

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION—1989

FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 4, 1989

The House of Representatives convened at 12:00 noon and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Stephen P. Blenkush of First Evangelical Lutheran Church, Pillager, Minnesota and Bethany Lutheran Church, Cushing, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Uphus was excused.

Skoglund was excused until 4:10 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 59 and S. F. Nos. 1378, 1394 and 1498 have been placed in the members' files.

S. F. No. 1394 and H. F. No. 1482, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Frerichs moved that S. F. No. 1394 be substituted for H. F. No. 1482 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1498 and H. F. No. 1608, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Schreiber moved that S. F. No. 1498 be substituted for H. F. No. 1608 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1378 and H. F. No. 1037, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dille moved that the rules be so far suspended that S. F. No. 1378 be substituted for H. F. No. 1037 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

April 26, 1989

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

Dear Sir:

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

H. F. No. 664, relating to local government; providing for the appointment of certain employees of the city of Minneapolis and special school district No. 1; permitting the city of Minneapolis to enter certain agreements relating to construction projects.

H. F. No. 424, relating to commerce; unclaimed property; providing for the ownership of metal dies and molds.

H. F. No. 553, relating to Olmsted county; exempting the county from operation of a public morgue.

H. F. No. 29, relating to examiners of title; removing limits on the number of deputy examiners.

Sincerely,

RUDY PERPICH
Governor

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

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the

Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and	Date Filed
			Date Approved	
	664	54	18:21-April 26	1989
294		55	18:20-April 26	April 26
	424	56	18:20-April 26	April 26
	553	57	18:19-April 26	April 26
361		58	18:18-April 26	April 26
	29	59	18:15-April 26	April 26

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

May 1, 1989

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

Dear Sir:

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

H. F. No. 695, relating to education; reducing the Askov school board from seven to six members; requiring local approval.

Sincerely,

RUDY PERPICH
Governor

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

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

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from

the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i>	<i>H.F.</i>	<i>Session Laws</i>	<i>Time and</i>	<i>Date Filed</i>
<i>No.</i>	<i>No.</i>	<i>Chapter No.</i>	<i>Date Approved</i>	<i>1989</i>
69		60	8:28-May 1	May 1
936		61	8:29-May 1	May 1
1241		62	8:30-May 1	May 1
	695	63	8:31-May 1	May 1
264		64	8:27-May 1	May 1

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1394, 1498 and 1378 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Simoneau, Kahn, Battaglia, Munger and Schreiber introduced:

H. F. No. 1761, A bill for an act relating to environment; providing methods to remove hazardous substances to facilitate economic development; authorizing loans; appropriating money; amending Minnesota Statutes 1988, sections 469.174, subdivisions 7 and 16; and 469.176, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

H. F. No. 1069, A bill for an act relating to real property; providing that purchaser's right to cancel applies to condominiums created before August 1, 1980; providing that lien on real estate added in expansion of flexible condominiums does not affect existing condominiums; amending Minnesota Statutes 1988, sections 515A.1-102; and 515A.2-111.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 655, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public waters in Anoka county.

H. F. No. 930, A bill for an act relating to wild animals; removing authority to offer a bounty on rattlesnakes; amending Minnesota Statutes 1988, sections 348.12 and 348.13.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1131, A bill for an act relating to Olmsted county; authorizing certain appropriations for economic and agricultural development.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1048, A bill for an act relating to vocational rehabilitation; requiring that 51 percent of the members of the board of directors of centers for independent living are persons with disabilities; changing the membership of the Minnesota council for the blind; amending Minnesota Statutes 1988, sections 129A.01, subdivision 9; and 248.10, subdivision 1.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

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

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.

H. F. No. 1498, A bill for an act relating to telecommunications devices for communication-impaired people; requiring the metropolitan airports commission and certain bus stations to provide telecommunications devices for communication-impaired people; amending Minnesota Statutes 1988, section 473.608, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256C.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 65, A bill for an act relating to economic development; authorizing local jurisdictions involved in economic development to participate in secondary markets; proposing coding for new law in Minnesota Statutes, chapter 465.

PATRICK E. FLAHAVEN, Secretary of the Senate

Otis moved that the House refuse to concur in the Senate amendments to H. F. No. 65, 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. 489, A bill for an act relating to employment; regulating fair share fees, unfair labor practices, arbitration procedures and grievance procedures; amending Minnesota Statutes 1988, sections 179.02, by adding a subdivision; 179A.03, subdivision 7; 179A.05, subdivision 6; 179A.06, subdivision 3; 179A.13, subdivision 1; 179A.14, subdivision 1; 179A.16, subdivisions 1, 2, 3, and 4; and 179A.20, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Dawkins moved that the House refuse to concur in the Senate amendments to H. F. No. 489, 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. 826, A bill for an act relating to the collection and

dissemination of data; providing access to private and confidential data related to delinquent acts for law enforcement purposes; amending Minnesota Statutes 1988, sections 13.84, subdivision 5a; and 260.161, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Weaver moved that the House refuse to concur in the Senate amendments to H. F. No. 826, 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. 1734, A bill for an act relating to the financing of government in Minnesota; changing tax rates and bases; modifying the administration, collection, and enforcement of taxes; imposing taxes; creating tax exemptions; changing the computation, administration, and payment of aids, credits, and refunds; providing new aids and credits; making technical corrections and clarifications; changing proposed property tax notice provisions; changing levy limits and other local government powers and duties; providing for subordinate service districts; providing for accreditation of assessors; changing tax increment financing provisions; providing for payment of deferred taxes on sale of railroad operating property; extending valuation and deferment of agricultural property taxes in certain instances; authorizing the cities of Mankato and Hopkins to establish special service districts; authorizing establishment of an economic development authority in the city of Otsego and in Kandiyohi county; exempting Itasca county from a levy limit penalty; providing for payment of certain aid to the cities of Falcon Heights and Lauderdale; extending the duration of a tax increment financing district in the city of Moorhead; granting certain powers to towns; appropriating money; amending Minnesota Statutes 1988, sections 38.27, subdivision 1; 60A.15, subdivision 1; 93.55, subdivision 4; 124A.03, subdivision 2; 256.018; 256.82, subdivision 1; 256.871, subdivision 6; 256B.041, subdivision 5; 270.052; 270.067, subdivisions 1 and 2; 270.071, subdivision 6; 270.072, subdivisions 2 and 3; 270.075, subdivision 2; 270.12, subdivision 2, and by adding a subdivision; 270.485; 270.80, subdivision 1; 272.01, subdivision 2; 272.02, subdivision 1, and by adding a subdivision; 273.01; 273.061, subdivisions 1 and 2; 273.11, by adding a subdivision; 273.111, subdivision 3; 273.112, subdivision 3, and by adding a subdivision; 273.119, subdivision 2; 273.123, subdivisions 4 and 5; 273.124, subdivisions 6, 8, 9, 12, 13, and by adding a subdivision; 273.13,

subdivisions 22, 23, 24, 25, 31, and by adding a subdivision; 273.135, subdivisions 2 and 2a; 273.1391, subdivisions 2 and 2a; 273.1392; 273.1393; 273.1398, subdivisions 1, 2, 3, 4, and by adding a subdivision; 275.07, subdivision 1; 275.08, subdivision 1c; 275.28, subdivision 1; 275.50, subdivisions 2, 5, and by adding a subdivision; 275.51, subdivisions 3f, 3g, 3h, 3i, 3j, 4, and 6; 275.58, subdivision 1; 276.04; 278.03; 278.05, subdivisions 4 and 5; 279.01, subdivisions 1 and 3; 279.37, subdivision 7; 290.015, subdivisions 3 and 4; 290.05, subdivision 3; 290.06, subdivisions 1 and 21; 290.067, subdivision 2, and by adding a subdivision; 290.0802, subdivision 1; 290.091, subdivision 2; and by adding a subdivision; 290.17, by adding a subdivision; 290.21, subdivision 4; 290.37, subdivision 1; 290.38; 290.92, subdivision 4b, as added; 290.934, subdivision 3a; 290A.03, subdivision 12; 290A.04, subdivisions 2, 2h, and by adding a subdivision; 295.34, subdivision 1; 297.01, subdivision 13, and by adding a subdivision; 297.03, subdivision 6; 297.04, subdivisions 4, 5, and 6; 297.041, subdivision 1; 297.08, subdivision 1; 297.31, by adding a subdivision; 297.33, subdivisions 4, 5, 6, 7, and 8; 297A.01, subdivision 3; 297A.15, by adding a subdivision; 297A.25, subdivision 3, and by adding subdivisions; 297A.257, by adding a subdivision; 297B.03; 297C.03, subdivision 1; 297C.09; 349.12, subdivisions 11, 13, and by adding subdivisions; 349.15; 349.16, by adding a subdivision; 349.212, subdivision 4, and by adding a subdivision; 349.214, subdivision 4; 373.40, subdivisions 1, 2, 4, and 6; 375.192, subdivision 2; 444.075, subdivision 1; 444.16; 444.17; 444.18; 444.19; 444.20; 459.14, by adding a subdivision; 469.012, by adding a subdivision; 469.040, subdivision 2; 469.171, by adding a subdivision; 469.174, subdivision 10, and by adding a subdivision; 469.175, subdivisions 3, 7, and by adding a subdivision; 469.176, subdivisions 1, 4c, 6, and by adding a subdivision; 469.177, subdivision 10; 473.167, subdivisions 3 and 5; 473.249, subdivision 1; 473F.08, subdivision 3; 473H.10, subdivision 3; 477A.011, subdivisions 1a and 15, and 477A.013, subdivisions 1, 3, and 4; Laws 1988, chapter 719, articles 1, section 22; 7, section 9; 8, section 37; and 12, sections 29 and 30, as amended; proposing coding for new law in Minnesota Statutes, chapters 273; 275; 276; 297A; 365B; and 469; proposing coding for new law as Minnesota Statutes, chapter 365B; repealing Minnesota Statutes 1988, sections 38.17; 38.27, subdivision 3; 38.28; 60A.151; 271.061; 275.065; 275.57; 275.58; subdivision 4; 276.13; 276.14; 297.01, subdivision 15; 297.03, subdivision 12; 297.04, subdivision 10; 297.33, subdivision 13; 297C.03, subdivisions 4 and 4a; and 473.249, subdivision 3; Laws 1988, chapter 719, article 8, section 35; and Laws 1989, chapter 27, article 2, sections 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Long moved that the House refuse to concur in the Senate amendments to H. F. No. 1734, that the Speaker appoint a Conference Committee of 5 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 Senate Files, herewith transmitted:

S. F. Nos. 698, 468, 933, 929, 997, 1074, 1332, 253, 339, 956 and 1174.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1020, 1417, 1418, 661, 808, 1271 and 1618.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 698, A bill for an act relating to motor vehicles; defining physically handicapped person for purposes of obtaining special license plates; amending Minnesota Statutes 1988, section 169.345, subdivision 2.

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

S. F. No. 468, A bill for an act relating to human services; clarifying methods of determining the cost of care rendered at state facilities; allowing the commissioner of human services to charge on a fee for service basis; clarifying responsibility for collection of the cost of care at state-operated, community-based programs for persons with mental retardation or related conditions; amending Minnesota Statutes 1988, sections 246.50, subdivisions 3, 4, and 5; 246.51, by adding a subdivision; and 246.54; repealing Minnesota Statutes 1988, section 246.50, subdivisions 3a, 4a, and 9.

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

S. F. No. 933, A bill for an act relating to local government; providing for the board membership of the Moose Lake and Windemere sanitary sewer district; amending Laws 1974, chapter 400, section 4, subdivision 2, as amended.

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

S. F. No. 929, A bill for an act relating to natural resources; establishing the Minnesota conservation corps; prescribing powers and duties of the commissioner of natural resources; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 1988, section 86.33, subdivisions 2 and 3.

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

S. F. No. 997, A bill for an act relating to the environment; authorizing the pollution control agency to assist persons in reviewing real property for petroleum tank releases and to be paid for such assistance; authorizing expenditures from the petroleum tank release compensation fund; changing the terms for reimbursement of petroleum tank release costs by the petroleum tank release compensation board; requiring notification by owners of aboveground tanks; amending Minnesota Statutes 1988, sections 115C.03, by adding a subdivision; 115C.08, subdivision 4; 115C.09; and 116.48.

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

S. F. No. 1074, A bill for an act relating to elections; making various changes in laws applicable to school district elections; amending Minnesota Statutes 1988, sections 201.071, subdivision 3; 203B.08, subdivision 3; 204B.08, subdivision 3; 204B.14, subdivision 5; 204B.17; 204B.44; 204C.22, subdivisions 9, 10, 15, and by adding a subdivision; 204D.04, subdivision 2; 205A.05, subdivision 1; 205A.07, by adding a subdivision; 205A.09, subdivision 2; 205A.10, subdivisions 2 and 3; 205A.11; 209.02, subdivision 1; 209.021, subdivision 1; 209.03; 209.09, subdivision 1; and 211A.01, subdivision 6.

The bill was read for the first time.

McEachern moved that S. F. No. 1074 and H. F. No. 1147, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1332, A bill for an act relating to agriculture; increasing the value for destroyed livestock; amending Minnesota Statutes 1988, section 3.737, subdivision 1.

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

S. F. No. 253, A bill for an act relating to education; authorizing the use of community education funds to acquire equipment to be used exclusively in community education programs; amending Minnesota Statutes 1988, section 124.271, subdivision 4.

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

S. F. No. 339, A bill for an act relating to health; including anabolic steroids in the list of controlled substances; amending Minnesota Statutes 1988, section 152.02, subdivision 5.

The bill was read for the first time.

Limmer moved that S. F. No. 339 and H. F. No. 337, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 956, A bill for an act relating to waste management; requiring a county that enters a contract with the state for the siting and development of a stabilization and containment facility to hold a binding referendum on implementation of the contract; amending Minnesota Statutes 1988, section 115A.191, by adding a subdivision.

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

S. F. No. 1174, A bill for an act relating to public lands; conditions for acceptance of transfers from the federal government; proposing coding for new law in Minnesota Statutes, chapter 84.

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

S. F. No. 1020, A bill for an act relating to education; authorizing and establishing procedures for the sale of all or part of the Minnesota Educational Computing Corporation; amending Minnesota Statutes 1988, sections 119.04, subdivision 2, and by adding subdivisions; 119.06, subdivision 3; and 119.09.

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

S. F. No. 1417, A bill for an act relating to state lands; authorizing the sale of certain state lands bordering on public waters; authorizing the exchange of certain land in Benton county; authorizing the sale of certain trust fund land in Itasca, St. Louis, and Cook counties; authorizing the sale of certain surplus land for recreational purposes in the cities of Faribault, Warroad, and Ortonville, and Anoka county; authorizing the sale of a certain gifted city lot in the city of Brainerd; authorizing the private sale of certain land in Goodhue and Otter Tail counties to resolve an inadvertent trespass; authorizing conveyance of interest in certain land in Goodhue county to correct a survey error; authorizing transfer of certain land in Carlton county from the department of transportation to the department of natural resources.

The bill was read for the first time.

McGuire moved that S. F. No. 1417 and H. F. No. 1668, now on the Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1418, A bill for an act relating to metropolitan government; requiring the metropolitan council to prepare water use and supply plans; proposing coding for new law in Minnesota Statutes, chapter 473.

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

S. F. No. 661, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited land that borders public water in Aitkin county.

The bill was read for the first time.

Carlson, D., moved that S. F. No. 661 and H. F. No. 843, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 808, A bill for an act relating to credit unions; authorizing the elimination or limitation of a director's liability in certain circumstances; amending Minnesota Statutes 1988, section 52.09, by adding a subdivision.

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

S. F. No. 1271, A resolution memorializing the President and

Congress to address problems in the solid waste stream caused by the amount and types of materials used to package consumer products.

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

S. F. No. 1618, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; providing for regulation of certain activities and practices; requiring studies and reports; fixing and limiting fees; amending Minnesota Statutes 1988, sections 12.14; 41A.09; 43A.08, subdivision 1; 237.30; 341.10; 473.384, subdivision 7; and 473.386, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, G., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1618 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Anderson, G., moved that the Rules of the House be so far suspended that S. F. No. 1618 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1618 was read for the second time.

Anderson, G., moved to amend S. F. No. 1618, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [TRANSPORTATION AND OTHER AGENCIES; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1990" and "1991," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1990, or June 30, 1991, respectively.

SUMMARY BY FUND

	1990	1991	TOTAL
General	\$ 97,952,000	\$ 96,224,000	\$ 194,176,000
Special Revenue	5,802,000	5,963,000	11,765,000
Airports	14,128,000	13,956,000	28,084,000
M.S.A.S.	77,640,000	79,915,000	157,555,000
C.S.A.H.	240,115,000	247,544,000	487,659,000
Tr. Hwy.	798,839,000	819,111,000	1,617,450,000
Hwy. User	11,097,000	11,367,000	22,464,000
Transit			
Assistance	20,975,000	24,568,000	45,543,000
Motor Vehicle			
Transfer	869,000	869,000	1,738,000
Petroleum Tank			
Release			
Cleanup	56,000	56,000	112,000
Transfers to			
Other Direct	(2,931,000)	(2,832,000)	(5,763,000)
TOTAL	\$1,264,042,000	\$1,296,741,000	\$2,560,783,000

APPROPRIATIONS
Available for the Year
Ending June 30

1990 1991

Sec. 2. TRANSPORTATION

Subdivision 1.

Total Appropriation	\$1,080,565,000	\$1,114,566,000
Approved Complement -	4,798	
General -	14	
State Airports -	41	
Trunk Highway -	4,727	
Federal -	16	

The appropriations in this section are from the trunk highway fund, except where another fund is named.

