

## STATE OF MINNESOTA

## SEVENTY-SIXTH SESSION—1989

## TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 30, 1989

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

Prayer was offered by the Reverend Joanne Perrin, Ordained Minister in the United Church of Christ and Chaplain for Good Neighbor Health Care Centers, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Anderson, G.; Dempsey; Hartle; Kostohryz; Osthoff and Pugh were excused.

Morrison was excused until 3:05 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Rodosovich moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

#### REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 489, 520, 1056, 630 and 436 and S. F. Nos. 126, 264, 203 and 104 have been placed in the members' files.

#### REPORTS OF STANDING COMMITTEES

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

H. F. No. 61, A bill for an act relating to human services; excluding payments for exposure to Agent Orange from eligibility determination for general assistance; exempting causes of action for damages from exposure to Agent Orange from state agency liens and subrogation; amending Minnesota Statutes 1988, sections 256.015, by adding a subdivision; 256D.03, subdivisions 3 and 8; and 256D.08, subdivision 1.

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

The report was adopted.

Otis from the Committee on Economic Development to which was referred:

H. F. No. 71, A bill for an act relating to economic development; authorizing counties to establish economic development authorities; amending Minnesota Statutes 1988, sections 469.090, by adding a subdivision; 469.091, subdivision 1, and by adding a subdivision; 469.092, subdivisions 1, 3, 4, and 5; 469.093, subdivision 1; 469.094, subdivisions 1, 2, and 3; 469.095; 469.097, subdivisions 3, 5, and 6; 469.099, subdivision 3; 469.100, subdivisions 2, 3, 4, 5, and 6; 469.101, subdivisions 1, 4, 15, and 16; 469.102, subdivisions 1, 2, 4, and 5; 469.103, subdivisions 1 and 6; 469.105, subdivisions 1 and 4; and 469.107.

Reported the same back with the following amendments:

Page 2, line 8, delete "that has"

Page 2, delete lines 9 and 10

Page 2, line 11, delete "section 469.091,"

Page 15, line 25, after the period insert "A county may not levy a tax under this subdivision in a city that has established a port authority under section 469.049 or a special law, a city economic development authority under section 469.091, or a housing and redevelopment authority under section 469.003, unless authorized by the governing body of the city."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

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

H. F. No. 110, A bill for an act relating to metropolitan government; prescribing the term of the chair of the metropolitan council; amending Minnesota Statutes 1988, section 473.123, subdivisions 2a and 4.

Reported the same back with the following amendments:

Page 2, line 26, after "2" insert "are effective for the term beginning January 1991 and"

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 185, A bill for an act relating to commerce; restraint of trade; providing an evidentiary presumption in resale price maintenance cases; proposing coding for new law in Minnesota Statutes, chapter 325D.

Reported the same back with the following amendments:

Page 1, line 14, delete "in response to this communication"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 245, A bill for an act relating to environment; exempting generators of small amounts of hazardous waste from administrative regulation; amending Minnesota Statutes 1988, section 116.07, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 116.07, subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste and

sewage sludge for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

The pollution control agency shall adopt standards for the identification of hazardous waste and for the management, identification, labeling, classification, storage, collection, transportation, processing, and disposal of hazardous waste, recognizing that due to variable factors, a single standard of hazardous waste control may not be applicable to all areas of the state. In adopting standards, the pollution control agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing

physical conditions, topography, soils, and geology, climate, transportation and land use. Standards of hazardous waste control shall be premised on technical knowledge, and commonly accepted practices. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the pollution control agency.

A person who generates less than 100 kilograms of hazardous waste per month is exempt from the agency hazardous waste rules relating to transportation, manifesting, storage, and labeling for photographic fixer and X-ray negative wastes that are hazardous solely because of silver content. Nothing in this paragraph exempts the generator from the agency's rules relating to on-site accumulation or outdoor storage. A political subdivision or other local unit of government may not adopt management requirements that are more restrictive than this paragraph."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 391, A bill for an act relating to peace officers; providing eligibility for death benefits for certain fire and rescue unit members and other first responders; amending Minnesota Statutes 1988, section 176B.01, subdivision 2.

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

The report was adopted.

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

H. F. No. 428, A bill for an act relating to public safety; transferring duties and powers relating to emergency medical services from the department of health to the department of public safety; instructing the revisor; amending Minnesota Statutes 1988, sections 144.801, subdivision 3; 144.802, subdivision 1; 144.804, subdivisions 1 and 5; and 144.8093, subdivisions 2 and 4.

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

The report was adopted.

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

H. F. No. 432, A bill for an act relating to state agencies; providing for the development of internal auditing standards and requiring a report to the legislature and the governor on progress made; providing for the classification of certain internal auditing data as confidential data on individuals, protected nonpublic data, or private data on individuals; requiring the commissioner to coordinate development and develop standards for internal auditing and report on progress; amending Minnesota Statutes 1988, section 16A.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13.

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

The report was adopted.

Otis from the Committee on Economic Development to which was referred:

H. F. No. 485, A bill for an act relating to resource development; establishing a legislative commission on minerals; appropriating money.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1988, section 116J.61, is amended to read:

116J.61 [ADDITIONAL POWERS AND DUTIES.]

The commissioner shall:

(1) have control of the work of carrying on a continuous program of education for business people;

(2) publish, disseminate, and distribute information and statistics;

(3) promote and encourage the expansion and development of markets for Minnesota products and resources. This may include the establishment of industry specialist positions whose purposes are to promote and encourage the development of specific industries or sectors of the state's economy. These industries or sectors may include forestry and forest products, medical technology, minerals, and electronics and computers;

(4) promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose cooperate with state and local agencies and individuals, both within and outside the state;

(5) advertise and disseminate information as to natural resources, desirable locations, and other advantages for the purpose of attracting business to locate in this state;

(6) aid the various communities in this state in getting business to locate therein;

(7) advise and cooperate with municipal, county, regional, and other planning agencies and planning groups within the state for the purpose of promoting coordination between the state and localities as to plans and development in order to maintain a high level of gainful employment in private profitable production and achieve commensurate advancement in social and cultural welfare; coordinate the activities of statewide and local planning agencies, correlate information secured from them and from state departments and disseminate information and suggestions to the planning agencies; and encourage and assist in the organization and functioning of local planning agencies where none exist; and may provide at the request of any governmental subdivision hereinafter mentioned planning assistance, which includes but is not limited to surveys, land use studies, urban renewal plans, technical services and other planning work to any city or other municipality in the state or perform similar planning work in any county, metropolitan or regional area in the state. The commissioner shall not perform the planning work with respect to a metropolitan or regional area which is under the jurisdiction for planning purposes of a county, metropolitan, regional or joint planning body, except at the request or with the consent of the respective county, metropolitan, regional or joint planning body. The commissioner is authorized to receive and expend money from municipal, county, regional and other planning agencies; and may accept and disburse grants and other aids for planning purposes from the federal government and from other public or private sources, and may utilize moneys so received for the employment of consultants and other temporary personnel to assist in the supervision or performance of planning work supported by money other than state appropriated money, and may enter into contracts with agencies of the federal government, units of local government or combinations thereof, and with private persons that are necessary in the performance of the planning assistance function of the commissioner. The commissioner may assist any local government unit in filling out application forms for the federal grants-in-aid. In furtherance of their planning functions, any city or town, however organized, may expend money and contract with agencies of the federal government, appropriate departments of state government, other local units of government and with private persons; and



(8) adopt measures calculated to promote public interest in and understanding of the problems of planning and, to that end, may publish and distribute copies of any plan or any report and may employ other means of publicity and education that will give full effect to the provisions of sections 116J.58 to 116J.63.”

Page 3, after line 14, insert:

“Sec. 4. [APPROPRIATION.]

\$ . . . . . is appropriated from the general fund to the commissioner of trade and economic development for an industry specialist position for the minerals industry.”

Page 3, line 15, after “APPROPRIATION” insert “; COMMISSION”

Page 3, after line 17, insert:

“Sec. 6. [APPROPRIATION; MINERALS DIVERSIFICATION PROGRAM.]

\$1,700,000 is appropriated from the general fund to the commissioner of natural resources to fund the programs and activities recommended by the Minnesota minerals coordinating committee as part of the Minnesota minerals diversification biennial fund plan.”

Page 3, line 19, delete “1 to 3” and insert “2 to 6”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, before the period insert “; amending Minnesota Statutes 1988, section 116J.61”

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 493, A bill for an act relating to education; requiring a pupil to stay in a school for one year under open enrollment; amending Minnesota Statutes 1988, section 123.3515.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 120.062, subdivision 4, is amended to read:

Subd. 4. [PUPIL APPLICATION PROCEDURES.] In order that a pupil may attend a school or program in a nonresident district, the pupil's parent or guardian must submit an application to the nonresident district. Before submitting an application, the pupil and the pupil's parent or guardian must explore with a school guidance counselor, or other appropriate staff member employed by the pupil's resident district, the pupil's academic or other reason for applying to enroll in a nonresident district. The pupil's application must identify the reason for enrolling in the nonresident district. The parent or guardian of a pupil residing in a district that does not have a desegregation plan approved by the state board of education must submit an application by January 1 for enrollment during the following school year. The parent or guardian of a pupil residing in a district that has a desegregation plan approved by the state board of education may apply to a district at any time. The application shall be on a form provided by the department of education. A particular school or program may be requested by the parent.

Sec. 2. Minnesota Statutes 1988, section 120.062, subdivision 6, is amended to read:

Subd. 6. [NONRESIDENT DISTRICT PROCEDURES.] ~~Within 60 days of receiving an application,~~ A district that does not exclude nonresident pupils, according to subdivision 3, shall notify the parent or guardian ~~and the resident district~~ in writing by February 1 whether the application has been accepted or rejected. If an application is rejected, the district must state in the notification the reason for rejection. The parent or guardian shall notify the nonresident district by February 15 that the pupil will enroll in the nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil to attend the nonresident district during the following school year, unless the superintendents in the resident and the nonresident districts agree in writing to allow the pupil to transfer back to the resident district, or the pupil's parents or guardians change residence to another district. The nonresident district shall notify the resident district by March 1 of the pupil's intent to enroll in the nonresident district. The same procedures apply to a pupil who applies to transfer from one participating nonresident district to another participating nonresident district.

Sec. 3. Minnesota Statutes 1988, section 120.062, is amended by adding a subdivision to read:

Subd. 13. [ATHLETIC PARTICIPATION.] If a pupil enrolls in a

nonresident district under this section, the pupil is ineligible to participate in the extracurricular varsity athletic activities of the nonresident district for one school year. During that year of ineligibility in the nonresident district, the pupil remains eligible to participate in the extracurricular varsity athletic activities of the pupil's resident district, or in the extracurricular varsity athletic activities of the nonpublic school the pupil attended prior to enrolling in a public school under this section. After the year of ineligibility expires, the pupil is eligible to participate in the extracurricular varsity athletic activities of the nonresident district and is no longer eligible to participate in the extracurricular varsity athletic activities of the resident district or nonpublic school. The same restrictions apply to a pupil who transfers from one participating nonresident district to another participating nonresident district.

The superintendents in the resident and nonresident districts may agree in writing to allow a nonresident pupil to participate in the extracurricular varsity athletic activities of the nonresident district during the year of ineligibility if the pupil demonstrates that the distance the pupil must travel between the resident and nonresident district prevents the pupil from participating in the extracurricular varsity athletic activities of the resident district.

#### Sec. 4. [REPORT.]

The commissioner of education shall provide an interim report to the education committees of the legislature by February 1, 1990, describing the experiences of parents, pupils, and school districts with the enrollment options program. The commissioner shall provide a final report to the committees by February 1, 1991, evaluating experiences of parents, pupils, and school districts with the program.

#### Sec. 5. [REPEALER.]

Minnesota Statutes 1988, section 120.062, subdivision 8, is repealed effective for the 1989-1990 school year.

#### Sec. 6. [EFFECTIVE DATES.]

Sections 1 and 2 are effective for the 1990-1991 school year and thereafter. Sections 3 and 4 are effective for the 1989-1990 school year and thereafter."

Delete the title and insert:

"A bill for an act relating to education; requiring a pupil to identify reasons for enrolling in a nonresident district under the enrollment options program; providing a resident district with

notice of a pupil's participation under the program; restricting transfers; restricting participation in extracurricular varsity athletic activities in a nonresident district; amending Minnesota Statutes 1988, section 120.062, subdivisions 4, 6, and by adding a subdivision; repealing Minnesota Statutes 1988, section 120.062, subdivision 8."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 529, A bill for an act relating to local government; permitting counties, cities, and towns to contribute to certain hospitals; amending Minnesota Statutes 1988, section 376.09; proposing coding for new law in Minnesota Statutes, chapter 465.

Reported the same back with the following amendments:

Page 1, line 22, after "nonprofit" insert "or public"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 593, A bill for an act relating to occupations and professions; providing for a uniform electrical violation ticket; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the following amendments:

Page 1, delete lines 17 to 19 and insert "The uniform electrical violation ticket shall state that if the defendant fails to appear in court in response to the ticket, an arrest warrant may be issued.  
The"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 598, A bill for an act relating to juveniles; authorizing county welfare boards to collect fees for court-ordered treatment; amending Minnesota Statutes 1988, section 260.251, subdivision 1.

