for an act relating to the capital area architectural and planning board; describing its area of operation; amending Minnesota Statutes 1988, section 15.50, subdivision 2.

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

Omann and Stanius introduced:

H. F. No. 1395, A bill for an act relating to game and fish; regulating the time when fish houses may be on the ice; amending Minnesota Statutes 1988, section 97C.355, subdivision 7.

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

Ogren; Munger; Carlson, D.; Simoneau and Johnson, V., introduced:

H. F. No. 1396, A bill for an act relating to natural resources; promoting Minnesota horticultural peat; appropriating money.

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

Orenstein; Carlson, L.; Popenhagen; Dorn and Jaros introduced:

H. F. No. 1397, A bill for an act relating to education; updating the language and procedures with respect to certain state university bonding authority; amending Minnesota Statutes 1988, section 136.31, subdivisions 3 and 5.

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

Pelowski introduced:

H. F. No. 1398, A bill for an act relating to housing; making provisions for manufactured home park security deposits; amending Minnesota Statutes 1988, section 327C.02, subdivision 2.

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

Pelowski introduced:

H. F. No. 1399, A bill for an act relating to education; authorizing transportation aid for pupils who are custodial parents and their children; appropriating money; amending Minnesota Statutes 1988, section 124.223.

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

Rukavina and Begich introduced:

H. F. No. 1400, A bill for an act relating to retirement; authorizing increases in benefits payable by the Virginia police relief association; amending Laws 1982, chapter 574, section 5, as amended.

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

Orenstein, Vellenga, Gutknecht and Boo introduced:

H. F. No. 1401, A bill for an act relating to health; requiring health maintenance organizations to accept as providers all pharmacies agreeing to contract terms; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Brown; Cooper; Nelson, C.; Wenzel and Dille introduced:

H. F. No. 1402, A bill for an act relating to county and district agricultural societies; exempting admission tickets from Minnesota sales tax; amending Minnesota Statutes 1988, section 297A.25, by adding a subdivision.

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

Knickerbocker introduced:

H. F. No. 1403, A bill for an act relating to retirement; Minnetonka volunteer firefighters relief association; authorizing a greater nonforfeitable percentage of accrued service pension with less than 20 years of service.

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

Otis; Munger; Kahn; Anderson, G., and Weaver introduced:

H. F. No. 1404, A bill for an act relating to environment; authorizing a label for environmentally-safe products; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

O'Connor introduced:

H. F. No. 1405, A bill for an act relating to liquor; requiring notice and hearing before liquor license fees are increased; amending Minnesota Statutes 1988, section 340A.408, by adding a subdivision.

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

Price and Kostohryz introduced:

H. F. No. 1406, A bill for an act relating to capital improvements; providing money to acquire open space in the city of Maplewood; authorizing sale of state bonds; appropriating money.

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

Carruthers, Skoglund and Pauly introduced:

H. F. No. 1407, A bill for an act relating to political subdivisions; permitting participation in risk retention groups; amending Minnesota Statutes 1988, section 471.981, by adding a subdivision.

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

Carruthers, Battaglia, Kalis, Onnen and McLaughlin introduced:

H. F. No. 1408, A bill for an act relating to metropolitan government; restructuring the regional transit board and the metropolitan transit commission; directing the board to plan and coordinate light rail transit systems in the metropolitan area; directing the commission to operate any light rail transit systems; transferring responsibility for distribution of the transit assistance fund and for receipt of federal grants to the board; amending Minnesota Statutes 1988, sections 174.32, subdivision 2; 473.169, subdivisions 3, 4, 5, and by adding subdivisions; 473.373, by adding a subdivision; 473.375, subdivision 8, and by adding a subdivision; 473.404, subdivisions 2 and 3; and 473.4051; repealing Minnesota Statutes 1988, sections 473.1691; 473.17; 473.373, subdivision 4; and 473.398.