Summary by Fund

General	\$4,638,000	\$3,918,000
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	1990	1991
	\$	\$
Airports	\$ 14,128,000	\$ 13,956,000
M.S.A.S.	\$ 77,640,000	\$ 79,915,000
C.S.A.H.	\$240,115,000	\$247,544,000
Trunk Highway	\$734,810,000	\$757,576,000
Transit Assistance Fund	\$ 8,365,000	\$ 10,788,000
Motor Vehicle Transfer	\$ 869,000	\$ 869,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Highway Development	759,383,000	797,409,000.
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Summary by Fund

M.S.A.S.	\$ 77,640,000	\$ 79,915,000
C.S.A.H.	\$240,115,000	\$247,544,000
Trunk Highway	\$440,759,000	\$469,081,000
Motor Vehicle Transfer	\$ 869,000	\$ 869,000
(a) Trunk Highways		
	1990	1991
	\$432,177,000	\$425,952,000

Summary by Fund

Trunk Highway	\$431,308,000	\$425,083,000
Motor Vehicle Transfer	\$ 869,000	\$ 869,000

It is estimated that the appropriation from the trunk highway fund will be funded as follows:

	1990	1991
	\$	\$
Federal Highway Aid		
\$210,000,000	\$210,000,000	
Highway User Taxes		
\$221,308,000	\$215,083,000	

The commissioner of transportation shall notify the chair of the senate finance committee and chair of the house appropriations committee promptly of any events that should cause these estimates to change.

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways. This includes the cost of actual payment to land owners for lands acquired for highway right-of-way, payment to lessees, interest subsidies, and relocation expenses.

(b) County State Aids
 \$240,115,000 \$247,544,000

This appropriation is from the county state-aid highway fund and is available until spent.

(c) Municipal State Aids
 \$77,640,000 \$79,915,000

This appropriation is from the municipal state-aid street fund and is available until spent.

If an appropriation for either county state aids or municipal state aids does not exhaust the balance in the fund from which it is made in the year for which it is made, the commissioner of finance, upon request of the commissioner of transportation, shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the remainder and shall then add that amount to the appropriation. The amount added is appropriated for the purposes of county state

aids or municipal state aids, as appropriate.

(d) Highway Debt Service

	1990	1991
\$	\$	\$

\$9,057,000 the first year and \$8,704,000 the second year are for transfer to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation.

Any excess appropriation must be canceled to the trunk highway fund.

Subd. 3. Public Transit Assistance

12,277,000	13,982,000
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Summary by Fund

General

\$3,912,000	\$ 3,194,000
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Transit Assistance

\$8,365,000	\$10,788,000
-------------	--------------

Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Up to \$100,000 of this appropriation from the general fund may be used for a study of transportation services provided by volunteer drivers, including, but not limited to, identification of issues relating to insurance availability and cost. The commissioner shall report the findings of the study to the 1991 legislature.

	1990	1991
	\$	\$
(a) Light Rail Transit		
	\$4,170,000	\$5,874,000

This appropriation is from the transit assistance fund and must be distributed as provided in Minnesota Statutes, section 174.32, subdivision 2, paragraph (b).

(b) Greater Minnesota Transit Assistance

General	\$3,912,000	\$3,194,000
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Transit Assistance	\$4,195,000	\$4,914,000
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Subd. 4. Aeronautics	10,431,000	10,181,000
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This appropriation is from the state airports fund.

(a) Airport Development and Assistance

\$10,366,000	\$10,116,000
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\$1,746,000 the first year and \$1,746,000 the second year are for navigational aids.

\$400,000 is for the purchase of a hangar for use by the office of aeronautics. The commissioner shall collect charges from other agencies of the state for use of space in the hangar, and shall pay these charges into the state treasury for credit to the state airports fund.

\$6,039,000 the first year and \$6,089,000 the second year are for airport construction grants.

\$1,773,000 the first year and \$1,773,000 the second year are for airport maintenance grants.

\$400,000 the first year and \$500,000 the second year are for air service grants.

1990 1991

\$ \$

If the appropriation for either year for navigational aids, airport construction grants, airport maintenance grants, or air service grants is insufficient, the appropriation for the other year is available for it. The appropriations for construction grants and maintenance grants must be expended only for grant-in-aid programs for airports that are not state owned.

These appropriations must be expended in accordance with Minnesota Statutes, section 360.305, subdivision 4.

The commissioner of transportation may transfer unencumbered balances among the appropriations for airport development and assistance with the approval of the governor after consultation with the legislative advisory commission.

\$8,000 the first year and \$8,000 the second year are for maintenance of the Pine Creek Airport.

(b) Civil Air Patrol		
	\$65,000	\$65,000
Subd. 5. Operations		188,931,000
		189,617,000

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Maintenance		
	\$129,227,000	\$129,546,000
(b) Construction Support		
	\$ 59,704,000	\$ 60,071,000
Subd. 6. Technical Services		57,876,000
		57,098,000

The amounts that may be spent from this appropriation for each activity are as follows:

	1990	1991
	\$	\$
(a) Program Delivery		
\$54,114,000	\$53,336,000	

\$75,000 the first year and \$75,000 the second year are for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The department is directed to seek federal funding for all or part of the costs associated with construction and operation of the cold region test facility. The local road research board may contribute available research funds to the department to further the development of this facility.

(b) State Aid Technical Assistance		
\$ 946,000	\$ 946,000	
(c) Electronic Communications		
\$2,816,000	\$2,816,000	

Subd. 7. Program Management	11,934,000	11,333,000
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Summary by Fund

General	\$ 684,000	\$ 682,000
Trunk Highway	\$7,807,000	\$7,098,000

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Highway Program Administration		
\$1,850,000	\$1,850,000	

Summary by Fund

General	\$ 75,000	\$ 75,000
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45th Day]

THURSDAY, MAY 4, 1989

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	1990	1991
	\$	\$

Trunk Highway

\$1,775,000	\$1,775,000
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\$243,000 the first year and \$243,000 the second year are available for grants to regional development commissions outside the seven-county metropolitan area for transportation studies to identify critical concerns, problems, and issues.

(b) Motor Carrier Administration
\$1,212,000 \$1,212,000

(c) Railroads and Waterways
\$ 962,000 \$ 961,000

Summary by Fund

General
\$ 237,000 \$ 236,000

Trunk Highway
\$ 725,000 \$ 725,000

(d) Transit Administration
\$ 592,000 \$ 596,000

Summary by Fund

General
\$ 372,000 \$ 371,000

Trunk Highway
\$ 225,000 \$ 225,000

(e) Aeronautics Administration
\$3,443,000 \$3,553,000

This appropriation is from the state airports fund.

(f) Transportation Data Analysis
\$3,870,000 \$3,161,000

Subd. 8. General Support Services 39,733,000 34,946,000

	1990	1991
	\$	\$

Summary by Fund

General	\$ 42,000	\$ 42,000
Airports	\$ 254,000	\$ 222,000
Trunk Highway	\$39,437,000	\$34,682,000

The amounts that may be spent from this appropriation for each activity are as follows:

(a) General Administration
 \$12,622,000 \$12,644,000

(b) General Services
 \$ 7,033,000 \$ 6,518,000

Summary by Fund

General	\$ 42,000	\$ 42,000
Airports	\$ 131,000	\$ 120,000
Trunk Highway	\$ 6,860,000	\$ 6,356,000
(c) Equipment	\$18,858,000	\$14,564,000

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund

Airports	\$ 69,000	\$ 48,000
Trunk Highway	\$18,789,000	\$14,516,000
(d) Legal Services	\$ 1,166,000	\$ 1,166,000

This appropriation is for the purchase of legal services from or through the attorney general.

	1990.	1991
	\$	\$
(e) Air Transportation Services		
\$54,000	\$54,000	

This appropriation is from the state airports fund.

Subd. 9. Data Processing Development

If an appropriation in this section for data processing development for either year is insufficient, the appropriation for the other year is available for it.

Subd. 10. Transfers

The commissioner of transportation with the approval of the commissioner of finance may transfer unencumbered balances among the appropriations from the trunk highway fund and the state airports fund made in this section. No transfer may be made from the appropriation for trunk highway development. No transfer may be made from the appropriations for debt service to any other appropriation. Transfers may not be made between funds. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 11. Contingent Appropriations

(a) The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission, may transfer all or part of the unappropriated balance in the state airports fund to an appropriation for state airports purposes in order to meet an emergency or to take advantage of an unanticipated receipt of income to the state airports fund. The amount transferred is appropriated for the purpose of the account to which it is transferred.

	1990	1991
	\$	\$
(b) The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation for trunk highway purposes in order to meet an emergency or to take advantage of an unanticipated receipt of income to the trunk highway fund. The amount transferred is appropriated for the purpose of the account to which it is transferred.		