Reported the same back with the following amendments:

Page 2, delete line 24, and insert "department of human services, in consultation with county social service departments."

Page 2, line 25, delete "commissioner of human services."

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

The report was adopted.

Otis from the Committee on Economic Development to which was referred:

H. F. No. 607, A bill for an act relating to economic development; establishing a toll free provider referral system for small businesses; amending Minnesota Statutes 1988, section 116J.68, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1  
TECHNICAL ASSISTANCE

Section 1. Minnesota Statutes 1988, section 116J.58, subdivision 1, is amended to read:

Subdivision 1. [ENUMERATION.] The commissioner shall:

(1) investigate, study, and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Minnesota business, industry, and commerce, within and outside the state;

(2) locate markets for manufacturers and processors and aid merchants in locating and contacting markets;

(3) investigate and study conditions affecting Minnesota business, industry, and commerce and collect and disseminate information, and engage in technical studies, scientific investigations, and sta-

tistical research and educational activities necessary or useful for the proper execution of the powers and duties of the commissioner in promoting and developing Minnesota business, industry, and commerce, both within and outside the state;

(4) plan and develop an effective business information service both for the direct assistance of business and industry of the state and for the encouragement of business and industry outside the state to use economic facilities within the state;

(5) compile, collect, and develop periodically, or otherwise make available, information relating to current business conditions;

(6) conduct or encourage research designed to further new and more extensive uses of the natural and other resources of the state and designed to develop new products and industrial processes;

(7) study trends and developments in the industries of the state and analyze the reasons underlying the trends; study costs and other factors affecting successful operation of businesses within the state; and make recommendations regarding circumstances promoting or hampering business and industrial development;

(8) serve as a clearing house for business and industrial problems of the state; and advise small business enterprises regarding improved methods of accounting and bookkeeping;

(9) cooperate with interstate commissions engaged in formulating and promoting the adoption of interstate compacts and agreements helpful to business, industry, and commerce;

(10) cooperate with other state departments, and with boards, commissions, and other state agencies, in the preparation and coordination of plans and policies for the development of the state and for the use and conservation of its resources insofar as the use, conservation, and development may be appropriately directed or influenced by a state agency;

(11) assemble and coordinate information relative to the status, scope, cost, and employment possibilities and the availability of materials, equipment, and labor in connection with public works projects, state, county, and municipal; recommend limitations on the public works; gather current progress information with reference to public and private works projects of the state and its political subdivisions with reference to conditions of employment; inquire into and report to the governor, when requested by the governor, with respect to any program of public state improvements and the financing thereof; and request and obtain information from other state departments or agencies as may be needed properly to report thereon;

(12) study changes in population and current trends and prepare plans and suggest policies for the development and conservation of the resources of the state;

(13) confer and cooperate with the executive, legislative, or planning authorities of the United States and neighboring states and of the counties and municipalities of such neighboring states, for the purpose of bringing about a coordination between the development of such neighboring states, counties, and municipalities and the development of this state;

(14) generally, gather, compile, and make available statistical information relating to business, trade, commerce, industry, transportation, communication, natural resources, and other like subjects in this state, with authority to call upon other departments of the state for statistical data and results obtained by them and to arrange and compile that statistical information in a manner that seems wise;

(15) publish documents and annually convene regional meetings to inform businesses, local government units, assistance providers, and other interested persons of changes in state and federal law related to economic development; and

(16) annually convene conferences of providers of economic development related financial and technical assistance for the purposes of exchanging information on economic development assistance, coordinating economic development activities, and formulating economic development strategies.

Sec. 2. Minnesota Statutes 1988, section 116J.68, subdivision 2, is amended to read:

Subd. 2. The bureau shall:

(a) provide information and assistance with respect to all aspects of business planning and business management related to the start-up, operation, or expansion of a small business in Minnesota;

(b) refer persons interested in the start-up, operation, or expansion of a small business in Minnesota to assistance programs sponsored by federal agencies, state agencies, educational institutions, chambers of commerce, civic organizations, community development groups, private industry associations, and other organizations;

(c) plan, develop, and implement a master file of information on small business assistance programs of federal, state, and local governments, and other public and private organizations so as to provide comprehensive, timely information to the bureau's clients;

(d) (c) employ staff with adequate and appropriate skills and education and training for the delivery of information and assistance;

(e) (d) seek out and utilize, to the extent practicable, contributed expertise and services of federal, state, and local governments, educational institutions, and other public and private organizations;

(f) (e) maintain a close and continued relationship with the director of the procurement program within the department of administration so as to facilitate the department's duties and responsibilities under sections 16B.19 to 16B.22 relating to the small business set aside program of the state;

(g) (f) develop an information system which will enable the commissioner and other state agencies to efficiently store, retrieve, analyze, and exchange data regarding small business development and growth in the state. All executive branch agencies of state government and the secretary of state shall to the extent practicable, assist the bureau in the development and implementation of the information system;

(h) establish and maintain a toll free telephone number so that all small business persons anywhere in the state can call the bureau office for assistance. An outreach program shall be established to make the existence of the bureau well known to its potential clientele throughout the state;

(i) (g) conduct research and provide data as required by state legislature;

(j) (h) develop and publish material on all aspects of the start-up, operation, or expansion of a small business in Minnesota;

(k) (i) collect and disseminate information on state procurement opportunities, including information on the procurement process;

(l) (j) develop a public awareness program through the use of newsletters, personal contacts, and electronic and print news media advertising about state assistance programs for small businesses, including those programs specifically for socially disadvantaged small business persons;

(m) (k) publicize to small businesses the provisions of Laws 1983, chapter 188, requiring section 14.115 which requires consideration of small business issues in state agency rulemaking; and

(n) enter into agreements with the federal government and other public and private entities to serve as the statewide coordinator or



host agency for the federal small business development center program under United States Code, title 15, section 648.

Sec. 3. Minnesota Statutes 1988, section 116J.68, is amended by adding a subdivision to read:

Subd. 5. [BUSINESS ASSISTANCE REFERRAL SYSTEM.] The bureau shall develop and administer a referral system for persons interested in the start-up, operation, or expansion of small business in Minnesota. The bureau in establishing the system must at least do the following:

(1) create and continually update a data base which includes technical assistance and financial assistance providers or programs sponsored by federal agencies, state agencies, educational institutions, chambers of commerce, civic organizations, community development groups, local governments, private industry associations, and other organizations and individuals that provide assistance;

(2) establish and maintain a toll-free telephone number operated by trained staff familiar with the referral system and data base;

(3) maintain a marketing and outreach program informing persons interested in starting, operating, or expanding small business and assistance providers of the bureau and the business assistance referral system;

(4) establish an evaluation mechanism to determine if assistance providers have adequate expertise and resources to deliver quality services. Evaluation of assistance providers may be based on the ability of the provider to offer the advertised service, the training and experience of the provider, and the formal evaluation process used by the provider;

(5) assist providers in the evaluation of their programs and the assessment of their service area needs; and

(6) establish, where possible, regional data bases and referral systems.

Sec. 4. [ECONOMIC DEVELOPMENT ASSISTANCE PROVISION STUDY.]

The commissioner of trade and economic development shall study the current statewide system of providing economic development related assistance services to businesses and individuals interested in starting a business. The study must address the following:

(1) the types of assistance services currently provided in the state;

(2) the agencies or other entities that provide the services in clause (1);

(3) whether there is duplication of assistance services in specific regions of the state;

(4) the mechanisms that are in place to evaluate the services and the service providers;

(5) the mechanisms that are in place to coordinate the provision of assistance services among providers;

(6) factors that might impede the adequate evaluation and coordination of services;

(7) the current strategies or policies that govern the overall economic development system in the state; and

(8) recommendations to improve the evaluation and coordination of economic development related assistance services in the state. The commissioner may request the assistance of other state agencies, local government units, and other entities involved in economic development in the state to prepare this study.

The commissioner must submit a report to the governor and legislature by January 15, 1990, that contains the results of the study and recommendations to improve the overall provision of economic development related services in the state.

#### Sec. 5. [APPROPRIATION.]

Subdivision 1. \$260,000 is appropriated from the general fund for the biennium ending June 30, 1991, to the commissioner of trade and economic development for the business assistance information system established in section 3.

Subd. 2. \$250,000 is appropriated from the general fund for the biennium ending June 30, 1991, to the commissioner of trade and economic development for the statewide coordination and host agency duties of the federal small business development center program under section 2.

### ARTICLE 2

#### CAPITAL ACCESS PROGRAM

#### Section 1. [116J.876] [DEFINITIONS.]

Subdivision 1. [TERMS.] For the purposes of sections 1 to 11, the terms defined in this section have the meanings given them.

Subd. 2. [AGREEMENT.] "Agreement" means an agreement between a lender and the commissioner under which a lender may participate in the program.

Subd. 3. [BORROWER.] "Borrower" means the recipient of a loan which is, has been, or will be filed by the lender for enrollment under the program and meets the following requirements:

(1) the borrower is a corporation, partnership, joint venture, sole proprietorship, cooperative, or other entity, whether profit or non-profit, which is authorized to conduct business in the state; and

(2) the borrower is not an executive officer, director, or principal shareholder of the lender, or a member of the immediate family of an executive officer, director, or principal shareholder of the lender, or an entity controlled by an executive officer, director, principal shareholder, or member of the immediate family.

Subd. 4. [CAPITAL ACCESS ACCOUNT; ACCOUNT.] "Capital access account" or "account" means the account created in section 11.

Subd. 5. [CLAIM.] "Claim" means any claim filed by the lender under section 7.

Subd. 6. [COMMISSIONER.] "Commissioner" means the commissioner of trade and economic development.

Subd. 7. [EARLY LOAN.] "Early loan" means an enrolled loan where at the time of enrollment the amount of previously enrolled loans made by the lender under the program was less than \$5,000,000.

Subd. 8. [ELIGIBLE LOAN.] "Eligible loan" means a loan made by the lender to a borrower that meets the requirements of section 4.

Subd. 9. [ENROLLED LOAN.] "Enrolled loan" means a loan enrolled by the commissioner under the terms of section 5.

Subd. 10. [LENDER.] "Lender" means a financial institution as defined in section 13A.01, subdivision 2, that has entered into an agreement with the commissioner to participate in the program.

Subd. 11. [PASSIVE REAL ESTATE OWNERSHIP.] "Passive real estate ownership" means ownership of real estate for the purpose of deriving income from speculation, trade, or rentals, except that the term does not include (1) the ownership of that portion of real estate being used or intended to be used for the operation of the business of the owner of the real estate; or (2) ownership of real estate for the

purpose of construction or renovation until the completion of the construction or renovation phase.

Subd. 12. [PROGRAM.] "Program" means the capital access program created by sections 1 to 11.

Subd. 13. [RESERVE FUND.] "Reserve fund" means an administrative account maintained by the commissioner for funds accumulated under an agreement with the commissioner to cover losses sustained by the lender on enrolled loans.

Sec. 2. [116J.8761] [CAPITAL ACCESS PROGRAM; CREATION; ADMINISTRATION.]

A capital access program is created in the department of trade and economic development. The purpose of the capital access program is to provide capital to businesses, particularly small and medium sized businesses, to foster economic development. Loans made under this program are to be slightly riskier than conventional loans, but still offer a high degree of soundness in connection with the capital access program.

The commissioner has the power to administer the program, enter into contracts, and take action reasonably necessary to ensure compliance with the program. The lender shall provide the commissioner with information regarding its participation in the program as the commissioner may reasonably require. Upon notice to the lender, the commissioner may inspect the files of the lender relating to any loans enrolled under the program during normal business hours of the lender.

A lender is eligible to participate in the program upon entering into an agreement with the commissioner governing the duties of the commissioner and the lender under the program.

Sec. 3. [116J.8762] [COMMISSIONER; DUTIES.]

Subdivision 1. [DUTIES.] The commissioner must:

(1) market the capital access program to businesses and other persons in the state in cooperation with financial institutions and statewide associations representing financial institutions;

(2) establish a reservation or allocation system so that lenders may reserve an allocation of funds in the account before or after the lender enters into a loan agreement or contract with a borrower; and

(3) develop the program, in cooperation with financial institutions and statewide associations representing financial institutions, so that the degree of flexibility for the commissioner and the partici-

pating lenders is maximized and the state oversight of individual loans is minimized, and the fiscal integrity of the program is maintained.

Subd. 2. [INTERESTS OF COMMISSIONER.] Except upon the exercise of the commissioner's right of subrogation under section 8, the commissioner has no legal or equitable interest in any collateral, security, or other right of recovery in connection with any loan enrolled in the program, and the commissioner's consent is not necessary for any amendment to the lender's loan documents.

Sec. 4. [116J.8763] [ELIGIBLE LOANS.]

Subdivision 1. [LOAN TYPES.] Eligible loans may include:

- (1) loans made for industrial, commercial, or agricultural purposes;
- (2) refinancing of loans made for the purposes in clause (1); and
- (3) lines of credit agreements established between the lender and borrower which are used for the purposes in clause (1).