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

Anderson, G., introduced:

H. F. No. 1409, A bill for an act relating to human services; establishing limits on general assistance benefit levels for new residents; amending Minnesota Statutes 1988, section 256D.06, subdivisions 1, 1c, and by adding a subdivision.

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

Battaglia, Ogren, Dorn and Onnen introduced:

H. F. No. 1410, A bill for an act relating to local government; the towns of Crystal Bay, Beaver Bay, and Stony River; the cities of Beaver Bay and Silver Bay, and Unorganized Territory No. 1; permitting the establishment of a medical clinic district.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Osthoff introduced:

H. A. No. 4, A proposal to study personnel systems for metropolitan agencies.

The advisory was referred to the Committee on Local Government and Metropolitan Affairs.

Cooper, Brown, Dille, Steensma and Kinkel introduced:

H. A. No. 5, A proposal to identify and make recommendations on challenges to rural Emergency Medical Services.

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

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. 387, A bill for an act relating to traffic regulations; exempting state patrol troopers from requirement of security barrier in marked state patrol vehicles; amending Minnesota Statutes 1988,

section 169.98, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 509, A bill for an act relating to the city of St. Peter; providing for a seven-member municipal hospital board and a nine-member economic development authority.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 29, A bill for an act relating to examiners of title; increasing number of deputy examiners of title in second and fourth judicial districts; amending Minnesota Statutes 1988, section 508.12, subdivision 3.

The Senate has appointed as such committee:

Ms. Reichgott; Messrs. Peterson, R. W., and Laidig.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 14 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

Abrams	Dawkins	Jennings	McGuire	Otis
Anderson, G.	Dempsey	Johnson, A.	McLaughlin	Ozment
Anderson, R.	Dille	Johnson, R.	McPherson	Pappas
Battaglia	Dorn	Johnson, V.	Miller	Pauly
Bauerly	Forsythe	Kahn	Morrison	Pellow
Beard	Frederick	Kalis	Munger	Peterson
Begich	Frerichs	Kelly	Murphy	Poppenhagen
Bennett	Girard	Kelso	Nelson, C.	Price
Bertram	Greenfield	Kinkel	Nelson, K.	Pugh
Bishop	Gruenes	Knickerbocker	Neuenschwander	Quinn
Blatz	Gutknecht	Kostohryz	O'Connor	Redalen
Boo	Hasskamp	Krueger	Ogren	Reding
Brown	Haukoos	Lasley	Olson, S.	Rest
Burger	Heap	Lieder	Olson, E.	Rice
Carlson, D.	Henry	Limmer	Olson, K.	Richter
Carlson, L.	Himle	Long	Omänn	Rodosovich
Carruthers	Hugoson	Lynch	Onnen	Rukavina
Conway	Jacobs	Macklin	Onenstein	Rumbeck
Cooper	Jaros	Marsh	Osthoff	Sarna
Dauner	Jefferson	McEachern	Ostrom	Schafer

Schreiber	Sparby	Tompkins	Wagenius	Winter
Seaberg	Stanus	Trimble	Waltman	Wynia
Segal	Steensma	Tunheim	Weaver	Spk. Vanasek
Simoneau	Sviggum	Uphus	Welle	
Skoglund	Swenson	Valento	Wenzel	
Solberg	Tjornhom	Vellenga	Williams	

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vellenga moved that the House concur in the Senate amendments to H. F. No. 27 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 27, A bill for an act relating to crimes; expanding the definition of "substantial bodily harm" in the crime of second degree assault of an unborn child to include premature birth; amending Minnesota Statutes 1988, section 609.2671.