**Sec. 3. REGIONAL TRANSIT
BOARD**

Subdivision 1. Total Appropriation	24,088,000	22,507,000
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Summary by Fund

General	\$11,478,000	\$ 8,727,000
Transit Assistance	\$12,610,000	\$13,780,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

For the purpose of improving air quality and promoting alternative energy sources in the metropolitan area, the regional transit board shall evaluate and promote the use of vehicles that operate on clean-burning alternative fuels, including natural gas, methanol, and ethanol. The board shall: evaluate the feasibility and effectiveness of using the fuels; review the efforts of other public agencies in the use of the fuels; and examine opportunities and demon-

strate, when technically and economically feasible, the use of the fuels in vehicles and buses operated by the board, the metropolitan transit commission, and other transit operators and in the vehicle fleets of other metropolitan agencies. In its 1990 and 1991 reports to the legislature, the board shall include a report on its activities in carrying out the provisions of this paragraph.

	1990	1991
	\$	\$
Subd. 2. Regular Route Service		
\$12,087,000	\$10,220,000	
Subd. 3. Metro Mobility		
\$10,125,000	\$10,125,000	
Subd. 4. Small Urban, Rural, and Replacement Services		
\$ 776,000	\$ 812,000	
Subd. 5. Planning and Programs		
\$ 750,000	\$ 900,000	
Subd. 6. Administration		
\$ 350,000	\$ 450,000	
Sec. 4. TRANSPORTATION REGULATION BOARD	629,000	609,000

Approved Complement - 9.5

This appropriation is from the trunk highway fund.

	1990	1991
Subdivision 1. Total Appropriation	95,360,000	94,686,000
Approved Complement -	1,804.5	1,827.5
General -	399.2	405.2
Special Revenue -	22.5	26.5
Trunk Highway -	1,161.4	1,174.4
Highway User -	172.6	172.6
Federal -	48.8	48.8

	1990	1991
	\$	\$

The above approved complement includes 531 the first year and 541 the second year for state-funded, unclassified patrol officers and supervisors of the state patrol. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section, provided that the above complement must be reduced accordingly.

Summary by Fund

General

\$23,611,000	\$24,382,000
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Trunk Highway

\$62,029,000	\$60,055,000
--------------	--------------

Highway User

\$10,972,000	\$11,242,000
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Special Revenue

\$ 1,679,000	\$ 1,839,000
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Transfers to Other Direct

(\$ 2,931,000)	(\$ 2,832,000)
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The amounts shown in the program totals are reduced by \$186,000 the first year and \$185,000 the second year from the general fund. Reductions must be made from appropriations that will not reduce revenue to the general fund.

Subd. 2. Administration and Related Services

\$5,976,000	\$5,853,000
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Summary by Fund

General

\$ 53,000	\$ 53,000
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	1990	1991
	\$	\$
Trunk Highway		
	\$5,833,000	\$5,710,000
Highway User		
	\$ 90,000	\$ 90,000

\$967,000 the first year and \$549,000 the second year from the trunk highway fund are for management information systems. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$495,000 the first year and \$787,000 the second year from the trunk highway fund are for optical disk storage and retrieval. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Subd. 3. Emergency Management
 \$ 950,000 \$ 950,000

\$426,000 the first year and \$426,000 the second year are for nuclear plant preparedness. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Subd. 4. Criminal Apprehension
 \$12,790,000 \$13,610,000

Summary by Fund

General	\$11,341,000	\$12,161,000
Special Revenue	\$ 480,000	\$ 480,000
Trunk Highway	\$ 969,000	\$ 969,000

\$223,000 the first year and \$223,000 the second year are for use by the bureau of criminal apprehension for the purpose of investigating cross-juris-

1990

\$

1991

\$

ditional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$171,000 the first year and \$171,000 the second year from the general fund are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$96,000 the first year and \$96,000 the second year from the Bureau of Criminal Apprehension Account in the special revenue fund are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$384,000 the first year and \$384,000 the second year from the Bureau of Criminal Apprehension Account in the special revenue fund are for laboratory activities.

\$730,000 in the second year from the general fund is for the purchase of an automated fingerprint identification system through lease-purchase.

Subd. 5. Fire Safety
\$ 1,859,000 \$ 2,005,000

Subd. 6. State Patrol
\$39,478,000 \$39,366,000

This appropriation is from the trunk highway fund.

This appropriation includes \$100,000 in the first year from the trunk highway fund to install Minnesota State Emergency Frequency (MINSEF) Base

	1990	1991
	\$	\$

Stations at the following six locations: Dresbach, Hader, Biscay, Truman, Erhard, and Crookston.

No more than five positions, excluding the chief patrol officer, in the state patrol support activity may be filled by state troopers.

The commissioner may not require the use of gasohol in the operation of state patrol vehicles.

During the biennium ending June 30, 1991, and notwithstanding other law to the contrary, the commissioner shall authorize the appointing authority to permit the donation of up to eight hours of accumulated vacation time in each year by each employee who is a member of the law enforcement unit number 1 to the employee's union representative for the purpose of carrying out the duties of office.

\$1,328,000 the first year and \$1,147,000 the second year from the trunk highway fund are to consolidate and modernize the two metropolitan area radio communications centers. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Subd. 7. Capitol Security	\$ 1,585,000	\$ 1,594,000
Subd. 8. Driver and Vehicle Licensing	\$29,634,000	\$28,100,000

Summary by Fund

General	\$ 4,502,000	\$ 4,498,000
Trunk Highway	\$15,749,000	\$14,010,000
Highway User	\$ 9,383,000	\$ 9,592,000

	1990	1991
	\$	\$
\$431,000 the first year and \$431,000 the second year are for alcohol assessment reimbursements to counties.		

Subd. 9. Liquor Control
 \$ 738,000 \$ 738,000

Subd. 10. Ancillary Services
 \$2,536,000 \$2,655,000

Summary by Fund

General \$1,337,000 \$1,296,000

Special Revenue
 \$1,199,000 \$1,359,000

(a) Pipeline Safety Special Revenue
 \$ 549,000 \$ 709,000

The appropriation from the special revenue fund is from the pipeline safety account. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

(b) Crime Victims Reparations Board

Summary by Fund

General \$840,000 \$840,000

Special Revenue
 \$550,000 \$550,000

The appropriation from the special revenue fund is from the crime victim and witness account. Any unencumbered balance remaining the first year does not cancel but is available for the second year.

Notwithstanding any other law to the contrary, the crime victims reparations board shall, to the extent possible, distribute the appropriation in equal

	1990	1991
	\$	\$
monthly increments. In no case shall the total awards exceed the appropriation made in this subdivision.		
(c) Emergency Response Commission		
\$442,000	\$401,000	
(d) Children's Trust Fund		
\$100,000	\$100,000	

This appropriation is from the special revenue fund.

(e) Private Detective and Protective Agency Licensing Board	
\$55,000	\$55,000

Subd. 11. Transfers

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs within a fund. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 12. Reimbursements

(a) \$1,432,000 for the first year and \$1,272,000 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1990, and January 1, 1991, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

(b) \$505,000 for the first year and \$533,000 for the second year are appropriated from the highway user tax dis-

1990 1991

\$ \$

tribution fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1990, and January 1, 1991, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for highway user fund purposes in the administration and related services program.

(c) \$994,000 for the first year and \$1,027,000 for the second year are appropriated from the highway user tax distribution fund for transfer by the commissioner of finance to the general fund on January 1, 1990, and January 1, 1991, respectively, in order to reimburse the general fund for expenses not related to the fund. These represent amounts appropriated out of the general fund for operation of the criminal justice data network related to driver and motor vehicle licensing.

Sec. 6. BOARD OF PEACE OFFICER STANDARDS AND TRAINING

General Operations and Management	3,600,000	3,600,000
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Approved Complement - 11

These appropriations are from the peace officers training account in the special revenue fund.

Notwithstanding other law to the contrary, if any presently duly elected sheriff is not licensed by the board as a peace officer as defined in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c), by July 1, 1989, the county board of that county may, after notice to the sheriff and a public hearing, declare by resolution that the office of sheriff in that county is vacant and may schedule a special election to fill

1990 1991

\$

the office. Any presently duly elected sheriff who is not licensed by the board on July 1, 1989, may continue to serve in that office without being licensed only until a successor is duly elected at a special election or, if no special election is held, until the expiration of the term for which the sheriff was elected.

Sec. 7. AGRICULTURE

Subdivision 1. Total Appropriation 11,537,000 11,562,000

	1990	1991
Approved Complement -	496.8	497.8
General -	200.8	201.8
Special/Revolving -	277.7	277.7
Federal -	18.3	18.3

Summary by Fund

General \$11,352,000 \$11,377,000

Special Revenue \$ 185,000 \$ 185,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The amounts shown in the program totals are reduced by \$81,000 the first year and \$80,000 the second year from the general fund. Reductions must be made from appropriations that will not reduce revenue to the general fund. These reductions do not apply to subdivision 7.

Subd. 2. Protection Service \$4,537,000 \$4,537,000

Subd. 3. Promotion and Marketing \$ 657,000 \$ 657,000

\$200,000 the first year and \$200,000 the second year are for transfer to the Minnesota grown account.