Subd. 2. [LOAN RESTRICTIONS.] Eligible loans must meet the following criteria:

- (1) the lender has not made the loan in order to enroll in the program prior debt which is not covered under the program and which is or was owed by the borrower to the lender;
- (2) the proceeds of the loan will not be used for that portion of a project or development devoted to housing;
- (3) the proceeds of the loan will not be used to finance passive real estate ownership; and
- (4) the proceeds of the loan will be used to finance a project or enterprise located within this state which will foster economic development in Minnesota.

Subd. 3. [LOAN PROVISIONS.] An eligible loan may provide for an interest rate, fees, and other terms and conditions as the lender and borrower may agree. If the loan amount to be borrowed is determined by a commitment agreement that establishes a line of credit, the amount of the loan is the maximum amount available to the borrower under the agreement.

Sec. 5. [116J.8764] [ENROLLMENT OF LOANS IN PROGRAM.]

Subdivision 1. [FILING REQUIREMENTS.] (a) To enroll a loan under this program, the lender must file a completed loan enrollment form with the commissioner. The lender must also certify the following to the commissioner as part of the filing:

(1) the lender has no substantial reason to believe that the loan is being made to a borrower who does not meet the requirements of section 1, subdivision 3;

(2) that the lender has received from the borrower a written representation, warranty, pledge, and waiver stating that the borrower has no legal, beneficial, or equitable interest in the nonrefundable premium charges or any other funds credited to the reserve fund established to cover losses sustained by the lender on enrolled loans;

(3) the loan being filed for enrollment is an eligible loan under section 4; and

(4) premium changes required of the borrower and lender under section 5 have been deposited in the reserve fund.

(b) The lender shall file the loan enrollment form within ten business days after the lender makes the loan. The date on which the lender makes a loan is the date on which the lender first disburses proceeds of the loan to the borrower or an earlier date on which the loan documents have been executed and the lender has obligated itself to disburse proceeds of the loan. The filing date of a loan enrollment form is the date on which the lender delivers the required documentation to the commissioner, delivers it to a professional courier service for delivery to the commissioner, or mails it to the commissioner by certified mail.

Subd. 2. [COMMISSIONER ENROLLMENT; ACKNOWLEDGMENT.] When the commissioner receives the loan enrollment form, the commissioner shall enroll the loan, unless the information provided under subdivision 1 indicates that the loan is not an eligible loan, and shall deliver to the lender within five business days of receipt an acknowledgment of enrollment, signed by the commissioner or designee, including documentation of the amount being transferred by the commissioner into the reserve fund under section 5.

Subd. 3. [AMOUNT COVERED.] When filing a loan enrollment form, the lender may specify an amount to be covered under the program. The amount may be less than the total amount of the loan. Unless the context clearly requires otherwise, when used in connection with a loan or loans, the words "amount" and "proceeds" refer only to the amount covered under the agreement.

Subd. 4. [AMOUNT COVERED IN REFINANCINGS.] (a) In the case of a loan to refinance a loan previously made to the borrower by the lender that was not enrolled under the program, the lender may obtain coverage under the program for an amount not exceeding the amount of additional financing.

(b) If an enrolled loan is refinanced and the total amount to be covered under the program does not exceed the covered amount of the loan as previously enrolled, the refinanced loan may continue as an enrolled loan without payment of additional premium charges or transfers by the commissioner to the reserve fund.

(c) If an enrolled loan is refinanced in an amount exceeding the amount of the loan as previously enrolled, the lender may obtain coverage of the amount of the refinanced loan that exceeds the amount covered when the loan was previously enrolled by refiling the loan for enrollment under subdivision 1.

(d) Fluctuations in the outstanding balance of a line of credit, without increasing the enrolled amount under the program, are not a refinancing of the loan.

Subd. 5. [TERMINATION OF ENROLLMENT.] If the outstanding balance of an enrolled loan which is not a line of credit is reduced to zero, the loan is no longer an enrolled loan. If an enrolled loan which is a line of credit has an outstanding balance of zero for a 12-month period, the line of credit is no longer an enrolled loan, unless, before the expiration of the 12-month period, the lender reaffirms in writing to the borrower that the line of credit will remain open and the borrower acknowledges the reaffirmation in writing.

#### Sec. 6. [116J.8765] [RESERVE FUND; PREMIUMS.]

Subdivision 1. [CREATION.] Upon execution of an agreement between the lender and the commissioner, the commissioner shall establish a reserve fund account with the lender in the name of the commissioner for the purpose of receiving all required premium charges to be paid by the lender and the borrower and transfers made by the commissioner under sections 1 to 11.

Subd. 2. [PREMIUM PAYMENTS AND TRANSFERS TO RESERVE FUND.] The premium charges payable to the reserve fund by the lender and the borrower in connection with a loan filed for enrollment are determined by the lender. The premium paid by the borrower may not be less than 1.5 percent nor greater than 3.5 percent of the amount of the loan. The premium paid by the lender shall be equal to the amount of the premium paid by the borrower. The lender may recover from the borrower the cost of the lender's premium payment, in any manner in which the lender and borrower agree. When enrolling a loan, the commissioner shall transfer into

the reserve fund from the account premium amounts determined as follows:

(a) If the amount of any loan, plus the amount of loans previously enrolled by the lender, is less than \$2,000,000, the premium amount transferred must be equal to 150 percent of the combined premiums paid into the reserve fund by the borrower and the lender for each enrolled loan.

(b) If, prior to the enrollment of the loan, the amount of loans previously enrolled by the lender equals or exceeds \$2,000,000, the premium amount transferred must be equal to the combined premiums paid into the reserve fund by the borrower and the lender for each enrolled loan.

(c) If the amount of loans previously enrolled by the lender is less than \$2,000,000, but the enrollment of a loan will cause the aggregate amount of all enrolled loans made by the lender to exceed \$2,000,000, the premium amount transferred must be equal to a percentage of the combined amount paid by the lender and the borrower. The percentage must be determined by (1) multiplying by 150 that portion of the loan which when added to the amount of all previously enrolled loans totals \$2,000,000, (2) multiplying the balance of the loan by 100, and (3) adding the products of the two amounts and dividing the sum by the total amount of the loan.

Subd. 3. [LIMITATION OF TRANSFERS.] A maximum premium amount of \$150,000 may be transferred into the reserve funds of all lenders participating in the program by the commissioner over any three-year period in connection with any one borrower or any group of borrowers among which a common enterprise exists. This maximum premium amount may be exceeded upon the written request by a lender only if the commissioner approves in writing the transfer of an amount in excess of \$150,000. For the purpose of this subdivision, the term "common enterprise" has the meaning given it in Code of Federal Regulations, title 12, section 32, as amended.

Subd. 4. [CONTROL AND INVESTMENT OF RESERVE FUND.] (a) All money credited to the reserve fund is under the exclusive control of the commissioner. The commissioner may not withdraw money from the reserve fund except as specifically provided in this subdivision and sections 7 and 9.

(b) Money in the reserve fund must be deposited by the commissioner in an account with the lender unless the commissioner determines that the lender is not in substantial compliance with the requirements of the agreement. If money in the reserve fund is not deposited by the commissioner in an account with the lender, it must be invested or reinvested by the commissioner in (1) direct obligations of the United States or the state of Minnesota or in obligations the principal and interest of which are unconditionally



guaranteed by the United States or the state of Minnesota, or (2) a deposit account at a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(c) Interest or income earned on the money credited to the reserve fund is part of the reserve fund. The commissioner may withdraw at any time from the reserve fund 50 percent of all interest or income that has been credited to the reserve fund, except that after the first withdrawal the commissioner may not withdraw more than 50 percent of all interest or income that has been credited to the reserve fund since the time of the last withdrawal. Any withdrawal made under this subdivision may be made prior to paying any claim. None of the amounts withdrawn need to be transferred back to the reserve fund. Any withdrawal under this subdivision must be credited in the capital access account.

Subd. 5. [PLEDGE OF THE RESERVE FUND.] The commissioner shall pledge to the lender that the money in the reserve fund will be available to pay claims under section 7, that the lender will have a first security interest in the money in the reserve fund to pay the claims, and that the commissioner will not encumber or pledge the money to any other party.

Subd. 6. [QUARTERLY REPORTS; INSPECTIONS.] (a) If the reserve fund is not maintained with the lender, the commissioner shall provide to the lender quarterly transaction reports indicating the balance in the reserve fund, payments and transfers into the reserve fund, withdrawals from the reserve fund, and interest or income earned on money credited to the reserve fund.

(b) The records of the commissioner with respect to all payments and transfers into the reserve fund, withdrawals from the reserve fund, and interest or income earned on the money credited to the reserve fund, are available to the lender at the offices of the commissioner during normal business hours.

Sec. 7. [116J.8766] [CLAIMS BY LENDER TO RESERVE FUND.]

Subdivision 1. [CLAIM PROCESS.] (a) If the lender charges off all or part of an enrolled loan, the lender may file a claim with the commissioner. The claim must be filed contemporaneously with the charge-off.

(b) The lender's claim may include, in addition to the amount of principal charged off plus accrued interest, documented out-of-pocket expenses incurred in pursuing its collection efforts, including preservation of collateral. The amount of principal and accrued interest included in the claim may not exceed the principal amount covered under the program upon enrollment, plus accrued interest attributable to the covered principal amount.

(c) The lender shall determine when and how much to charge off on an enrolled loan in a manner consistent with its normal method for making these determinations on similar loans which are not enrolled loans.

(d) If the lender files two or more claims contemporaneously and there are insufficient funds in its reserve fund at that time to cover the entire amount of the claims, the lender may designate the order of priority in which the commissioner shall pay the claims.

Subd. 2. [DISBURSEMENT OF RESERVE FUND.] (a) Upon receipt by the commissioner of a claim filed by the lender, the commissioner shall, within ten business days, pay or authorize the lender to withdraw from the reserve fund the amount of the claim as submitted, unless the information provided by the lender was known by the lender to be false at the time the loan was filed for enrollment. No other violation of sections 1 to 11 or the agreement is grounds for denial of a claim.

(b) If there is insufficient money in the reserve fund to cover the entire amount of the lender's claim, the commissioner shall pay to the lender or authorize the lender to withdraw an amount equal to the current balance in the reserve fund and the following shall apply:

(1) If the enrolled loan for which the claim has been filed is not an early loan, the payment fully satisfies the claim, and the lender has no right to receive any further amount from the reserve fund with respect to that claim.

(2) If the loan is an early loan, the partial payment does not satisfy the lender's claim, and at any time that the remaining balance of the claim is not greater than 75 percent of the balance in the reserve fund at the time of the loss, the commissioner, upon request of the lender, shall pay the remaining balance of the claim.

Subd. 3. [RECOVERY BY LENDER SUBSEQUENT TO CLAIM.] If, subsequent to payment of a claim by the commissioner, the lender recovers from a borrower any amount for which payment of the claim was made, the lender shall promptly pay to the commissioner for deposit in the reserve fund the amount recovered, less any documented out-of-pocket expenses incurred. The lender need pay to the commissioner for deposit in the reserve fund only amounts in excess of the amount of recovery needed to fully cover the lender's loss on an enrolled loan.

For the purposes of this subdivision and section 8, the lender's loss on an enrolled loan includes any losses on the loan including principal, accrued interest, and documented out-of-pocket expenses attributable to principal amounts in excess of the amount covered under the program or the principal amount included in the claim.

## Sec. 8. [116J.8767] [SUBROGATION OF CLAIMS.]

Subdivision 1. [LIMITATION.] The commissioner may exercise the right of subrogation under this section if the commissioner determines, in the commissioner's discretion, that the lender has not exercised reasonable care and diligence in its collection activities with respect to the loan or that there is a reasonable basis for believing that the lender will not exercise reasonable care and diligence in the future with respect to the collection activities.

Subd. 2. [ASSIGNMENT OF RIGHTS.] If the payment of a claim has fully covered the lender's loss on an enrolled loan, or if the payment of a claim when combined with any recovery from the borrower has fully covered the lender's loss, the commissioner, upon request, is subrogated to the rights of the lender with respect to any collateral, security, or other right of recovery in connection with the loan that has not been realized by the lender. The lender thereafter shall assign to the commissioner any right, title, or interest to any collateral, security, or other right of recovery in connection with the loan.

Subd. 3. [LENDER OBLIGATIONS.] If an assignment has been made, the commissioner is not required to undertake any obligations of the lender under its loan documents, except for any obligations directly related to the commissioner's assigned rights of recovery in connection with the loan. The lender shall fulfill any other obligations it may have under the loan documents in the same manner and to the same degree as required had the assignment not been made. The lender shall provide the commissioner with all reasonable assistance the commissioner requests in proceeding with respect to any collateral, security, or other right of recovery, except that the lender need not incur any out-of-pocket expenses.

Subd. 4. [PAYMENT OF LENDER'S LOSS.] If the commissioner decides to exercise the right of subrogation in connection with an enrolled loan and would be entitled to exercise the right except for the fact that the lender's loss has not been fully covered, the commissioner may pay from money in the reserve fund an amount sufficient to fully cover the lender's loss even though the payment may cover a principal amount not covered under the program or not included in the lender's claim. Upon making the payment, the commissioner is subrogated to the rights of the lender.

Subd. 5. [RECOVERED FUNDS.] Any money received by the commissioner as a result of enforcement actions taken with respect to any collateral, security, or other rights of recovery must be promptly deposited by the commissioner in the reserve fund, less any out-of-pocket expenses incurred by the commissioner in taking such enforcement actions.