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

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Blatz	Dawkins	Gutknecht	Jennings
Anderson, G.	Boo	Dempsey	Hasskamp	Johnson, A.
Anderson, R.	Brown	Dille	Haukoos	Johnson, R.
Battaglia	Burger	Dorn	Heap	Johnson, V.
Bauerly	Carlson, D.	Forsythe	Henry	Kahn
Beard	Carlson, L.	Frederick	Himle	Kalis
Begich	Carruthers	Frerichs	Hugoson	Kelly
Bennett	Conway	Girard	Jacobs	Kelso
Bertram	Cooper	Greenfield	Jaros	Kinkel
Bishop	Dauner	Gruenes	Jefferson	Knickerbocker

Kostohryz	Murphy	Pappas	Runbeck	Tompkins
Krueger	Nelson, C.	Pauly	Sarna	Trimble
Lasley	Nelson, K.	Pellow	Schafer	Tunheim
Lieder	Neuenschwander	Pelowski	Scheid	Uphus
Limmer	O'Connor	Peterson	Schreiber	Valento
Long	Ogren	Poppenhagen	Seaberg	Vellenga
Lynch	Olsen, S.	Price	Segal	Wagenius
Macklin	Olson, E.	Pugh	Simoneau	Waltman
Marsh	Olson, K.	Quinn	Skoglund	Weaver
McEachern	Omann	Redalen	Solberg	Welle
McGuire	Onnen	Reding	Sparby	Wenzel
McLaughlin	Orenstein	Rest	Stanius	Williams
McPherson	Osthoff	Rice	Steensma	Winter
Miller	Ostrom	Richter	Sviggum	Wynia
Morrison	Otis	Rodosovich	Swenson	Spk. Vanasek
Munger	Ozment	Rukavina	Tjornhom	

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

Mr. Speaker:

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

S. F. Nos. 104, 203, 264 and 126.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 104, A bill for an act relating to agriculture; making changes in the rural finance authority loan program; amending Minnesota Statutes 1988, sections 41B.02, subdivisions 12, 15, and 18; 41B.03, subdivision 3, and by adding a subdivision; 41B.039, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 41B; repealing Minnesota Statutes 1988, sections 41B.03, subdivision 4; and 41B.039, subdivisions 3, 4, and 5.

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

S. F. No. 203, A bill for an act relating to intoxicating liquor; authorizing an on-sale liquor license for the Minneapolis convention center, the Orpheum Theatre, and the State Theatre; amending Minnesota Statutes 1988, section 340A.404, subdivision 2; repealing Laws 1973, chapter 505.

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

S. F. No. 264, A bill for an act relating to health; requiring that health care providers timely furnish patient health records and reports; amending Minnesota Statutes 1988, section 144.335, subdivisions 2 and 3.

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

S. F. No. 126, A bill for an act relating to traffic regulations; providing for suspension of driver's license of certain persons failing to appear in court; setting a fee; amending Minnesota Statutes 1988, sections 169.92; 171.01, subdivision 13; and 171.20, subdivision 4.

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

CONSENT CALENDAR

H. F. No. 827, 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.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Jennings	McGuire	Otis
Anderson, G.	Dempsey	Johnson, A.	McLaughlin	Ozment
Anderson, R.	Dille	Johnson, R.	McPherson	Pappas
Battaglia	Dorn	Johnson, V.	Miller	Pauly
Bauerly	Forsythe	Kahn	Morrison	Pellow
Beard	Frederick	Kalis	Munger	Pelowski
Begich	Frerichs	Kelly	Murphy	Peterson
Bennett	Girard	Kelso	Nelson, C.	Poppenhagen
Bertram	Greenfield	Kinkel	Nelson, K.	Price
Bishop	Gruenes	Knickerbocker	Neuenschwander	Pugh
Blatz	Gutknecht	Kostohryz	O'Connor	Quinn
Boo	Hasskamp	Krueger	Ogren	Redalen
Brown	Haukoos	Lasley	Olsen, S.	Reding
Burger	Heap	Lieder	Olson, E.	Rest
Carlson, D.	Henry	Limmer	Olson, K.	Rice
Carlson, L.	Himle	Long	Omann	Richter
Carruthers	Hugoson	Lynch	Onnen	Rodosovich
Conway	Jacobs	Macklin	Orenstein	Rukavina
Cooper	Jaros	Marsh	Osthoff	Runbeck
Dauner	Jefferson	McEachern	Ostrom	Sarna