Subd. 4. Family Farm Security
\$1,548,000 \$1,548,000

\$962,000 the first year and \$962,000 the second year are for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. No new loans may be approved in fiscal year 1990 or 1991. The participant's interest in a family farm loan guarantee executed before June 30, 1987, may be assigned to a new participant.

\$289,000 the first year and \$289,000 the second year are for farm crisis assistance.

Subd. 5. Administrative Support and Grants

\$4,876,000 \$4,900,000

Summary by Fund

General

\$4,691,000 \$4,715,000

Special Revenue

\$ 185,000 \$ 185,000

\$300,000 the first year and \$300,000 the second year are for grants to farmers for demonstration projects involving sustainable agriculture. If a project cost is more than \$25,000, the amount above \$25,000 must be cost-shared at a state-applicant ratio of one to one. Priorities must be given for projects involving multiple parties. Up to \$20,000 each year may be used for dissemination of information about the demonstration grant projects.

\$31,000 the first year and \$31,000 the second year are for payment of claims relating to livestock damaged by endangered animal species. If the appropriation for either year is insufficient,

	1990	1991
the appropriation for the other year is available for it.	\$	\$
\$40,000 the first year and \$40,000 the second year are for payment of claims relating to agricultural crops damaged by elk.		

\$103,000 the first year and \$103,000 the second year are for the seaway port authority of Duluth.

Subd. 6. Transfers

The commissioner of agriculture with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 8. WORLD TRADE CENTER CORPORATION	1,350,000	800,000
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This appropriation includes \$450,000 in the first year to cover part of the cost of conducting the World Assembly in Minnesota in 1990. It is the intent of the legislature that the World Trade Center Corporation secure an additional \$300,000 from sources other than state funds to cover the cost of conducting this event. The corporation shall report the results of its efforts to the legislature by January 15, 1991.

Any unencumbered balance remaining in fiscal year 1989 does not cancel but is available for fiscal year 1990 and any unencumbered balance remaining in fiscal year 1990 does not cancel but is available for fiscal year 1991.

Sec. 9. BOARD OF WATER AND SOIL RESOURCES	6,375,000	7,395,000
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	1990	1991
	\$	\$

Approved Complement 28

\$10,000 the first year and \$10,000 the second year are for the International Water Coalition.

\$978,000 the first year and \$978,000 the second year are for general purpose grants to soil and water conservation districts, including conservation tillage and review and comment on water permits. On approval of the board, expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts.

\$199,000 the first year and \$199,000 the second year are for grants to watershed districts and other local units of government in the southern Minnesota river basin study area 2 for flood plain management.

\$1,501,000 the first year and \$1,501,000 the second year are for grants to soil and water conservation districts for cost-sharing contracts for erosion control and water quality management.

The appropriations in this section for the southern Minnesota river basin study area 2 and for grants to soil and water districts for cost-sharing contracts for erosion control and water quality management are available until expended.

\$159,000 the first year and \$159,000 the second year are for grants-in-aid to soil and water conservation districts and local units of government to assist them in solving sediment and erosion control problems. Grants must not exceed 50 percent of total project costs or

50 percent of the local share if federal money is used. Priority must be given to projects designed to solve lakeshore, stream bank, and roadside erosion and to projects eligible for federal matching money.

\$65,000 the first year and \$365,000 the second year are for a well sealing cost-share program.

\$1,404,000 the first year and \$2,125,000 the second year are for increased local water resources protection and management.

\$902,000 the first year and \$902,000 the second year are for technical services and implementation of the conservation reserve program. Of this appropriation, \$750,000 the first year and \$750,000 the second year must be distributed to soil and water conservation districts.

	1990	1991
Sec. 10. BOARD OF ANIMAL HEALTH	1,870,000	1,850,000

Approved Complement - 37

This appropriation includes \$25,000 the first year and \$25,000 the second year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 must not be paid.

Sec. 11. COMMERCE

Subdivision 1. Total Appropriation	1990	1991
10,294,000	10,330,000	

Approved Complement - 230

General - 225

	1990	1991
	\$	\$
Special Revenue -	3	
Petroleum Tank Release Cleanup -	2	

Summary by Fund

General	\$9,965,000	\$10,000,000
Special Revenue	\$ 273,000	\$ 274,000
Petroleum Tank Release Cleanup	\$ 56,000	\$ 56,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Financial Examinations	\$4,166,000	\$4,166,000
Subd. 3. Registration and Analysis	\$1,863,000	\$1,863,000
Subd. 4. Petroleum Tank Release Cleanup Board	\$ 56,000	\$ 56,000

This appropriation is from the Petroleum Tank Release Cleanup Fund for administration.

Subd. 5. Administrative Services	\$1,602,000	\$1,637,000
Subd. 6. Enforcement and Licensing	\$2,607,000	\$2,608,000

Summary by Fund

General	\$2,334,000	\$2,334,000
Special Revenue	\$ 273,000	\$ 274,000

\$273,000 the first year and \$274,000 the second year are from the real estate education, research, and recovery ac-

count in the special revenue fund for the purpose of Minnesota Statutes, section 82.34, subdivision 6. If the appropriation from the special revenue fund for either year is insufficient, the appropriation for the other year is available for it.

Subd. 7. Transfers

The commissioner with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Up to \$50,000 may be used to study the cost effectiveness of care provided by members of the healing arts, as defined in Minnesota Statutes, chapter 146. The commissioner shall report the findings to the legislature by January 1, 1990.

Sec. 12. NON-HEALTH-RELATED BOARDS

	1990	1991
	\$	\$
Subdivision 1. Total for this section	964,000	955,000
Subd. 2. Board of Abstractors	9,000	8,000
Subd. 3. Board of Accountancy	358,000	358,000
Approved Complement -	5	
Subd. 4. Board of Architecture, Engineering, Land Surveying, and Landscape Architecture	411,000	403,000
Approved Complement -	6.5	
Subd. 5. Board of Barber Examiners	127,000	127,000
Approved Complement -	2.5	

		1990	1991
		\$	\$
Subd. 6. Board of Boxing		59,000	59,000
Approved Complement -	1.5		
Subd. 7. Board of Electricity			
Approved Complement -	20		
Sec. 13. PUBLIC UTILITIES COMMISSION		2,060,000	2,050,000
Approved Complement -	39		

Notwithstanding Minnesota Statutes, section 216B.243, subdivision 6, for any certificate of need application for expansion of the storage capacity for spent nuclear fuel rods, the commission and department shall assess actual amounts billed by the office of administrative hearings and up to \$300,000 of reasonable costs of the commission and department pursuant to Minnesota Statutes, section 216B.62, subdivision 6, during the biennium, subject to the limitations of Minnesota Statutes, section 216B.62, subdivision 2.

Sec. 14. PUBLIC SERVICE

Subdivision 1. Total Appropriation		6,519,000	6,523,000
Approved Complement -	141.8		
General -	124.3		
Special Revenue -	7.5		
Federal -	10		

Summary by Fund

General	\$6,454,000	\$6,458,000
Special Revenue	\$ 65,000	\$ 65,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The amounts shown in the program totals are reduced by \$58,000 the first year and \$58,000 the second year from the general fund. Reductions must be made from appropriations that will not reduce revenue to the general fund.

	1990	1991
Subd. 2. Utility Regulation	\$ 1,974,000	\$ 1,974,000
Subd. 3. Weights and Measures	\$ 1,973,000	\$ 1,977,000
Subd. 4. Administrative Services	\$ 665,000	\$ 665,000
Subd. 5. Energy	\$ 1,965,000	\$ 1,965,000

Summary by Fund

General	\$ 1,900,000	\$ 1,900,000
Special Revenue	\$ 65,000	\$ 65,000
Subd. 6. Transfers		

The department of public service, with the approval of the commissioner of finance, may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations in the house of representatives.

Sec. 15. RACING COMMIS- SION	930,000	935,000
Approved Complement -	9.5	
General -	8	
Special Revenue -	1.5	

		1990	1991
		\$	\$
Sec. 16. ETHICAL PRACTICES BOARD		277,000	276,000
Approved Complement -	6		
Sec. 17. MINNESOTA MUNICIPAL BOARD		252,000	253,000
Approved Complement -	4		
Sec. 18. MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION		111,000	115,000
Sec. 19. UNIFORM LAWS COMMISSION		16,000	16,000
Sec. 20. VOYAGEURS NATIONAL PARK CITIZEN'S COUNCIL		71,000	71,000

Notwithstanding other law to the contrary, the citizen's council on Voyageurs National Park is extended until June 30, 1991.

Sec. 21. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. Total Appropriation	11,239,000	11,707,000
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The amounts shown in subdivisions 2 to 5 are reduced by \$93,000 the first year and \$92,000 the second year from the general fund. Reductions must be made from appropriations that will not reduce revenue to the general fund.

This appropriation includes funds to continue the copying and cataloguing of Hubert H. Humphrey Film Archives material as determined by the society.

1990 1991

\$ \$

The society shall cooperate with the supreme court to ensure that the marble fountain which occupied space in the former mechanic arts high school building is installed in the judicial building, using funds included in the supreme court appropriation for this purpose.