## Sec. 9. [116J.8768] [EXCESS RESERVE FUNDS.]

Subdivision 1. [REPORTS.] The lender shall file quarterly reports with the commissioner indicating the number and aggregate outstanding balance of all enrolled loans as of the end of each quarter. A quarterly report is not required for any quarter that ends with a balance in the reserve fund of zero, except that a calendar year-end report must be filed. In computing the aggregate outstanding balance of all enrolled loans, the balance of any loan may not be greater than the covered amount of the loan as enrolled.

Subd. 2. [WITHDRAWAL OF EXCESS RESERVE FUNDS.] (a) If reports filed under this section indicate that for the immediately preceding 24-month period the balance in the reserve fund continually exceeded the aggregate outstanding balance of all enrolled loans, the commissioner may withdraw from the reserve fund, on or before the last day of the month for which a report is due, an amount not greater than the amount by which the reserve fund balance exceeded the aggregate outstanding balance of all enrolled loans as of the most recent report, unless the lender has provided to the commissioner adequate documentation that at some time during that 24-month period the aggregate outstanding balance of all enrolled loans exceeded the balance then in the reserve fund. Any amounts withdrawn from the reserve fund must be transferred to the account.

(b) If a report is not filed within 30 days of its original due date, the commissioner may withdraw from the reserve fund based on the commissioner's determination from an inspection of the lender's files an amount not greater than the amount by which the reserve fund balance exceeded the aggregate outstanding balance of all enrolled loans as of the date for which the report was required to be filed.

## Sec. 10. [116J.8769] [TERMINATION.]

The commissioner may terminate the obligation to a lender to enroll loans under the program if the commissioner determines that the lender is not in substantial compliance with the requirements of the program. The termination takes effect on the date specified in the notice of termination, except that the termination does not apply to any loan made on or before the date on which the notice of termination is received by the lender. If the commissioner is terminating the enrollment of loans for all participating lenders under the program, the commissioner shall provide notice of at least 90 days to the lender. Any terminations under this section are prospective only and do not apply to any loans previously refinanced. After termination, the amount covered under the program may not be increased beyond the covered amount as previously enrolled.

## Sec. 11. [116J.877] [CAPITAL ACCESS ACCOUNT.]

A capital access account is created in the general fund. The account consists of all appropriations to the account, repayments from the reserve funds, interest and investment earnings of the reserve funds, gifts and grants to the account, and the interest and investment earnings of the account. The account is not subject to section 16A.28.

## Sec. 12. [APPROPRIATION.]

\$2,000,000 is appropriated from the general fund to the capital access account for the capital access program described in sections 1 to 11."

Delete the title and insert:

"A bill for an act relating to economic development; establishing a referral system for small businesses; coordinating and marketing technical assistance in the state; requiring the department of trade and economic development to be the host agency for the small business development center program; requiring a study of technical assistance provision; establishing the capital access program; appropriating money; amending Minnesota Statutes 1988, sections 116J.58, subdivision 1; and 116J.68, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J."

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

The report was adopted.

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

H. F. No. 652, A bill for an act relating to employment; providing funding for the Bemidji Area Indian Employment Council; 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.

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

H. F. No. 661, A bill for an act relating to pollution; regulating the disposal of infectious and pathological wastes; providing for penalties for violation; appropriating money; amending Minnesota Statutes, section 609.671, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [116.75] [CITATION.]

Sections 1 to 13 may be cited as the “infectious waste control act.”

Sec. 2. [116.76] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 13.

Subd. 2. [AGENCY.] “Agency” means the pollution control agency.

Subd. 3. [RESEARCH ANIMAL WASTE.] “Research animal waste” means waste including carcasses, body parts, blood, and bedding of animals that were exposed to infectious agents during research, production of biologicals, or testing of pharmaceuticals.

Subd. 4. [BLOOD.] “Blood” means human blood and blood products including serum, plasma, and other blood components which are in containers or which drips freely from blood-soaked solid waste items.

Subd. 5. [COMMISSIONER.] “Commissioner” means the commissioner of the pollution control agency.

Subd. 6. [DECONTAMINATION.] “Decontamination” means rendering infectious waste safe for routine handling as a solid waste.

Subd. 7. [DEPARTMENT.] “Department” means the department of health.

Subd. 8. [GENERATOR.] “Generator” means a physician, dentist, acupuncture specialist, veterinarian, nurse, mortician, or other persons or facilities that generate infectious waste.

Subd. 9. [HOUSEHOLD.] “Household” means a single detached dwelling unit or a single unit of a multiple dwelling.

Subd. 10. [INFECTIOUS AGENT.] "Infectious agent" means an organism that is capable of producing infection or infectious disease in humans.

Subd. 11. [INFECTIOUS WASTE.] "Infectious waste" means laboratory waste, blood, regulated body fluids, sharps, and research animal waste that have not been decontaminated and any pathological waste that the generator has reason to believe carries an infectious agent.

Subd. 12. [LABORATORY WASTE.] "Laboratory waste" means cultures and stocks of infectious agents; discarded contaminated items used to inoculate, transfer, or otherwise manipulate cultures or stocks of infectious agents; wastes from the production of biological agents; and discarded live or attenuated vaccines.

Subd. 13. [PATHOLOGICAL WASTE.] "Pathological waste" means human tissues and body parts removed during surgery and autopsy which are intended for waste disposal.

Subd. 14. [PERSON.] "Person" means any individual, partnership, association, public or private corporation, or other entity including the United States government, any interstate body, the state, and any agency, department, or political subdivision of the state.

Subd. 15. [REGULATED HUMAN BODY FLUIDS.] "Regulated human body fluids" means cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, and amniotic fluid which are in containers or which drip freely from body fluid soaked solid waste items.

Subd. 16. [SHARPS.] "Sharps" means all discarded items which can induce subdermal inoculation of infectious agents including items derived from human or animal patient care, blood banks, laboratories, mortuaries, research facilities, and industrial operations. Sharps at least include glass or rigid plastic containers of materials defined as infectious and needles, scalpels, and pipettes.

### Sec. 3. [116.77] [COVERAGE.]

Sections 1 to 13 and section 609.671, subdivision 10, cover any person who generates, treats, stores, transports, or disposes of infectious or pathological waste except infectious or pathological waste generated by a household. Except as specifically provided, sections 1 to 13 do not limit or alter treatment or disposal methods for infectious or pathological waste.

Sec. 4. [116.78] [MANAGEMENT.]

Subdivision 1. [SEGREGATION.] All untreated infectious waste must be segregated from other waste material at its point of generation and maintained in separate packaging throughout collection, storage, and transport. Infectious waste must be packaged, contained, and transported in a manner that prevents release of the waste material.

Subd. 2. [LABELING.] All bags, boxes, and other containers used to collect, transport, or store infectious waste must be clearly labeled with a biohazard symbol or with the words "infectious waste" written in letters no less than one inch in height.

Subd. 3. [REUSABLE CONTAINERS.] Containers which have been in direct contact with infectious waste must be disinfected prior to reuse.

Subd. 4. [SHARPS.] All sharps waste including those generated by households must be placed and disposed of in puncture-resistant containers. Except for those generated by households, sharps shall not be compacted or mixed with other waste material and shall not be disposed of at refuse derived fuel facilities or at other facilities where waste is hand sorted.

Subd. 5. [NONINFECTIOUS PATHOLOGICAL WASTE.] Noninfectious pathological waste must be disposed of according to sanitary standards established by state or federal laws or regulations for the disposal of such wastes.

Subd. 6. [MIXTURE WITH OTHER WASTES.] Infectious waste must not be compacted or mixed with other waste material prior to off-site incineration or disposal in a manner authorized by state law. A person may place other waste materials except for hazardous or radioactive waste inside a properly labeled infectious waste container but must manage the entire contents as infectious waste.

Sec. 5. [116.79] [STORAGE AT GENERATOR SITE.]

Infectious or pathological waste must be stored in a specially designated area that is designed to prevent the entry of vermin and that prevents access by unauthorized persons.

Sec. 6. [116.80] [AUTOCLAVE OPERATION OR CHEMICAL DECONTAMINATION.]

Facilities may decontaminate infectious waste using appropriate chemicals or autoclaves. Facilities that use autoclaves to decontaminate infectious waste must maintain a log of the operating temperature and time for each load of infectious waste that is autoclaved.



## Sec. 7. [116.81] [WASTE FROM OTHER STATES.]

No person shall transport infectious or pathological waste for financial gain into the state for treatment, storage, or disposal unless the waste is packaged, contained, labeled, and transported in the manner required by sections 4 to 6.

## Sec. 8. [116.82] [MANAGEMENT PLANS.]

Subdivision 1. [PREPARATION OF MANAGEMENT PLANS.] (a) A person in charge of a facility that generates, stores, decontaminates, incinerates, or disposes of infectious or pathological waste must prepare a management plan for the infectious or pathological waste handled by the facility.

(b) The management plan must describe, to the extent the information is applicable to the facility:

(1) the type of infectious waste and pathological waste that the person generates or handles;

(2) the segregation, packaging, labeling, collection, storage, and transportation procedures for the infectious waste or pathological waste that will be followed;

(3) the decontamination or disposal methods for the infectious or pathological waste that will be used;

(4) the transporters and disposal facilities that will be used for the infectious waste;

(5) the steps that will be taken to minimize the exposure of employees to infectious agents throughout the process of disposing of infectious or pathological wastes; and

(6) the name of the individual responsible for the management of the infectious waste or pathological waste.

(c) The management plan must be kept at the facility.

(d) Management plans must be accompanied by a statement of the quantity of infectious and pathological waste generated, decontaminated, stored, incinerated, or disposed of at the facility during the previous two-year period. Quantities may be reported by weight, volume, or number and capacity of containers.

(e) A management plan must be updated and resubmitted at least once every two years.

Subd. 2. [FEDERAL MANAGEMENT PLAN.] Notwithstanding subdivision 1, paragraph (b), a management plan that complies with federal regulations applicable to such plans is sufficient to meet the other requirements of this section.

Subd. 3. [COMPLIANCE WITH MANAGEMENT PLANS.] A facility or entity that prepares a management plan must comply with the management plan.

Subd. 4. [GENERATORS' PLANS.] (a) Management plans prepared by facilities that generate infectious or pathological waste must be submitted to the commissioner of health with a fee of \$150 for facilities with 25 or more employees, or a fee of \$25 for facilities with less than 25 employees. The fee must be credited to an infectious waste account.

(b) A person who begins the generation of infectious or pathological waste after January 1, 1990, must submit to the commissioner of health a copy of the person's management plan prior to initiating the handling of the infectious or pathological waste.

(c) If a generator also incinerates or disposes of infectious or pathological waste, a separate management plan must be prepared for the incineration or disposal activities.

(d) The commissioner of health must establish a procedure for randomly reviewing the plans.

(e) The commissioner of health may require a management plan of a generator to be modified if the commissioner of health determines that the plan is not consistent with state or federal law or that the plan is not adequate to minimize exposure of persons to the infectious or pathological waste.

Subd. 5. [PLANS FOR STORAGE, DECONTAMINATION, INCINERATION, AND DISPOSAL FACILITIES:] (a) A person who stores or decontaminates infectious or pathological waste, other than at the facility where the waste was generated, or a person who incinerates or disposes of infectious or pathological waste, must submit a copy of the management plan to the commissioner of the pollution control agency with a fee of \$150. The fee must be credited to an infectious waste account.

(b) The commissioner shall review the plans and may require a plan to be modified within 90 days after the plan is submitted if the commissioner determines that the plan is not consistent with state or federal law or that the plan is not adequate to minimize exposure of persons to the waste.

Sec. 9. [116.83] [REGISTRATION OF COMMERCIAL TRANSPORTERS.]

Subdivision 1. [REGISTRATION REQUIRED.] No person may transport infectious waste in Minnesota for financial gain unless the person has first registered with the commissioner as an infectious waste transporter. The commissioner shall issue a registration card with a unique registration number to the registrant unless the commissioner finds that registrant has outstanding unresolved violations of this section or a history of serious violations of chapter 115, 115A, 115B, or 116. The registration card must include the date the card expires. A transporter covered by this section must reregister with the commissioner every two years.

Subd. 2. [TRANSFER OF INFECTIOUS WASTE.] A generator must not transfer infectious or pathological waste to a commercial transporter unless the transporter is registered with the commissioner. A transporter must not deliver infectious waste to a facility not authorized to accept the waste. A person who is registered to transport infectious waste may not refuse waste generated from a facility that is noninfectious pathological waste, has been properly decontaminated, or that is properly packaged and labeled as "infectious waste."

Subd. 3. [SUBMISSION OF MANAGEMENT PLANS.] In order to obtain a registration card, any person who transports infectious waste must by January 1, 1990, and every two years thereafter, submit to the commissioner the management plan required by section 8. The commissioner shall review the plans and may require a plan to be modified within 90 days after the plan is submitted if the commissioner determines that the plan is not consistent with state or federal law or that the plan is not adequate to minimize exposure of persons to the waste. Management plans must be accompanied by a statement of the total quantity of infectious waste transported during the previous two years. Quantities may be reported by weight, volume, or number and capacity of containers.

Sec. 10. [116.84] [RULES.]