Schafer	Skoglund	Swenson	Valento	Wenzel
Scheid	Solberg	Tjornhom	Vellenga	Williams
Schreiber	Sparby	Tompkins	Wagenius	Winter
Seaberg	Stanius	Trimble	Waltman	Wynia
Segal	Steensma	Tunheim	Weaver	Spk. Vanasek
Simoneau	Sviggum	Uphus	Welle	

The bill was passed and its title agreed to:

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.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 243, A bill for an act relating to the department of revenue; recodifying information and disclosure provisions to in-

crease uniformity of treatment and comply with the data privacy act; amending Minnesota Statutes 1988, sections 60A.17, subdivision 20; 82.27, subdivision 7; 147.091, subdivision 7; 148.10, subdivision 5; 148B.06, subdivision 3; 150A.08, subdivision 9; 171.31; 176.186; 176.231, subdivision 9; 256.978; 270.052; 270.064; 270.66, subdivision 3; 270.72, subdivision 4; 270.73, subdivision 1; 270A.11; 290.081; 290.174; 290.371, subdivision 5; 290.50, subdivision 6; 290.523, subdivision 1; 290.91; 290.92, subdivisions 5a, 17, and 26; 290A.112, subdivision 1; 297A.07; 326.20, subdivision 4; and 469.173, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 270B; repealing Minnesota Statutes 1988, sections 13.70; 290.05, subdivision 7; 290.61; 290A.17; 291.48; and 297A.43.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 266, A bill for an act relating to taxation; making technical corrections and clarifications and administrative changes to premium taxes, cigarette taxes, sales taxes, motor vehicle excise taxes, gasoline and special fuel taxes, liquor taxes, marijuana and controlled substances taxes, lodging taxes, and the metropolitan solid waste landfill fee; providing for unmarked vehicles for use by

the department of revenue; providing for sales of unstamped tobacco products and liquor to Indian tribes; providing for cancellation of sales tax permits; repealing obsolete or unnecessary terms or provisions; repealing express company, freight line company, and sleeping car company gross earnings taxes; requiring notification of the commissioner prior to selling cigarettés at prices other than those presumed by law; amending Minnesota Statutes 1988, sections 16B.54, subdivision 2; 41A.09, subdivision 3; 69.011, subdivision 2; 69.54; 168.012, subdivision 1; 270.06; 270.60; 296.18, subdivision 1; 297.041, subdivisions 1, 2, and 4; 297A.06; 297A.17; 297A.20; 297A.21, subdivision 4; 297A.25, subdivisions 11 and 16; 297B.01, subdivision 5; 297B.02, subdivision 1; 297B.03; 297D.13, by adding a subdivision; 325D.32, subdivision 10; 325D.37, by adding a subdivision; 469.190, subdivision 1; 473.843, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 297, 297A, 297C, and 297D; repealing Minnesota Statutes 1988, sections 295.01, subdivisions 4, 5, 6, 7, and 8; 295.15; 295.21; 295.23; 295.24; 295.25; 295.27; 295.29; 295.30; 295.31; 297A.19; 297A.253; 477A.018; and 477A.019.

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

The bill was passed and its title agreed to.

H. F. No. 278, A bill for an act relating to highways; changing specific service signs to tourist-oriented directional signs; including certain types of businesses as tourist-oriented businesses; amending Minnesota Statutes 1988, section 160.292, subdivisions 2, 3, 4, and 10; 160.293; 160.294; 160.295; and 160.296.

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

The bill was passed and its title agreed to.