The appropriation in subdivisions 2 to 6 includes no money for compensation increases. The Minnesota historical society is eligible for a salary supplement in the same manner as state agencies. The commissioner of finance will determine the amount of the salary supplement based on available appropriations. Employees of the Minnesota historical society will be paid in accordance with the appropriate pay plan.

Any unencumbered balance remaining in this section at the end of the first year does not cancel but is available for the second year.

Subd. 2. Minnesota Historical Society Operations	6,681,000	6,681,000
Subd. 3. Historic Site Operations	3,188,000	3,188,000
Subd. 4. State History Center	279,000	841,000

Notwithstanding any other law to the contrary, unencumbered balances from appropriations in Minnesota Session Laws 1983, chapter 344, section 13, are reappropriated to the Minnesota historical society for the state history center building and exhibit construction purposes. The Minnesota historical society shall report to the chair of the senate committee on finance and the chair of the house of representatives committee on appropriations on expenditures made under this subdivision. The purpose of the reappropriation is to

	1990	1991
	\$	\$
cover existing projects and not to cover expansion of projects.		
Subd. 5. Repair and Replacement	450,000	450,000

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Grant-In-Aid	337,000	292,000
(a) Historic Preservation		
\$265,000	\$265,000	

For historic site grants to encourage local historic preservation projects.

To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines.

(b) Archaeology		
\$27,000	\$27,000	
(c) Special Projects		
\$45,000		

This appropriation is available until expended for the following purposes: \$15,000 to the Southwest Regional Development Commission for the Prairieland Expo Center for project assistance; \$25,000 to the Leech Lake Band of Chippewa Indians for project planning assistance relating to Battle Point; and \$5,000 to Houston county to relocate the Mayville town hall.

Subd. 7. Fiscal Agent	397,000	347,000
(a) Sibley House Association		
\$93,000	\$93,000	

This appropriation includes \$20,000 the first year and \$20,000 the second year for repairs. The repair funds are to be expended as approved by the Minnesota historical society working in coop-

eration with the Sibley House association.

This appropriation is available for operation and maintenance of the Sibley House and related buildings on the Old Mendota state historic site owned by the Sibley House association.

The historical society should seek an agreement with the Sibley House association whereby the historical society will make payments to the association for this purpose and will provide the association with technical assistance in applying for federal grants.

Notwithstanding any other law, the Sibley House association may purchase fire, wind, hail, and vandalism insurance, and insurance coverage for fine art objects from this appropriation.

The Minnesota historical society shall conduct an interim study during the 1990-1991 biennium relating to the ownership and management of the Sibley historic site properties, which include the Sibley, Faribault, and Du Puis houses, for the purpose of transferring these properties to the state of Minnesota for inclusion in the state's historic site network. The study must include, but is not limited to, ownership, management, and governance structure of the site; funding needed to repair and restore the site; restoration priorities; funding needed to operate the site; and ownership of the collections. The study must contain joint recommendations of the society and the Sibley House association regarding these issues, and a recommendation on when the site should be turned over to the state. The society shall report the findings to the governor and the legislature by July 1, 1990.

1990	1991
\$	\$

		1990	1991
		\$	\$
(b) Minnesota Humanities Commission			
	\$147,000	\$147,000	
(c) Minnesota International Center			
	\$ 38,000	\$ 38,000	
(d) Minnesota Military Museum			
	\$ 30,000		
(e) Minnesota Air National Guard Mu-			
seum			
	\$ 20,000		
(f) Government Learning Center			
	\$ 69,000	\$ 69,000	

This appropriation is for Project 120.

Sec. 22. BOARD OF THE ARTS 4,164,000 4,164,000

	1990
Approved Complement -	16
General -	13
Federal -	3

\$1,382,000 the first year and \$1,382,000 the second year are for the support of regional arts councils throughout the state.

Any unencumbered balance remaining in this section the first year does not cancel but is available for the second year.

Sec. 23. MINNESOTA HORTICULTURAL SOCIETY 68,000 68,000

Sec. 24. MINNESOTA ACADEMY OF SCIENCE 28,000 28,000

Sec. 25. SCIENCE MUSEUM OF MINNESOTA 638,000 638,000

Sec. 26. MINNESOTA SAFETY COUNCIL 71,000 71,000

This appropriation is from the trunk highway fund and includes \$20,000

each year for state involvement in the National Safety Kids campaign, to reduce childhood accidental injury and death resulting from vehicle traffic or related causes.

Sec. 27. VETERANS OF FOREIGN WARS 31,000 31,000

For carrying out the provisions of Laws
1945, chapter 455.

Sec. 28. MILITARY ORDER OF
THE PURPLE HEART 10,000 10,000

Sec. 29. GENERAL CONTIN-
GENT ACCOUNTS 325,000 325,000

The appropriations in this section may only be spent with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund

Trunk Highway Fund \$200,000 \$200,000

Highway User Tax Distribution Fund
\$125,000 \$125,000

Sec. 30. TORT CLAIMS 600,000 600,000

To be spent by the commissioner of finance.

This appropriation is from the trunk highway fund.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 31. [COMMISSIONER TO ACT AS AGENT.]

The commissioner of transportation is authorized and directed to act as agent for the Bois Fort Indian Reservation in the use of federal demonstration funds and state matching funds for the design and construction of a proposed highway project in the Lake Vermillion Indian Reservation Recreational Complex as authorized in the Surface Transportation and Uniform Relocation Assistance Act of 1987, Public Law Number 100-17.

Sec. 32. [SPECIAL GREAT RIVER ROAD ACCOUNT.]

Subdivision 1. [ACCOUNT CREATED.] There is created in the state treasury a special Great River Road account, consisting of money credited under subdivision 2.

Subd. 2. [ACCOUNT FUNDED.] Notwithstanding Minnesota Statutes, section 297B.09 or other law, in the fiscal year ending June 30, 1990, the first \$750,000 that would otherwise be credited to the highway user tax distribution fund under Minnesota Statutes, section 297B.09, must be set aside and credited to the special Great River Road account created in subdivision 1.

Subd. 3. [DISTRIBUTION OF ACCOUNT.] The commissioner shall distribute money in the special Great River Road account and provide for distribution of money in the fund for the development of the Great River Road established under Minnesota Statutes, section 161.142. In providing assistance to any political subdivision, the commissioner shall follow the general policy of the Mississippi River parkway commission and shall give principal consideration on how the project would promote public safety, recreation, travel, trade, and the general welfare of the state. Priority should be given to new construction of the Great River Road system, to projects that provide local or federal matching assistance, and to projects for which highway user tax distribution funds are not available.

Subd. 4. [TERMINATION OF ACCOUNT.] The account created in subdivision 1, expires June 30, 1991. The state treasurer shall credit all undistributed money in the account on that date to the highway user tax distribution fund.

Subd. 5. [REPEALER.] This section is repealed effective July 1, 1991.

Sec. 33. [TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE NO. 249.]

Subdivision 1. [ROUTE DISCONTINUED.] Legislative Route No. 249 as contained and described in Minnesota Statutes 1988, section

161.115, is discontinued and removed from the trunk highway system.

Subd. 2. [AGREEMENT REQUIRED.] Legislative Route No. 249 is not removed from the trunk highway system until transfer of jurisdiction has been agreed to by the commissioner of transportation and Houston county and a copy of the agreement, signed by the commissioner and chair of the Houston county board, has been filed in the office of the commissioner.

Subd. 3. [REVISOR INSTRUCTION.] The revisor of statutes shall delete the route identified in subdivision 1 in the next and subsequent editions of Minnesota Statutes following the completion of the agreement.

Subd. 4. [EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 34. [CONSTRUCTION OF EXIT ON T.H. 65.]

The commissioner of transportation shall construct by January 1, 1990, an exit from marked trunk highway No. 65 in Anoka county, within one-fourth mile of the intersection of the highway with marked trunk highway No. 242 and Anoka county highway No. 14, under the following conditions:

- (1) the exit has been studied and approved for safety purposes by a qualified consultant;
- (2) the exit must be constructed to state standards;
- (3) the cost of the project must be paid by Anoka county; and
- (4) the exit will be removed at no cost to the state if necessitated by a reconstruction of the intersection of marked trunk highway No. 65 with marked trunk highway No. 242 and Anoka county highway No. 14.

Sec. 35. [EXCHANGE OF INTERESTS IN LANDS.]

- (a) The commissioner of transportation shall convey to the regional railroad authority of St. Louis and Lake counties a 25-foot wide easement for railroad purposes lying generally southerly and southeasterly of the northbound lane of marked interstate highway 35 between 10th Avenue West and 5th Avenue East in Duluth. The easement must include two spur lines in the vicinity of the Duluth steam plant and a crossover connection, approximately 1,000 feet in length, in the vicinity of 9th Avenue West. This crossover connection is intended to allow a reconnection of railroad track with the Lake Superior Museum of Transportation. The commissioner shall

also convey easements necessary to provide a continuous 25-foot wide easement for railroad purposes lying generally southeasterly and easterly of the northbound lane of marked interstate highway 35 between 14th Avenue East and 26th Avenue East in Duluth. The commissioner of transportation shall maintain a temporary construction easement as required to complete the marked interstate highway 35 extension, provided the easement does not interfere with operation of the railroad after June 1, 1990.