The department may adopt rules to implement sections 1 to 9 that affect generators, and the agency may adopt rules to implement sections 1 to 9 that affect other persons subject to these sections.

Sec. 11. [116.85] [ENFORCEMENT.]

Subdivision 1. [STATE RESPONSIBILITIES.] Either the agency or the department may enforce any requirement of sections 1 to 10. The department is primarily responsible for enforcement involving generators. The agency is primarily responsible for enforcement involving other persons subject to sections 1 to 13.

Subd. 2. [ENFORCEMENT AUTHORITY.] The agency and the department may enforce sections 1 to 10 under sections 115.071 and 116.072.

Subd. 3. [ACCESS TO INFORMATION AND PROPERTY.] The agency or the department, or any member, employee, or agent thereof authorized by the agency or department, upon presentation of credentials, may during regular business hours:

(1) examine and copy any books, records, memoranda, or data that is related to compliance with sections 1 to 9; and

(2) enter upon any property, public or private, regulated by sections 1 to 9 for the purpose of taking any action authorized by this section including obtaining information and conducting investigations except that this clause does not apply to a patient treatment area until vacated by the patient.

Sec. 12. [116.86] [AUTHORITY OF LOCAL GOVERNMENT.]

Subdivision 1. [AUTHORITY; ENFORCEMENT.] No county, municipality, or other local unit of government may adopt a definition of infectious or pathological waste that differs from the definitions in section 2, or management requirements for infectious waste that differ from the requirements of sections 4 and 8. Sections 1 to 10 may be enforced by a county under the authority granted to the department and the agency in section 11. Separate enforcement actions may not be brought by a state agency and a county for the same violations.

Subd. 2. [LOCAL SOLID WASTE AUTHORITY.] (a) Sections 2 to 6 do not affect local implementation of collection, storage, or disposal of solid waste that does not contain infectious or pathological waste.

(b) Sections 2 to 6 do not affect county authority under other law to regulate and manage solid waste that does not contain infectious or pathological waste.

(c) A political subdivision, as defined in section 115A.03, subdivision 24, may not require a refuse derived fuel facility to accept infectious waste or pathological waste.

Sec. 13. [116.87] [STUDY.]

The agency, in consultation with the department, shall study the feasibility of establishing a collection system for sharps generated by households.

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

Subd. 10. [INFECTIOUS WASTE.] Any person who knowingly, or with reason to know, disposes of infectious waste as defined in section 2 or arranges for the disposal of infectious waste at a location or in a manner that has not been authorized by state law is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year, or to pay a fine of not more than \$10,000, or both. A person convicted for a second or subsequent offense may be sentenced to imprisonment for not more than two years, or to pay a fine of not more than \$25,000, or both.

Sec. 15. [APPROPRIATIONS.]

Subdivision 1. \$ . . . . . is appropriated from the special fees fund to the commissioner of the pollution control agency for the biennium ending June 30, 1991, to prepare educational material for distribution to infectious and pathological waste generators and transporters; treatment, storage, and disposal facility operators; households that generate infectious waste; and to the general public.

Subd. 2. \$ . . . . . is appropriated from the special fees fund to the commissioner of the pollution control agency for the biennium ending June 30, 1991, for carrying out the requirements of sections 1 to 13. The agency's complement is increased by five persons.

Subd. 3. \$ . . . . . is appropriated from the special fees fund to the commissioner of the department of health for the biennium ending June 30, 1991, for carrying out the requirements of sections 1 to 13. The department's complement is increased by . . . . . persons.

Sec. 16. [EFFECTIVE DATE.]

Sections 2, 3, and 10 are effective the day after final enactment. Sections 4 to 9, 11, and 12, are effective January 1, 1990."

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

The report was adopted.

Otis from the Committee on Economic Development to which was referred:

H. F. No. 719, A bill for an act relating to economic development; authorizing certain local jurisdictions to contribute to local or

regional economic development organizations; proposing coding for new law in Minnesota Statutes, chapter 469.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 735, A bill for an act relating to traffic regulations; providing for special permit for special vehicle; setting a fee; amending Minnesota Statutes 1988, sections 169.825, by adding a subdivision; and 169.86, subdivision 5.

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

The report was adopted.

Otis from the Committee on Economic Development to which was referred:

H. F. No. 738, A bill for an act relating to economic development; establishing a small business innovation research bridge grant program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 17, delete "local community" and insert "home rule charter or statutory city, local economic development entity established under chapter 469, or the department of trade and economic development."

Page 1, delete line 18

Page 2, delete lines 1 to 5 and insert:

"\$1,500,000 is appropriated from the general fund as a grant to Minnesota project innovation for the SBIR bridge grant program established under section 1."

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

The report was adopted.

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

H. F. No. 770, A bill for an act relating to state lands; directing conveyance of a certain tract in Beltrami county.

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

The report was adopted.

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

H. F. No. 916, A bill for an act relating to metropolitan government; providing a salary range and specifying responsibilities for the chair of the waste control commission; amending Minnesota Statutes 1988, sections 15A.081, subdivisions 1 and 7; and 473.141, subdivision 3.

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

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

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

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

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

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

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1014, A bill for an act relating to mechanics' liens; allowing owner to request statement of actual charges; requiring subcontractor to make good faith estimate of charges; amending Minnesota Statutes 1988, section 514.011, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 6, strike "We estimate our charges"

Page 2, strike lines 7 and 8

Page 2, delete lines 9 to 12 and insert:

"We will supply you with a good-faith estimate of our charges upon your written request."



Page 2, delete lines 25 to 30

Page 2, line 31, delete "(d)" and insert "(b)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1090, A bill for an act relating to consumer protection; regulating landscape application contracts; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the following amendments:

Page 1, line 12, delete "grass,"

Page 1, line 22, delete "an estimate of"

Page 1, line 24, delete "an estimate of"

Page 2, delete lines 11 to 18 and insert:

"Subd. 4. [ANNUAL NOTICE TO PROPERTY OWNER.] If a contract is for more than one year, then the commercial application company shall each year provide written notice to the property owner that the contract remains in effect and that landscape applications will resume according to the terms of the contract. The written notice must be provided to the property owner at least 15 days prior to the first landscape application of the year."

Page 2, line 33, after "commodities" insert "or any commodity for sale"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1116, A bill for an act relating to health; providing identification cards to persons requiring special diets; exempting persons requiring special diets from public facility prohibitions on outside food and drink; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Page 2, line 4, delete everything after the period and insert "Special diet identification cards shall be valid for five years."

Page 2, delete line 5

Page 2, line 6, delete "card is applied for."

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

The report was adopted.

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

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

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

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 1155, A bill for an act relating to insurance; life and health; regulating policy and contract provisions, coverages, certain cost-containment mechanisms, cancellations and nonrenewals, trade and marketing practices, and remedies in these and other lines; making technical changes; amending Minnesota Statutes 1988, sections 45.025, subdivision 8; 45.027, subdivision 7; 45.028, subdivision 1; 61A.011, subdivision 1; 61A.092, subdivision 3; 61B.03, subdivision 6; 62A.01; 62A.041; 62A.08; 62A.09; 62A.17, subdivision 2; 62A.46, by adding a subdivision; 62A.48, subdivision 1; 62B.01; 62B.04, subdivision 1; 62D.12, by adding a subdivision; 62E.06, subdivision 1; 72A.20, subdivision 15, and by adding subdivisions; 72A.325; and 149.11; proposing coding for new law in Minnesota Statutes, chapters 60A; 62A; 65A; and 72A; repealing Minnesota Statutes 1988, sections 60A.23, subdivision 7; and 72A.13, subdivision 2.

Reported the same back with the following amendments:

Page 3, line 8, after "writes" insert "or renews"

Page 3, line 9, after "premiums" insert "except that a cancellation may be based on violations or misconduct by the agent. The standards and requirements must be set forth by the insurer in the contract between the insurer and the agent"

Page 3, line 11, after "writes" insert "or renews"

Page 4, line 36, delete "For purposes of chapters 62A"

Page 5, delete lines 1 to 3, and insert "A certificate of insurance or similar evidence of coverage issued to a Minnesota resident shall provide coverage for all benefits required to be covered in group policies in Minnesota by chapters 62A and 62E."

Page 5, lines 17 and 19, after "policyholder" insert "or certificate holder"

Page 5, lines 19 and 20, delete "or other resident"

Page 5, line 22, after "policy" insert "or certificate" and delete "20" and insert "25"

Page 5, line 24, delete "five" and insert "25" and after the semicolon insert "and"

Page 5, line 27, delete "; and" and insert a period

Page 5, delete lines 28 and 29 and insert:

"This subdivision applies to employers who are not corporations if they are policyholders or certificate holders providing coverage to employees through the certificate or policy.

Subd. 4. [APPLICATION OF OTHER LAWS.] Section 60A.08, subdivision 4, shall not be construed as requiring a certificate of insurance or similar evidence of insurance that meets the conditions of subdivision 3 to comply with chapter 62A or 62E."

Page 7, line 3, after "of" insert "the need for" and after the period insert "The insured or an authorized representative of the insured shall notify the insurer as soon after the beginning of emergency confinement or emergency treatment as reasonably possible."

Page 7, line 4, delete "can show" and insert "suffers"

Page 7, line 28, delete "only" and insert "either"

Page 7, line 29, before the period insert "or adjust the benefits to reflect the actual age and the premium"

Page 8, after line 13, insert:

"Sec. 13. Minnesota Statutes 1988, section 62A.15, subdivision 3a, is amended to read:

Subd. 3a. [NURSING SERVICES.] All benefits provided by a policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a duly licensed physician must include services provided by a registered nurse who is licensed pursuant to section 148.171 and who is certified by the profession to engage in advanced nursing practice. "Advanced nursing practice" means the performance of health services by professional nurses who have gained additional knowledge and skills through an organized program of study and clinical experience preparing nurses for advanced practice roles as nurse anesthetists, nurse midwives, nurse practitioners, or clinical specialists in psychiatric or mental health nursing. The program of study must be beyond the education required for registered nurse licensure and must meet criteria established by the professional nursing organization having authority to certify the registered nurse in advanced nursing practice, ~~and appear on a list established and maintained by the board of nursing through rulemaking.~~ The board of nursing shall, by rule, adopt a list of professional nursing organizations which have the authority to certify nurses in advanced nursing practice for the purposes of this subdivision.

This subdivision is intended to provide payment of benefits for treatment and services by a licensed registered nurse certified in advanced nursing practice as defined in this subdivision and is not intended to add to the benefits provided for in these policies or contracts."

Page 8, line 31, after "If" insert "the employee becomes covered under another group policy, contract, or health plan and"

Page 8, line 33, after "may" insert ", subject to the 18-month maximum continuation limit,"

Page 10, line 30, after "payment" insert "to a person who is covered when the services are provided"

Page 10, line 32, delete "promptly"

Page 10, line 36, after "payment" insert "for the authorized

service or time period" and after "fraud" insert "or substantive misrepresentation"

Page 12, line 5, delete "16, and 22" and insert "17, and 23"

Page 16, line 6, delete "five" and insert "ten"

Page 16, line 7, after "request" insert "and all information reasonably necessary to make a decision on the request"

Page 17, line 28, after the second "or" insert "individual"

Page 18, line 15, after "obtained" insert "by an insurer or a representative of an insurer"

Page 18, line 22, after "loss" insert "or claims"

Page 18, line 25, delete "insured" and insert "policy holder"

Page 18, line 27, after the period insert "The insurer is not required to provide the information if the policy covers the employee of more than one employer and the information is not maintained separately for each employer and not all employers request the data."

This subdivision does not apply to individual life and health insurance policies or personal automobile or homeowners insurance policies."

Page 20, line 28, after "experimental," insert "investigative,"

Page 24, line 14, delete everything after "12," and insert "13, 15, 17, 19, 20, 21, 22, 24, 26, 28, 29, 33, and 34"

Page 24, line 15, delete everything before "are"

Page 24, line 19, delete "15" and insert "16"

Page 24, line 21, delete "30" and insert "31"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after "62A.09;" insert "62A.15, subdivision 3a;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1181, A bill for an act relating to metropolitan government; regulating budgets; amending Minnesota Statutes 1988, section 473.1623, subdivision 4, and by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 473.145, is amended to read:

473.145 [DEVELOPMENT GUIDE.]

The metropolitan council shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development guide for the metropolitan area. It shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for an orderly and economic economical development, public and private, of the metropolitan area. The comprehensive development guide shall recognize and encompass physical, social, or economic needs of the metropolitan area and those future developments which will have an impact on the entire area including but not limited to such matters as land use, parks and open space land needs, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, and other public buildings.

Sec. 2. Minnesota Statutes 1988, section 473.1623, subdivision 4, is amended to read:

Subd. 4. [FINANCIAL REPORTING; BUDGETING.] (a) The advisory committee, with the assistance of the state auditor and the legislative auditor, shall develop uniform or consistent standards, formats, and procedures for the budgets and financial reports of the council and all metropolitan agencies. The council shall report to the legislature from time to time on progress made by the committee in improving the uniformity and quality of budgets and financial reports and on legislation that may be needed for this purpose. The council and all metropolitan agencies shall publish the budgets and reports on recyclable paper, using the minimum practical number of colors, and shall otherwise minimize expensive printing costs.