H. F. No. 306, A bill for an act relating to trusts; providing for their creation, validity, administration, and supervision; providing for the sale of real property; relating to legal estates in real and personal property; relating to estates; amending Minnesota Statutes 1988, sections 500.17, subdivision 2; and 502.73; proposing coding for new law as Minnesota Statutes, chapter 501B; proposing coding for new law in Minnesota Statutes, chapter 525; repealing Minnesota Statutes 1988, sections 500.13; 501.01; 501.02; 501.03; 501.04; 501.05; 501.06; 501.07; 501.08; 501.09; 501.10; 501.11; 501.115; 501.12; 501.125; 501.13; 501.14; 501.15; 501.155; 501.16; 501.17; 501.18; 501.19; 501.195; 501.20; 501.21; 501.211; 501.22; 501.23; 501.24; 501.25; 501.26; 501.27; 501.28; 501.29; 501.30; 501.31; 501.32; 501.33; 501.34; 501.35; 501.351; 501.36; 501.37; 501.38; 501.39; 501.40; 501.41; 501.42; 501.43; 501.44; 501.45; 501.46; 501.461;

501.48; 501.49; 501.50; 501.51; 501.52; 501.53; 501.54; 501.55; 501.56; 501.57; 501.58; 501.59; 501.60; 501.61; 501.62; 501.63; 501.64; 501.65; 501.66; 501.67; 501.71; 501.72; 501.73; 501.74; 501.75; 501.76; 501.77; 501.78; 501.79; 501.80; 501.805; 501.81; 501A.01; 501A.02; 501A.03; 501A.04; 501A.05; 501A.06; and 501A.07.

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

The bill was passed and its title agreed to.

H. F. No. 765, A bill for an act relating to the Western Lake Superior Sanitary District; authorizing the district to issue refunding obligations without redemption of outstanding obligations prior to maturity; amending Laws 1971, chapter 478, section 9a, subdivision 4, as added; and section 13, subdivision 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 862, A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1988, chapters 226; 230; 233; 234; 235; 236; and 366, as amended.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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. Redalen presided during a portion of the meeting of the Committee of the Whole. 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. 931, 603, 707, 774, 804 and 943 were recommended to pass.

S. F. Nos. 227 and 686 were recommended to pass.

H. F. No. 925 was recommended for progress until Monday, April 24, 1989.

H. F. No. 484 was recommended for re-referral to the Committee on Local Government and Metropolitan Affairs.

H. F. No. 630, the first engrossment, which it recommended to pass with the following amendment offered by Scheid:

Page 11, line 33, delete section 22 and insert:

“Sec. 22. Minnesota Statutes 1988, section 211A.05, subdivision 1, is amended to read:

Subdivision 1. [PENALTY.] A candidate who intentionally fails to file a report required by section 211A.02 is guilty of a misdemeanor. A member The treasurer of a committee that formed to promote or defeat a ballot question who intentionally fails to file a report required by section 211A.02 is guilty of a misdemeanor. Each

candidate or treasurer of a committee formed to promote or defeat a ballot question shall certify to the filing officer that all reports required by section 211A.02 have been submitted to the filing officer or that the candidate or committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification shall be submitted to the filing officer no later than seven days after the general or special election. The secretary of state shall prepare blanks for this certification. An officer who issues a certificate of election to a candidate with knowledge that the candidate's financial statement has not been filed who has not certified that all reports required by section 211A.02 have been filed is guilty of a misdemeanor.

H. F. No. 436, the first engrossment, which it recommended to pass with the following amendment offered by Onnen:

Page 2, line 5, after "legislature" insert "by February 1, 1990"