As consideration, the St. Louis and Lake counties regional railroad authority shall grant to either the department of transportation or the department of natural resources an option to establish an easement for a multiuse recreation trail along the regional rail authority-owned railway right-of-way between the municipalities of Duluth and Two Harbors. This easement must begin at a point east of the Lester River (Milepost 8) and shall continue to the Two Harbors Depot (Milepost 26.5).

The conveyances of the exchanged properties must be in a form approved by the attorney general. The regional rail authority and commissioner of transportation shall provide complete and accurate property descriptions of the lands to be exchanged.

The rail authority retains the right to determine where on their right-of-way this easement may be granted and may impose restrictions or alterations if it determines that the recreational trail interferes with the operation of the railroad right-of-way or any of its revenue-related uses.

This easement is conveyed exclusively to the regional railroad authority and is terminated if the line is abandoned.

(b) This section is effective the day following final enactment.

Sec. 36. Minnesota Statutes 1988, section 12.14, is amended to read:

12.14 [ASSESSMENT FOR NUCLEAR SAFETY PREPAREDNESS ACT.]

Any person, firm, corporation, or association in the business of owning or operating a nuclear fission electrical generating plant located in Minnesota, shall pay an assessment to cover the cost of nuclear power plant emergency response plans and other programs necessary to deal with incidents resulting from the operation of nuclear fission electrical generating plants. An assessment of \$187,500 \$177,500 per plant shall be paid to the commissioner of public safety on July 1 of each year.

Sec. 37. Minnesota Statutes 1988, section 43A.08, subdivision 1, is amended to read:

Subdivision 1. [UNCLASSIFIED POSITIONS.] Unclassified positions are held by employees who are:

- (a) chosen by election or appointed to fill an elective office;
- (b) heads of agencies required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions, and institutions specifically established by law in the unclassified service;
- (c) deputy and assistant agency heads and one confidential secretary in the agencies listed in subdivision 1a;
- (d) the confidential secretary to each of the elective officers of this state and, for the secretary of state, state auditor, and state treasurer, an additional deputy, clerk, or employee;
- (e) intermittent help employed by the commissioner of public safety to assist in the issuance of vehicle licenses;
- (f) employees in the offices of the governor and of the lieutenant governor and one confidential employee for the governor in the office of the adjutant general;
- (g) employees of the Washington, D.C., office of the state of Minnesota;
- (h) employees of the legislature and of legislative committees or commissions; provided that employees of the legislative audit commission, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;
- (i) presidents, vice-presidents, deans, other managers and professionals in academic and academic support programs, administrative or service faculty, teachers, research assistants, and student employees eligible under terms of the federal economic opportunity act work study program in the school and resource center for the arts, state universities and community colleges, but not the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions;
- (j) officers and enlisted persons in the national guard;
- (k) attorneys, legal assistants, examiners, and three confidential

employees appointed by the attorney general or employed with the attorney general's authorization;

(l) judges and all employees of the judicial branch, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(m) members of the state patrol; provided that selection and appointment of state patrol troopers shall be made in accordance with applicable laws governing the classified service;

(n) chaplains employed by the state;

(o) examination monitors and intermittent training instructors employed by the departments of employee relations and commerce and by professional examining boards;

(p) student workers; and

(q) one position in the hazardous substance notification and response activity in the department of public safety; and

(r) employees unclassified pursuant to other statutory authority.

Sec. 38. Minnesota Statutes 1988, section 44A.023, subdivision 2, is amended to read:

Subd. 2. [OTHER POWERS.] The board may:

(1) define, formulate, administer, and deliver programs and services through the world trade center;

(2) establish satellite operations of the Minnesota world trade center within the continental United States;

(3) accept gifts and grants from other sources;

(4) set and collect fees for services and programs;

(5) adopt membership requirements for an association of members of the Minnesota world trade center;

(6) participate jointly with private persons, firms, corporations, or organizations or with public entities in appropriate programs or projects and enter into contracts to spend money to carry out those programs or projects;

(7) have a seal and alter it at will;

- (8) acquire and dispose of personal property, including inchoate and intellectual property, royalties, stock, and stock warrants;
- (9) enter into contracts or agreements with a federal or state agency, individual, business entity, or other organization;
- (10) acquire and dispose of real property or an interest in real property;
- (11) purchase insurance;
- (12) spend money appropriated to it for its purposes, including expenditures for the food, lodging, and travel of consultants and speakers hired by the board, and for publications, advertising, and promotional activities; and
- (13) hold and maintain membership for the Minnesota world trade center in the world trade centers association; and
- (14) utilize the established network of world trade centers in the world trade centers association as the official foreign trade offices of the state of Minnesota, and enter into contracts or other agreements, including agreements to establish and maintain offices and other types of representation in foreign countries to promote international trade and attract investment from foreign countries.

Sec. 39. Minnesota Statutes 1988, section 44A.023, is amended by adding a subdivision to read:

Subd. 3. [FISCAL AGENT.] The board shall contract with the commissioner of agriculture to have the department of agriculture act as fiscal agent for the corporation, handling all payroll and financial transactions, financial accounting, and deposits into and expenditures from the World Trade Center Corporation fund.

Sec. 40. Minnesota Statutes 1988, section 116J.966, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] (a) The commissioner shall promote, develop, and facilitate trade and foreign investment in Minnesota. In furtherance of these goals, and in addition to the powers granted by section 116J.035, the commissioner may:

- (1) locate, develop, and promote international markets for Minnesota products and services;
- (2) arrange and lead trade missions, utilizing the established network of world trade centers in the world trade centers association, to countries with promising international markets for Minnesota goods, technology, services, and agricultural products;

(3) promote Minnesota products and services at domestic and international trade shows;

(4) organize, promote, and present domestic and international trade shows featuring Minnesota products and services;

(5) host trade delegations and assist foreign traders in contacting appropriate Minnesota businesses and investments;

(6) develop contacts with Minnesota businesses and gather and provide information to assist them in locating and communicating with international trading or joint venture counterparts;

(7) provide information, education, and counseling services to Minnesota businesses regarding the economic, commercial, legal, and cultural contexts of international trade;

(8) provide Minnesota businesses with international trade leads and information about the availability and sources of services relating to international trade, such as export financing, licensing, freight forwarding, international advertising, translation, and custom brokering;

(9) locate, attract, and promote foreign investment and business development in Minnesota to enhance employment opportunities in Minnesota;

(10) provide foreign businesses and investors desiring to locate facilities in Minnesota information regarding sources of governmental, legal, real estate, financial, and business services;

(11) undertake activities to support the world trade center; and

(12) enter into contracts or other agreements with private persons and public entities, ~~including agreements to establish and maintain offices and other types of representation in foreign countries, to carry out the purposes of promoting international trade and attracting investment from foreign countries to Minnesota and to carry out this section, without regard to sections 16B.07 and 16B.09.~~ and

(13) utilize the Minnesota world trade center corporation's established network of world trade centers in the world trade centers association, in fulfilling Minnesota's foreign trade office and staffing needs.

(b) The programs and activities of the commissioner of trade and economic development and the Minnesota trade division may not duplicate programs and activities of the commissioner of agriculture or the Minnesota world trade center corporation.

(e) The commissioner shall notify the chairs of the senate finance and house appropriations committees of each agreement under this subdivision to establish and maintain an office or other type of representation in a foreign country.

Sec. 41. Minnesota Statutes 1988, section 168.33, subdivision 2, is amended to read:

Subd. 2. [POWERS.] The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable the registrar to properly carry out the duties imposed by the provisions of this chapter. As of April 14, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

Effective August 1, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle license as provided in section 373.32. Any person appointed by the registrar as a deputy registrar for any city shall be a resident of the county in which the city is situated.