(b) The council and each metropolitan agency shall prepare a summary budget for agency fiscal year 1988 and each year thereafter. The advisory committee, with the assistance of the state auditor and the legislative auditor, shall develop guidelines and models for the summary budgets. The purpose of the summary

budget is to increase public knowledge and agency accountability by providing citizens outside of the agency with a condensed, accessible, and graphic description of the financial affairs of the agency. The document should contain a coherent, effectively communicated, understandable statement of: financial trends and forecasts; budget policies and policy changes; agency financial assumptions, objectives and plans; revenue sources and expenditures by program category; personnel policies, decisions, and allocation; budgetary performance measures; and similar matters serving the purpose of the document.

(e) The council and each metropolitan agency shall include in the annual budget:

(1) a statement of the reserve or fund balance carried forward at the end of the budget year, for at least the two preceding fiscal years;

(2) a comparison of budgeted and actual expenditures, reported by department and, if the agency has a program budget, by program, for at least the two preceding fiscal years; and

(3) a listing of proposed or anticipated consulting contracts or projects and the amount of each contract or project.

Sec. 3. Minnesota Statutes 1988, section 473.1623, is amended by adding a subdivision to read:

Subd. 4a. [SUMMARY BUDGET.] The council and each metropolitan agency shall prepare a summary budget for agency fiscal year 1988 and each year thereafter. The advisory committee, with the assistance of the state auditor and the legislative auditor, shall develop guidelines and models for the summary budgets. The purpose of the summary budget is to increase public knowledge and agency accountability by providing citizens outside of the agency with a condensed, accessible, and graphic description of the financial affairs of the agency. The document should contain a coherent, effectively communicated, understandable statement of: financial trends and forecasts; budget policies and policy changes; agency financial assumptions, objectives, and plans; revenue sources and expenditures by program category; personnel policies, decisions, and allocation; budgetary performance measures; and similar matters serving the purpose of the document.

Sec. 4. Minnesota Statutes 1988, section 473.1623, is amended by adding a subdivision to read:

Subd. 4b. [ANNUAL BUDGET.] The council and each metropolitan agency shall include in the annual budget:

(1) a statement of the reserve or fund balance carried forward at the end of the budget year, for at least the two preceding fiscal years;

(2) a comparison of budgeted and actual expenditures, reported by department and, if the agency has a program budget, by program, for at least the two preceding fiscal years;

(3) a comparison of budgeted and actual revenues, reported by revenue source, for at least the two preceding fiscal years; and

(4) a listing, by contract or project, of proposed or anticipated expenditures for consultants and professional, technical, and other similar services.

Sec. 5. Minnesota Statutes 1988, section 473.167, subdivision 3, is amended to read:

Subd. 3. [TAX.] The council may levy a tax on all taxable property in the metropolitan area, as defined in section 473.121, to provide funds for loans made pursuant to subdivisions 2 and 2a. This tax for the right-of-way acquisition loan fund shall be certified by the council, levied, and collected in the manner provided by section 473.13. The tax shall be in addition to that authorized by section 473.249 and any other law and shall not affect the amount or rate of taxes which may be levied by the council or any metropolitan agency or local governmental unit. The amount of the levy shall be as determined and certified by the council, except as otherwise provided in this subdivision.

The property tax levied by the metropolitan council for the right-of-way acquisition loan fund shall not exceed the following amount for the years specified:

(a) for taxes payable in 1988, the product of 5/100 of one mill multiplied by the total assessed valuation of all taxable property located within the metropolitan area as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;

(b) for taxes payable in 1989, except as provided in section 473.249, subdivision 3, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the metropolitan area divided by the assessment year 1987 total market valuation of all taxable property located within the metropolitan area; and



(c) for taxes payable in 1990, an amount not to exceed \$2,300,000; and

(d) for taxes payable in 1990 1991 and subsequent years, the product of (1) the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the previous year taxes payable in 1988 determined pursuant to this subdivision under clause (a) multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current assessment year divided by the total market valuation of all taxable property located within the metropolitan area for the previous 1987 assessment year.

For the purpose of determining the metropolitan council's property tax levy limitation for the right-of-way acquisition loan fund for the taxes payable year 1988 and subsequent years under this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

The property tax levied under this subdivision for taxes payable in 1988 and subsequent years shall not be levied at a rate higher than that determined by the metropolitan council to be sufficient, considering the other anticipated revenues of and disbursements from the right-of-way acquisition loan fund, to produce a balance in the loan fund at the end of the next calendar year equal to twice the amount of the property tax levy limitation for taxes payable in the next calendar year determined under this section.

Sec. 6. Minnesota Statutes 1988, section 473.167, subdivision 5, is amended to read:

Subd. 5. [LEVY INCREASE.] For the purpose of determining the levy limitation for taxes payable in 1989 under subdivision 3, the levy limitation for taxes payable in 1988 shall be multiplied by two. ~~The levy limitation so determined for taxes payable in 1989 shall be the basis for determining levy limitations for taxes payable in 1990 and subsequent years under subdivision 3.~~

Sec. 7. Minnesota Statutes 1988, section 473.173, subdivision 3, is amended to read:

Subd. 3. In developing the rules the council and the advisory metropolitan land use committee, as defined in section 473.852, shall give consideration to all factors deemed relevant including but not limited to the following:

- (1) The impact a proposed matter will have on the orderly,

~~economie~~ economical development, public and private, of the metropolitan area and its consistency with the metropolitan development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the implementation plans and functions performed and to be performed by a metropolitan agency that is subject to section 473.161;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act.

Sec. 8. Minnesota Statutes 1988, section 473.173, subdivision 4, is amended to read:

Subd. 4. The rules shall include, without limitation, provisions to effectuate and comply with the following powers and requirements:

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(1a) A public hearing shall be held prior to the final determination with regard to a proposed matter.

(2) The council shall be empowered to suspend action on a proposed matter during the period of review and for a period not to exceed 12 months following the issuance of its final determination. In its final determination, the council may prescribe appropriate conditions with regard to a proposed matter which, if incorporated or complied with, would cause the council to remove the suspension.

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of a proposal accompanied by adequate supporting information, unless all parties consent in writing to an extension. The council shall extend the time to complete the proceeding by an additional 30 days if the council determines that a fair hearing cannot be completed in the time allowed. To avoid duplication, the review may be suspended for not more than 90 days to await completion of review of a matter by another public agency.

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan agency that is subject to section 473.161. The rules shall include a procedure for review of a proposed matter upon petition by a

specified number of residents of the metropolitan area 18 years of age or older.

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with and effect upon metropolitan system plans as defined in section 473.852 and their adverse effects on other local governmental units.

(7) Previously approved policy plans and implementation plans and areas of operational authority of metropolitan agencies that are subject to section 473.161 shall not be subject to review under this section, except as specifically provided in section 473.171.

(8) When announcing the scope of a significance review in the notice commencing the review, the council shall state with particularity, with respect to each issue identified in the scoping document, the policies, provisions, statements, or other elements in metropolitan development guide chapters or policy plans and any other criteria or standards that will be considered or relied on in assessing the metropolitan significance or effect of the proposed project.

(9) Hearings must be conducted in accordance with the following procedures, unless waived in writing by the parties:

(a) The parties have the right to counsel.

(b) All testimony must be under oath.

(c) A complete and accurate record of all proceedings must be maintained.

(d) Cross-examination must be allowed of any party or witness.

(e) The burden of proof is on the party claiming that the matter is of metropolitan significance and must be met by a fair preponderance of the evidence.

(f) Decisions of the council must be based on relevant evidence contained in the record and on written findings.

Sec. 9. Minnesota Statutes 1988, section 473.249, subdivision 1, is amended to read:

Subdivision 1. The metropolitan council may levy a tax on all taxable property in the metropolitan area defined in section 473.121

to provide funds for the purposes of sections 473.121 to 473.249 and for the purpose of carrying out other responsibilities of the council as provided by law. This tax for general purposes shall be levied and collected in the manner provided by section 473.13.

The property tax levied by the metropolitan council for general purposes shall not exceed the following amount for the years specified:

(a) for taxes payable in 1988, the product of 8/30 of one mill multiplied by the total assessed valuation of all taxable property located within the metropolitan area as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;

(b) for taxes payable in 1989, the product of (1) the metropolitan council's property tax levy limitation for general purposes for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the metropolitan area divided by the assessment year 1987 total market valuation of all taxable property located within the metropolitan area; and

(c) for taxes payable in 1990 and subsequent years, the product of (1) the metropolitan council's property tax levy limitation for general purposes for the previous year determined under this subdivision multiplied by (2) the lesser of

(i) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan area for the current assessment year divided by the total market valuation of all taxable property located within the metropolitan area for the previous assessment year, or

(ii) an index equal to the implicit price deflator for state and local government purchases of goods and services for the most recent month for which data is available divided by the implicit price deflator for state and local government purchases of goods and services for the same month of the previous year.

For the purpose of determining the metropolitan council's property tax levy limitation for general purposes for the taxes payable year 1988 and subsequent years under this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan area without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

Sec. 10. [APPLICATION.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 11. [REPEALER.]

Minnesota Statutes 1988, section 473.249, subdivision 3, is repealed.

Sec. 12. [EFFECTIVE DATE.]

Sections 5, 6, 9, and 11 are effective for property taxes payable in 1990 and subsequent years.

Delete the title and insert:

“A bill for an act relating to metropolitan government; regulating budgets; amending Minnesota Statutes 1988, sections 473.145; 473.1623, subdivision 4, and by adding subdivisions; 473.167, subdivisions 3 and 5; 473.173, subdivisions 3 and 4; 473.249, subdivision 1; repealing Minnesota Statutes 1988, section 473.249, subdivision 3.”

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 185, 245, 428, 493, 529, 593, 770, 956, 989, 1014, 1090, 1117 and 1155 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Krueger; Olson, E.; Sparby and Winter introduced:

H. F. No. 1411, A bill for an act relating to cooperatives; recodifying and clarifying certain provisions on cooperative businesses; amending certain provisions of cooperative business law; requiring a registered officer or agent for cooperatives; authorizing cooperatives to provide greater approval proportions than provided in statute for

certain cooperative actions; providing corporate existence of cooperative begins with filing of articles; authorizing loans to and fiduciary powers with members; specifying how vacancies in unexpired directors' terms may be filled; authorizing the board to rescind membership for member violations; eliminating certain filings with county recorders; eliminating attorney general approval of articles of merger or consolidation; prescribing a fee for filing articles of consolidation; prescribing a procedure for dissolution of cooperatives; deeming certain organized cooperatives to be organized under and subject to this act; amending Minnesota Statutes 1988, sections 47.20, subdivision 2; 117.232, subdivision 1; 216B.027, subdivision 5; 237.075, subdivision 9; 273.124, subdivisions 3 and 6; 273.132, subdivision 5; 363.01, subdivision 32; and 500.20, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 308A; repealing Minnesota Statutes 1988, sections 308.01 to 308.92.

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

McPherson, Henry, Battaglia, Wenzel and Swenson introduced:

H. F. No. 1412, A bill for an act relating to agriculture; regulating eligibility for designation of land under the metropolitan agricultural preserves act; amending Minnesota Statutes 1988, section 473H.03, by adding a subdivision.

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

Kalis; Vanasek; Lieder; Anderson, G., and Boo introduced:

H. F. No. 1413, A bill for an act relating to metropolitan government; providing for the composition of the metropolitan airports commission; amending Minnesota Statutes 1988, section 473.604, subdivision 1.

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

Jefferson introduced:

H. F. No. 1414, A bill for an act relating to retirement; public employees local government correctional service retirement plan; expanding plan coverage to include certain Hennepin county medical center ambulance service personnel; amending Minnesota Statutes 1988, section 353C.02.

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

Beard and Begich introduced:

H. F. No. 1415, A bill for an act relating to workers' compensation; regulating insurance for truckers and loggers; imposing a tax on certain purchasers of wood to subsidize insurance costs of loggers; regulating coverages and rates; appropriating money; amending Minnesota Statutes 1988, sections 79.251, subdivision 3; 79.252, by adding a subdivision; 176.011, by adding a subdivision; 176.041, subdivision 1; 176.102, by adding a subdivision; 176.184, by adding a subdivision; and 176A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 176; proposing coding for new law as Minnesota Statutes, chapter 297E.

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

Omann, Marsh and Bauerly introduced:

H. F. No. 1416, A bill for an act relating to state lands; authorizing private conveyance of certain tax-forfeited land in Benton county.

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

Olsen, S.; Kalis; Simoneau; Bauerly and Seaberg introduced:

H. F. No. 1417, A bill for an act relating to motor vehicles; allowing special veterans license plates to be issued for self-propelled recreational equipment; amending Minnesota Statutes 1988, section 168.123, subdivision 1.

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

Kelly, Pappas, Trimble, O'Connor and Osthoff introduced:

H. F. No. 1418, A bill for an act relating to appropriations; appropriating money to evaluate the St. Paul national indoor sports training center.

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

Olsen, S.; Segal; Simoneau and Knickerbocker introduced:

H. F. No. 1419, A bill for an act relating to retirement; St. Louis Park police; remarriage of surviving spouse.

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

Conway, Onnen, Lynch, Wynia and Greenfield introduced:

H. F. No. 1420, A bill for an act relating to human services; expanding the powers and duties of the council for the hearing impaired; amending Minnesota Statutes 1988, section 256C.28, subdivision 3, and by adding subdivisions.