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

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

The question was taken on the motion to recommend passage of H. F. No. 707, the second engrossment, and the roll was called. There were 81 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Kalis	Olsen, S.	Scheid
Anderson, G.	Dauner	Kelso	Omamm	Schreiber
Anderson, R.	Dawkins	Kinkel	Osthoff	Seaberg
Battaglia	Dempsey	Knickerbocker	Pauly	Simoneau
Bauerly	Dorn	Kostohryz	Pellow	Solberg
Beard	Frederick	Krueger	Pelowski	Sparby
Begich	Frerichs	Lieder	Peterson	Stanius
Bennett	Girard	Lynch	Price	Sviggrum
Bertram	Gruenes	Macklin	Quinn	Swenson
Bishop	Heap	McEachern	Redalen	Tunheim
Blatz	Himle	McLaughlin	Reding	Uphus
Boo	Hugoson	McPherson	Rest	Valento
Brown	Jacobs	Morrison	Rodosovich	Welle
Carlson, L.	Jennings	Neuenschwander	Rukavina	Wenzel
Carruthers	Johnson, A.	O'Connor	Sarna	Williams
Conway	Johnson, V.	Ogren	Schafer	Winter
				Spk. Vanasek

Those who voted in the negative were:

Burger	Henry	Miller	Ozment	Steensma
Carlson, D.	Jefferson	Murphy	Pappas	Tjornhom
Clark	Johnson, R.	Nelson, K.	Poppenhagen	Tompkins
Dille	Kahn	Olson, E.	Pugh	Trimble
Forsythe	Lasley	Olson, K.	Rice	Vellenga
Greenfield	Limmer	Onnen	Richter	Wagenius
Gutknecht	Long	Orenstein	Runbeck	Waltman
Hasskamp	Marsh	Ostrom	Segal	Weaver
Haukoos	McGuire	Otis	Skoglund	Wynia

The motion prevailed.

MOTIONS AND RESOLUTIONS

Beard moved that the name of Swenson be added as an author on H. F. No. 61. The motion prevailed.

Lieder moved that his name be stricken as an author on H. F. No. 123. The motion prevailed.

Simoneau moved that the name of O'Connor be added as an author on H. F. No. 526. The motion prevailed.

Carlson, D., moved that the names of Kinkel; Battaglia; Johnson, R., and Jennings be added as authors on H. F. No. 695. The motion prevailed.

McLaughlin moved that the name of Clark be added as an author on H. F. No. 875. The motion prevailed.

Gruenes moved that the name of Frederick be added as an author on H. F. No. 879. The motion prevailed.

Krueger moved that the name of Bennett be added as an author on H. F. No. 910. The motion prevailed.

Dempsey moved that the name of Frederick be added as an author on H. F. No. 923. The motion prevailed.

Krueger moved that the names of Kahn, Abrams and Sparby be added as authors on H. F. No. 1240. The motion prevailed.

Quinn moved that the name of Lynch be added as an author on H. F. No. 1267. The motion prevailed.

Kinkel moved that the name of Clark be added as an author on H. F. No. 1269. The motion prevailed.

Clark moved that the name of Greenfield be added as an author on H. F. No. 1276. The motion prevailed.

Carruthers moved that the name of Weaver be added as an author on H. F. No. 1278. The motion prevailed.

Skoglund moved that the name of Clark be added as an author on H. F. No. 1286. The motion prevailed.

Wynia moved that the names of Segal and Clark be added as authors on H. F. No. 1288. The motion prevailed.

Marsh moved that the name of Hasskamp be added as an author on H. F. No. 1298. The motion prevailed.

Solberg moved that the name of Sparby be shown as chief author and that his name be shown as second author on H. F. No. 1310. The motion prevailed.

Kostohryz moved that the name of Segal be added as an author on H. F. No. 1334. The motion prevailed.

Munger moved that H. F. No. 417 be recalled from the Committee on Education and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Otis moved that H. F. No. 856 be recalled from the Committee on Economic Development and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Vellenga and Limmer introduced:

House Resolution No. 6, A house resolution congratulating South Dakota, the "Land of Infinite Variety," on its Centennial celebration.

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

ANNOUNCEMENT BY THE SPEAKER

Pursuant to rule 6.10, the Speaker announced the appointment of the following members of the House as alternates to the Committee on Ethics:

Vellenga and Seaberg.

ADJOURNMENT

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

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

EDWARD A. BURDICK, Chief Clerk, House of Representatives