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

McLaughlin, Osthoff, Scheid, Gutknecht and Kostohryz introduced:

H. F. No. 1421, A bill for an act relating to surplus United States government property; directing the commissioner of natural resources to seek acquisition of certain surplus property of the United States government; directing the commissioner to lease the property to a nonprofit organization for development as housing for certain homeless veterans and their families.

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

Olson, E.; Anderson, G.; Sparby; Wenzel and Waltman introduced:

H. F. No. 1422, A bill for an act relating to agriculture; establishing an agricultural landlord rental incentive program under the rural finance authority; authorizing certain payments to owners of farmland; redirecting distributions of certain unclaimed property; appropriating money; amending Minnesota Statutes 1988, section 308.12, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 41B.

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



Ogren; Greenfield; Cooper; Anderson, R., and Orenstein introduced:

H. F. No. 1423, A bill for an act relating to nursing home admission agreements; prohibiting use of blanket waivers of liability by continuing care facilities and nursing homes; requiring nursing home admission agreements to be available to the public and clarifying that such agreements are consumer contracts; prohibiting nursing homes from requiring third party guarantors; requiring nursing homes to identify their status as medical assistance providers; prohibiting use of blanket consents for treatment; requiring written acknowledgment that residents have received a copy of the patients' bill of rights; providing penalties; amending Minnesota Statutes 1988, section 80D.04, by adding a subdivision; 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.

Segal and Nelson, K., introduced:

H. F. No. 1424, A bill for an act relating to education; authorizing health and wellness education program planning; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Pugh, Kelly, Conway, Macklin and Dempsey introduced:

H. F. No. 1425, A bill for an act relating to privacy of communications; modifying standards for disclosure of communications by electronic communications services; limiting use of contract personnel; modifying reporting requirements; modifying procedures for the use of pen registers and trap and trace devices; requiring orders for the use of mobile tracking devices; providing for a civil cause of action; removing the sunset on the privacy of communications act; imposing penalties; amending Minnesota Statutes 1988, sections 626A.02, subdivision 3; 626A.04; 626A.06, subdivision 4a; 626A.11, subdivisions 1 and 2; 626A.12, subdivision 1; 626A.17; 626A.35; 626A.36; 626A.37; 626A.38; 626A.39, by adding a subdivision; and 626A.40; proposing coding for new law in Minnesota Statutes, chapter 626A; repealing Minnesota Statutes 1988, sections 626A.12, subdivision 1a; 626A.22; 626A.23; and 626A.24; and Laws 1988, chapter 577, section 62.

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

Segal, Vellenga and Forsythe introduced:

H. F. No. 1426, A bill for an act relating to traffic regulations; school buses; requiring passenger seat belts on new school buses purchased after January 1, 1990; amending Minnesota Statutes 1988, section 169.44, subdivision 9.

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

McPherson, Hugoson, Ozment, Girard and Haukoos introduced:

H. F. No. 1427, A bill for an act relating to food; authorizing donation of certain food; limiting liability of food donors; proposing coding for new law in Minnesota Statutes, chapter 31.

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

McPherson, Omann, Hugoson, Haukoos and Girard introduced:

H. F. No. 1428, A bill for an act relating to child abuse reporting; defining "physical abuse" to include use of a controlled substance by a pregnant woman; amending Minnesota Statutes 1988, section 626.556, subdivision 2.

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

Conway, Welle, Gruenes, Gutknecht and Segal introduced:

H. F. No. 1429, A bill for an act relating to licensure of ambulance services; establishing new standards; amending Minnesota Statutes 1988, sections 144.801, subdivisions 4 and 7; 144.802, subdivisions 3, 3a, 4, and by adding a subdivision; 144.804; 144.806; 144.807, subdivision 1; 144.808; 144.809; and 144.8091; repealing Minnesota Statutes 1988, sections 144.805; 144.807, subdivision 3; and 144.8092.

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

Dawkins, O'Connor, Clark, Morrison and Osthoff introduced:

H. F. No. 1430, A bill for an act relating to housing; requiring that proceeds from the sale of abandoned and escheated property be allocated to the housing trust fund account; amending Minnesota

Statutes 1988, sections 11A.10, subdivision 2; 94.16, by adding a subdivision; 290.067, subdivision 4; 345.48, subdivision 1; 345.49, subdivision 2; 462A.201, subdivision 1; 525.161; and 525.841.

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

Dawkins and O'Connor introduced:

H. F. No. 1431, A bill for an act relating to human services; requiring an increase in foster care maintenance payments; requiring a respite program for foster care providers; authorizing start-up grants to persons who seek to provide foster care; requiring a four-year commitment to foster care; appropriating money; amending Minnesota Statutes 1988, sections 256.82, subdivision 3; and 462A.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 257.

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

Steensma, Kalis, Brown, Tunheim and Carlson, D., introduced:

H. F. No. 1432, A bill for an act relating to transportation; requiring nonrailroad lessors to comply with certain procedures before sale of property interests; regulating cancellations of leases of railroad right-of-way; amending Minnesota Statutes 1988, sections 222.631, by adding a subdivision; 222.632; and 222.633; proposing coding for new law in Minnesota Statutes, chapter 230.

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

Nelson, K.; Olsen, S.; Vellenga; McEachern and Otis introduced:

H. F. No. 1433, A bill for an act relating to education; authorizing charter schools; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 129B.

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

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

H. F. No. 1434, A bill for an act relating to retirement; teachers retirement association; making various administrative changes in

the laws governing operation of the association; establishing an appeal procedure; amending Minnesota Statutes 1988, sections 136.81, subdivision 1; 136.82, subdivisions 1 and 2; 354.05, subdivisions 35 and 37; 354.06, by adding a subdivision; 354.07, subdivision 3; 354.091; 354.092; 354.10, subdivision 2; 354.35; 354.42, subdivision 7; 354.44, subdivisions 3, 5, and 8; 354.47, subdivision 2; 354.48, subdivisions 1 and 2; 354.65; 356.30, subdivision 2; 356.371, subdivision 3; and 356.80, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 1988, sections 136.88, subdivision 3; 354.41, subdivision 3; 354.531; 354.532; 354.55, subdivision 5; and 354.56.

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

Krueger introduced:

H. F. No. 1435, A bill for an act relating to liquor; authorizing issuance of a certain on-sale license in Todd county.

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

Dille; Olson, E.; Bertram; Schafer and Krueger introduced:

H. F. No. 1436, A bill for an act relating to livestock; providing funds for the Minnesota extension service to match other money to establish a position in the college of veterinary medicine for an expert on small ruminants; appropriating money.

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

Winter, Welle, Dauner, Steensma and Dille introduced:

H. F. No. 1437, A bill for an act relating to workers' compensation; expanding the family farm exclusion from workers' compensation coverage; amending Minnesota Statutes 1988, section 176.011, subdivision 11a.

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

Osthoff, Jacobs, Sparby, Rodosovich and Abrams introduced:

H. F. No. 1438, A resolution memorializing the Board of Governors

of the Federal Reserve Board to reject amendments to its rules that would govern permissible activities of state-chartered banks.

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

Pugh, Kelly, Carruthers and Seaberg introduced:

H. F. No. 1439, A bill for an act relating to creditors remedies; regulating executions and garnishments; amending Minnesota Statutes 1988, section 550.142; proposing coding for new law in Minnesota Statutes, chapters 550 and 557; proposing coding for new law as Minnesota Statutes, chapter 551; repealing Minnesota Statutes 1988, sections 550.041; 550.05; 550.14; 550.141; 571.41; 571.42; 571.43; 571.44; 571.45; 571.46; 571.471; 571.495; 571.50; 571.51; 571.52; 571.53; 571.54; 571.55; 571.56; 571.57; 571.58; 571.59; 571.60; 571.61; 571.62; 571.63; 571.64; 571.65; 571.66; 571.67; 571.68; and 571.69.

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

Greenfield, Battaglia, Gruenes and Skoglund introduced:

H. F. No. 1440, A bill for an act relating to local government; requiring political subdivisions to request proposals for group insurance coverage; amending Minnesota Statutes 1988, section 43A.316, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 471; repealing Minnesota Statutes 1988, section 471.616.

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

Tjornhom, Limmer, Uphus, Jennings and Valento introduced:

H. F. No. 1441, A bill for an act relating to taxation; income; providing an exclusion for certain military pay; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

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

Morrison; Anderson, G.; Carlson, L.; Jaros and Forsythe introduced:

H. F. No. 1442, A bill for an act relating to education; requesting

the regents of the University of Minnesota to establish a program; appropriating money.

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

Jefferson, Simoneau, McLaughlin, Osthoff and Pauly introduced:

H. F. No. 1443, A bill for an act relating to state government; creating a small business procurements commission to study recent United States Supreme Court decisions and their effect on certain programs; suspending certain requirements relating to procurements from socially and economically disadvantaged businesses during the study; appropriating money; amending Minnesota Statutes 1988, sections 16B.189; 16B.19, subdivisions 2, 4, 5, and 6; 16B.21, subdivision 2; 16B.22; 116J.68, subdivision 1; 136.27; 136.72; 137.31, subdivision 3; 161.321, subdivisions 2, 3, and 6; 241.27, subdivision 2; 471.345, subdivision 8; 473.142; 473.406, subdivisions 1, 2, 4, 5, and 6; and 645.445, subdivision 5.

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

McPherson, Hugoson, Girard, Haukoos and Richter introduced:

H. F. No. 1444, A bill for an act relating to crime; increasing penalties for criminal vehicular operation; amending Minnesota Statutes 1988, section 609.21.

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

Nelson, C.; Bertram; Dauner; Waltman and Sparby introduced:

H. F. No. 1445, A bill for an act relating to agriculture; making technical changes in the seed and dairy inspection laws; amending Minnesota Statutes 1988, sections 21.89, subdivisions 2 and 4; and 32.103.

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

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

H. F. No. 1446, A bill for an act relating to retirement; public employees retirement association; clarifying certain provisions;

changing administrative requirements; altering member eligibility requirements; changing disability benefit payments; amending Minnesota Statutes 1988, sections 353.01, subdivisions 2a and 2b, and by adding a subdivision; 353.27, subdivision 12; 353.28, subdivisions 5 and 6; 353.29, subdivisions 4 and 7; 353.33, subdivisions 1, 2, 5, 6, and 7; 353.34, subdivision 1; 353.35; 353.64, subdivisions 2 and 3; and 353.656, subdivision 4; repealing Minnesota Statutes 1988, sections 353.01, subdivision 2c; 353.661; and 353.662.

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

Scheid, Sarna, Bishop, McEachern and Heap introduced:

H. F. No. 1447, A bill for an act relating to motor vehicles; defining the effect of certain leases; amending Minnesota Statutes 1988, section 168A.17, by adding a subdivision.

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

Rest, Long, McLaughlin and Blatz introduced:

H. F. No. 1448, A bill for an act relating to Hennepin county; permitting the issuance of obligations by the county board of Hennepin county for a public safety building.

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

Rest, Skoglund, Blatz and Olsen, S., introduced:

H. F. No. 1449, A bill for an act relating to Hennepin county; providing for a chief administrative deputy sheriff in the unclassified service; amending Minnesota Statutes 1988, section 383B.32, subdivision 2.

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

Gruenes, Heap, Jaros and McGuire introduced:

H. F. No. 1450, A bill for an act relating to education; setting minimum requirements for nontutorial teaching assistants engaged in actual classroom teaching; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Scheid introduced:

H. F. No. 1451, A bill for an act relating to commerce; securities regulation; providing for annual expiration of certain securities registration statements; modifying fees payable on registration of certain securities; amending Minnesota Statutes 1988, sections 80A.12, subdivision 9; and 80A.28, subdivision 1.

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

Kinkel introduced:

H. F. No. 1452, A bill for an act relating to natural resources; providing for a deficiency in the appropriation for emergency deer feeding; appropriating money.

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

Simoneau, O'Connor, Rukavina and Begich introduced:

H. F. No. 1453, A bill for an act relating to public safety; creating the Minnesota advisory council on fire protection systems; requiring licensing and certifying of the fire protection industry; providing for rules and an exemption; creating fire protection systems account; providing for fees and a surcharge; imposing a penalty; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 299K.

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

Neuenschwander and Solberg introduced:

H. F. No. 1454, A bill for an act relating to Itasca county; authorizing a petition to annex unorganized territory to the town of Spang to be signed by residents of the town.

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



Beard introduced:

H. F. No. 1455, A bill for an act relating to corrections; providing for development of a plan for a centralized corrections data system; appropriating money.

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

McLaughlin, Osthoff, Scheid, Gutknecht and Kostohryz introduced:

H. F. No. 1456, A resolution memorializing the President, Congress, and the director of the United States General Services Administration to arrange for prompt lease of certain surplus United States government properties to a nonprofit organization for use as housing for homeless, near homeless, and displaced veterans and their families.

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

Ogren, Vanasek, Greenfield and Anderson, R., introduced:

H. F. No. 1457, A bill for an act relating to human services; establishing a legislative task force to study community action programs in Minnesota; requiring a study.

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

Kelso, Pelowski, Solberg, Omann and Olson, K., introduced:

H. F. No. 1458, A bill for an act relating to education; allowing school districts to consolidate on July 1 of any year; establishing aid for districts that consolidate; appropriating money; amending Minnesota Statutes 1988, section 122.23, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Tjornhom, Tompkins, Dille, Jefferson and Boo introduced:

H. F. No. 1459, A bill for an act relating to handicapped persons; permitting training of guide dogs in public accommodations; amending Minnesota Statutes 1988, section 256C.02.

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

Beard, Omann and Begich introduced:

H. F. No. 1460, A bill for an act relating to unemployment compensation; making various technical corrections; amending Minnesota Statutes 1988, sections 268.04, subdivisions 12 and 25; 268.06, subdivisions 1, 8a, and 28; 268.07, subdivisions 2 and 3; 268.09, subdivision 1; 268.10, subdivisions 1 and 2; 268.12, subdivision 12; 268.16, subdivision 4; 268.162, subdivision 1; 268.163, subdivision 1; and 268.165, subdivisions 1 and 2.

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

Kalis, Seaberg and Carruthers introduced:

H. F. No. 1461, A bill for an act relating to drivers' licenses; appropriating money to the commissioner of public safety to improve driver license security and legibility.

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

Sviggum, Rodosovich, Bertram, Girard and Heap introduced:

H. F. No. 1462, A bill for an act relating to labor and industry; regulating workers' compensation benefits and administration; regulating workers' compensation insurance; providing for the appointment of actuaries; requiring certain reports relating to workers' compensation; appropriating money; amending Minnesota Statutes 1988, sections 79.095; 79.55, subdivision 2; 79.56, by adding a subdivision; 79.58, subdivision 2; 79.61, subdivision 1; 176.011, subdivisions 11a, 18, and by adding a subdivision; 176.021, subdivision 3; 176.041, subdivision 4; 176.061, subdivision 10; 176.081, subdivisions 1, 2, and 3; 176.101, subdivisions 1, 2, 4, 5, and by adding subdivisions; 176.102, subdivisions 1, 2, 3, 3a, 6, 7, and 11; 176.105, subdivision 1; 176.111, subdivisions 6, 7, 8, 12, 14, 15, 20 and 21; 176.131, subdivisions 1, 1a, 2, 8, and by adding a subdivision; 176.132, subdivisions 1, 2, and 3; 176.136, subdivision 1, and by adding a subdivision; 176.155, subdivision 1; 176.221, subdivision 1; 176.645, subdivisions 1 and 2; 176.66, subdivision 11; 176A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 79 and 176; repealing Minnesota Statutes 1988, sections 79.54; 79.57; 79.58, subdivision 1; 176.011, subdivision 26; 176.101, subdivisions 3a to 3u, and 6.

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

Brown; Trimble; Nelson, C., and Wenzel introduced:

H. F. No. 1463, A bill for an act relating to agriculture; requiring dairy products processed or manufactured with milk from cows that have been administered bovine somatotropin to be labeled if sold or offered for sale; restricting use of bovine somatotropin; authorizing dispensing and administering of bovine somatotropin only by licensed veterinarians; prescribing penalties; amending Minnesota Statutes 1988, sections 151.01, subdivision 28; 151.15, subdivision 3; and 151.25; proposing coding for new law in Minnesota Statutes, chapter 32.

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

Welle; Johnson, R.; Gruenes; Munger and Krueger introduced:

H. F. No. 1464, A resolution memorializing the Congress of the United States to reject pending legislation that would authorize the use of Minnesota waters for the transportation of coal and would grant the right of eminent domain of coal slurry pipelines.

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

Welle, Blatz, Ogren, Neuenschwander and Schreiber introduced:

H. F. No. 1465, A bill for an act relating to taxation; exempting certain planting services from the sales tax; providing that sales of shrubbery, plants, sod, and trees through contracts for their installation are treated as contracts for improvement of real property; amending Minnesota Statutes 1988, section 297A.01, subdivisions 3 and 4.

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

Weaver, Bauerly, McEachern, Kelso and Ozment introduced:

H. F. No. 1466, A bill for an act relating to education; creating a discretionary revenue program; authorizing a levy; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Stanius, Knickerbocker and Runbeck introduced:

H. F. No. 1467, A bill for an act relating to taxation; exempting all health insurance premiums from the gross premiums tax; amending Minnesota Statutes 1988, section 60A.15, by adding a subdivision.

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

Olsen, S., introduced:

H. F. No. 1468, A bill for an act relating to retirement; converting joint and survivor options to normal annuities; amending Minnesota Statutes 1988, sections 352.116, subdivision 3; 353.30, subdivision 3; and 354.45, subdivision 1.

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

Tunheim introduced:

H. F. No. 1469, A bill for an act relating to Roseau county; providing increased bonding authority for hospital districts in the county; amending Laws 1961, chapter 115, section 4, as amended.

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

Blatz, Kostohryz, Bertram, Reding and Olsen, S., introduced:

H. F. No. 1470, A bill for an act relating to local government; permitting a city or county to authorize and regulate casino nights; amending Minnesota Statutes 1988, sections 349.31, subdivision 1; 541.21; 609.75, subdivision 3; and 609.761; proposing coding for new law in Minnesota Statutes, chapter 349.

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

Wenzel, Sparby, Krueger and Bertram introduced:

H. F. No. 1471, A bill for an act relating to agriculture; authorizing the commissioner to investigate cheese marketing arrange-

ments; amending Minnesota Statutes 1988, section 17.03, by adding a subdivision.

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

Wenzel, Sparby, Krueger and Bertram introduced:

H. F. No. 1472, A resolution memorializing the President and Congress to assure fair treatment for Minnesota dairy farmers.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 214, A bill for an act relating to taxation; making technical corrections and clarifications to individual income and corporate franchise taxes; updating references to the Internal Revenue Code; imposing a tax and providing for withholding of certain payments to nonresidents; requiring surety payment by out-of-state contractors; amending Minnesota Statutes 1988, sections 290.01, subdivisions 4, 7, 19, 19a, 19b, 19c, 19d, 19e, and 19f; 290.06, subdivision 22; 290.067, subdivision 1; 290.0802, subdivisions 1 and 2; 290.095, subdivision 9; 290.17, subdivisions 1 and 2; 290.311, subdivision 1; 290.92, by adding subdivisions; and 291.005, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1988, section 290.01, subdivision 6a.

The Senate has appointed as such committee:

Messrs. Pogemiller, Belanger and Johnson, D. J.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVERN, 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. 95, A bill for an act relating to crime victims; clarifying certain criminal fine provisions; authorizing the deposit of unclaimed and abandoned restitution payments in the crime victim and witness account; increasing the maximum amount of reparations payable for funeral, burial, or cremation expenses; authorizing the payment of reparations under certain circumstances to Minnesota residents injured by crimes committed elsewhere; clarifying the authority of the reparations board to deny reparations on the basis of claimant's contributory misconduct; amending Minnesota Statutes 1988, sections 345.48, subdivision 1; 609.101, subdivision 2; 611A.52, subdivision 8; 611A.53, by adding a subdivision; and 611A.54.

PATRICK E. FLAHAVER, Secretary of the Senate

Bishop moved that the House refuse to concur in the Senate amendments to H. F. No. 95, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the 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. 410, A bill for an act relating to public safety; defining high pressure piping; regulating the practice of pipefitting; amending Minnesota Statutes 1988, section 326.461, subdivision 2.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Trimble moved that the House concur in the Senate amendments to H. F. No. 410 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 410, A bill for an act relating to public safety; defining high pressure piping; regulating the practice of pipefitting; amending Minnesota Statutes 1988, section 326.461, subdivision 2.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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 File, herewith transmitted:

S. F. No. 1011.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1011, A bill for an act relating to highways; redesignating the AMVETS memorial highway as the American Veterans Memorial Highway; amending Minnesota Statutes 1988, section 161.14, subdivision 23.

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

### CONSENT CALENDAR

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.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker called Quinn to the Chair.

### CALENDAR

H. F. No. 630, A bill for an act relating to elections; changing or clarifying provisions governing absentee voting, mail elections,



election day activities, ballots, canvassing, municipal elections, school district elections, voting systems, election contests, and financial reporting; amending Minnesota Statutes 1988, sections 10A.02, subdivision 8; 204B.27, by adding a subdivision; 204B.40; 204B.46; 204C.06, subdivision 1; 204C.31, by adding a subdivision; 204C.36; 204C.361; 204D.08, subdivision 1; 204D.23, by adding a subdivision; 204D.27, subdivision 9; 205.16, by adding a subdivision; 205A.07, by adding a subdivision; 206.57, subdivision 1; 206.66; 206.90, subdivision 3; 209.021, subdivision 1; 211A.02, subdivision 1; 211A.05, subdivision 1; and 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 202A; 203B; and 206; repealing Minnesota Statutes 1988, section 211B.11, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 931, A bill for an act relating to motor vehicles; requiring owner to retain certificate of title, rather than secured party; requiring buyer to deliver certificate of title to department of public safety; allowing commissioner of public safety to suspend or revoke certificate of title if owner does not surrender it and vehicle is involuntarily transferred; amending Minnesota Statutes 1988, sec-

tions 168A.02, subdivision 1; 168A.04, subdivision 2; 168A.05, subdivision 5; 168A.06; 168A.09; 168A.10; 168A.11, subdivision 1; 168A.12, subdivision 2; 168A.14; 168A.18; 168A.20, subdivision 1, and by adding subdivisions; 168A.23, subdivision 1; repealing Minnesota Statutes 1988, sections 168A.26; 168A.27; and 168A.28.

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 121 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Simoneau

The bill was passed and its title agreed to.

H. F. No. 436, A bill for an act relating to education; requiring the state board of education to prepare a rule on preparation time for teachers; requiring the rule to be enacted into law before becoming effective.

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 119 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Burger	McDonald	Richter
Dauner	Poppenhagen	Schreiber

The bill was passed and its title agreed to.

H. F. No. 603 was reported to the House and given its third reading.

Sparby moved that H. F. No. 603 be continued on the Calendar. The motion prevailed.

H. F. No. 707 was reported to the House and given its third reading.

Kelso moved that H. F. No. 707 be continued on the Calendar. The motion prevailed.

H. F. No. 774, A bill for an act relating to agriculture; changing voting rights in certain cooperative associations; amending Minnesota Statutes 1988, section 308.07, subdivision 4.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark

The bill was passed and its title agreed to.

H. F. No. 804, A bill for an act relating to Chisago county; permitting the cancellation of certain ditch assessments and providing for the allocation of others.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 943, A bill for an act relating to health; requiring post-secondary students to submit a statement of immunization; providing exemptions; amending Minnesota Statutes 1988, section 123.70, subdivisions 1, 2, 4, 8, 9, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 135A.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 227 was reported to the House and given its third reading.

There being no objection, S. F. No. 227 was continued on the Calendar.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

### GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the

Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

#### REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 489, 520 and 1056 were recommended to pass.

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

#### MOTIONS AND RESOLUTIONS

Carruthers moved that the name of Macklin be added as an author on H. F. No. 299. The motion prevailed.

Scheid moved that the name of Bennett be added as an author on H. F. No. 543. The motion prevailed.

Trimble moved that the name of Osthoff be added as an author on H. F. No. 1104. The motion prevailed.

McLaughlin moved that the name of Dawkins be added as an author on H. F. No. 1272. The motion prevailed.

Blatz moved that the name of Beard be added as an author on H. F. No. 1277. The motion prevailed.

Orenstein moved that the name of Weaver be added as an author on H. F. No. 1282. The motion prevailed.

Simoneau moved that the name of Frederick be added as an author on H. F. No. 1339. The motion prevailed.

Valento moved that the name of Tjornhom be added as an author on H. F. No. 1344. The motion prevailed.

Wagenius moved that the name of Lynch be added as an author on H. F. No. 1345. The motion prevailed.

Segal moved that the name of Sparby be added as an author on H. F. No. 1346. The motion prevailed.

Carruthers moved that the name of Weaver be added as an author on H. F. No. 1353. The motion prevailed.

Carruthers moved that the name of Weaver be added as an author on H. F. No. 1354. The motion prevailed.

Jacobs moved that the name of Lynch be added as an author on H. F. No. 1356. The motion prevailed.

Reding moved that the name of Sparby be added as an author on H. F. No. 1362. The motion prevailed.

Hasskamp moved that the name of Lynch be added as an author on H. F. No. 1364. The motion prevailed.

Neuenschwander moved that the names of Lieder and Sparby be added as authors on H. F. No. 1371. The motion prevailed.

Knickerbocker moved that the names of Abrams and Olsen, S., be added as authors on H. F. No. 1403. The motion prevailed.

Price moved that the name of Valento be added as an author on H. F. No. 1406. The motion prevailed.

Simoneau moved that H. F. No. 324 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Simoneau moved that H. F. No. 796 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Simoneau moved that H. F. No. 843 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Kelly moved that H. F. No. 1088 be recalled from the Committee on Judiciary and be re-referred to the Committee on Appropriations. The motion prevailed.

Kelly moved that H. F. No. 1249 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Solberg moved that H. F. No. 428, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.



Bishop moved that H. F. No. 969 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 95:

Bishop, Kelly and Vellenga.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, April 3, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, April 3, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