The registrar may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar. Upon approval of the county board, the auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each city or any other person as a deputy registrar as public interest and convenience may require, regardless of the appointee's county of residence. Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor who appointed the deputy registrars shall be responsible for the acts of deputy registrars appointed by the auditor. Each such deputy, before entering upon the discharge of duties, shall take and subscribe an oath to faithfully discharge the duties and to uphold the laws of the state. If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of

\$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of duties as deputy registrar. A corporation governed by chapter 302A may be appointed a deputy registrar. Upon application by an individual serving as a deputy registrar and the giving of the requisite bond as provided in subdivision 2, personally assured by the individual or another individual approved by the commissioner of public safety, a corporation named in an application shall become the duly appointed and qualified successor to the deputy registrar. Each deputy registrar appointed hereunder shall keep and maintain, in a convenient public place within or in close proximity to the place for which appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. The deputy registrar shall keep such records and make such reports to the registrar as that officer, from time to time, may require. Such records shall be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar shall at all times be open to the inspection of the registrar or the registrar's agents. The deputy registrar shall report to the registrar by the next working day following receipt all registrations made and taxes and fees collected by the deputy registrar. The filing fee imposed pursuant to subdivision 7 shall be deposited in the treasury of the place for which appointed, or if not a public official, such deputy shall retain the filing fee, but the registration tax and any additional fees for delayed registration the deputy registrar has collected the deputy registrar shall deposit by the next working day following receipt in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body shall provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if such deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

Sec. 42. Minnesota Statutes 1988, section 168.33, subdivision 7, is amended to read:

Subd. 7. [FEES.] In addition to all other statutory fees and taxes, a filing fee of \$3.25 \$3.75 is imposed on every application; except that a filing fee may not be charged for a document returned for a refund or for a correction of an error made by the department or a deputy registrar. The filing fee shall be shown as a separate item on all registration renewal notices sent out by the department of public safety. No filing fee or other fee may be charged for the permanent surrender of a certificate of title and license plates for a motor vehicle.

Sec. 43. Minnesota Statutes 1988, section 173.25, is amended to read:

173.25 [AVAILABILITY OF FEDERAL AID.]

The commissioner of transportation shall not expend money for the acquisition of advertising devices controlled under this chapter, except those for which acquisition proceedings were begun before June 8, 1979 or for which federal money has been appropriated by Congress and the federal share has been made available to the commissioner. No advertising device legal under Laws 1971, chapter 883, shall be required to be removed or relocated until payment as provided in Laws 1971, chapter 883, is tendered by the commissioner of transportation. No further state funds shall be used for any existing or proposed acquisitions other than those funds necessary to obtain full federal participation in the acquisition proceeding pursuant to United States Code, title 23, "Highways."

Sec. 44. Minnesota Statutes 1988, section 237.30, is amended to read:

237.30 [TELEPHONE INVESTIGATION REVOLVING FUND.]

The sum of \$25,000 is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to establish and provide a revolving fund to be known as the Minnesota Telephone Investigation Fund for the use of the department of public service and of the attorney general in investigations, valuations, and revaluations under section 237.295. All sums paid by the telephone companies to reimburse the department of public service for its expenses pursuant to section 237.295 shall be credited to the revolving fund and shall be deposited in a separate bank account and not commingled with any other state funds or moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal year shall be paid into the state treasury and credited to the general fund. The sum of \$25,000 herein appropriated and all subsequent credits to said revolving fund shall be paid upon the warrant of the commissioner of finance upon application of the department or of the attorney general to an aggregate amount of not more than one-half of such sums to each of them, which proportion shall be constantly maintained in all credits and withdrawals from the revolving fund.

Sec. 45. [299C.23] **[CONTINUING EDUCATION FEES; APPROPRIATED.]**

The commissioner of public safety may charge tuition to cover the cost of continuing education courses provided by the bureau of criminal apprehension when money available to the commissioner for this purpose is not adequate to pay these costs. The tuition fees collected are appropriated to the commissioner.

Sec. 46. Minnesota Statutes 1988, section 326.165, subdivision 2, is amended to read:

Subd. 2. **[PRACTICE OF PUBLIC ACCOUNTING.]** The "practice

of public accounting" is: (a) holding one's self out to the public as skilled in the knowledge and practice of accounting; or (b) expressing any form of assurance on financial statements; or (c) expressing opinions on financial statements for credit purposes, for use in courts and for other purposes involving third parties. "Practice of public accounting" means the performance or the offering to perform by a person or firm holding itself out to the public as a licensee, for a client or potential client, of one or more kinds of services involving the use of accounting or auditing skills, including the issuance of reports on financial statements, or of one or more kinds of management advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters.

Sec. 47. Minnesota Statutes 1988, section 341.10, is amended to read:

341.10 [LICENSE FEES.]

The board shall have authority to collect and require the payment of a license fee in an amount set by the board from the owners of franchises or licenses. The board shall require the payment of the fee at the time of the issuance of the license or franchise to the owner. The moneys so derived shall be collected by the board and paid to the state treasurer. The board shall have authority to license all boxers, managers, seconds, referees and judges and may require them to pay a license fee. All moneys collected by the board from such licenses shall be paid to the state treasurer. The board is exempt from the requirements of section 16A.128, subdivision 1a.

Sec. 48. Minnesota Statutes 1988, section 373.35, subdivision 1, is amended to read:

Subdivision 1. The county auditor shall serve as the director of the county license bureau or, if the auditor chooses not to serve, the county board shall appoint any other county officer or employee, or any other person, to serve as the director upon the terms and conditions the county board deems advisable. The county board shall set the compensation of the director and may provide for the expenses of the office including the premium of any bond required to be furnished by the director. The director shall have the powers and duties imposed on the county officer who previously had the authority to issue or process the application for any license referred to in section 373.32.

Notwithstanding section 168.33, subdivision 2, the commissioner of public safety may appoint, and for cause discontinue, the director as the deputy registrar of motor vehicles in the county. If appointed a deputy registrar the director shall have the same authority as a county auditor to appoint one or more deputy registrars as provided in section 168.33, subdivision 2. If the director is a deputy registrar,

all provisions of section 168.33 and Minnesota Rules, chapter 7406, apply to a county license bureau.

Sec. 49. Minnesota Statutes 1988, section 505.1792, subdivision 1, is amended to read:

Subdivision 1. In order to give supplemental information to the public as to the location of streets, county roads, county state-aid highways, and town roads, and other transportation corridors, and the right of way thereof, the governing body of any city, town, or county may file for record in the office of the county recorder and the registrar of titles of said county such maps or plats showing such information as the governing body shall determine necessary. The map or plat shall be subscribed by the mayor or chair of the governing body and the county surveyor, together with a certified copy of the resolution of the governing body setting forth the necessity for said plat, and shall be entitled to record without compliance with the provisions of this chapter. Any amendments, alterations, or vacations of such maps or plats so filed may be entitled to record in like manner."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; providing for regulation of certain activities and practices; providing for disposition of state highways and land; requiring studies and reports; fixing and limiting accounts and fees; amending Minnesota Statutes 1988, sections 12.14; 43A.08, subdivision 1; 44A.023, subdivision 2, and by adding a subdivision; 116J.966, subdivision 1; 168.33, subdivisions 2 and 7; 173.25; 237.30; 326.165, subdivision 2; 341.10; 373.35, subdivision 1; and 505.1792, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C."

The motion prevailed and the amendment was adopted.

The Speaker called Anderson, G., to the Chair.

Frerichs moved to amend S. F. No. 1618, as amended, as follows:

Page 37, line 6, delete "\$3.75" and insert "\$3.50"

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

Speaker pro tempore Anderson, G., called Quinn to the Chair.

McDonald, Omann and McPherson moved to amend S. F. No. 1618, as amended, as follows:

Page 17, delete line 37, and insert:

"CORPORATION" 1,100,000 548,000"

Page 17, delete line 56, and insert:

"RESOURCES" 6,625,000 7,647,000"

Page 18, after line 59, insert:

"\$250,000 the first year and \$252,000 the second year are for water quality demonstration farms to demonstrate proper crop and soil management, promote limited and effective use of fertilizer and pesticide, and illustrate groundwater protection concepts. The approved complement of the board is increased by one staff position for a soil scientist to administer the program and solicit support from other agencies and groups."

A roll call was requested and properly seconded.

The question was taken on the McDonald et al amendment and the roll was called. There were 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Carlson, L.	Greenfield	Johnson, R.	Lieder
Anderson, R.	Carruthers	Hasskamp	Kahn	Long
Battaglia	Clark	Jacobs	Kalis	Marsh
Bauerly	Conway	Janezich	Kelly	McEachern
Beard	Cooper	Jaros	Kinkel	McGuire
Beigh	Dauner	Jefferson	Kostohryz	McLaughlin
Bertram	Dawkins	Jennings	Krueger	Milbert
Brown	Dorn	Johnson, A.	Lasley	Munger

Murphy	Orenstein	Pugh	Scheid	Vellenga
Nelson, C.	Osthoff	Quinn	Segal	Wagenius
Nelson, K.	Ostrom	Reding	Simoneau	Welle
Neuenschwander	Otis	Rest	Solberg	Wenzel
O'Connor	Pappas	Rice	Sparby	Williams
Ogren	Pelowski	Rodosovich	Steenisma	Winter
Olson, E.	Peterson	Rukavina	Trimble	Wynia
Olson, K.	Price	Sarna	Tunheim	Spk. Vanasek

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

Forsythe moved to amend S. F. No. 1618, as amended, as follows:

Page 40, after line 5, insert:

"Sec. 49. Minnesota Statutes 1988, section 473.384, subdivision 7, is amended to read:

Subd. 7. [MTC IMPACT ASSESSMENT.] Prior to entering into a contract for operating assistance with a recipient other than the transit commission the board shall evaluate the effect, if any, of the contract on the ridership, routes, schedules, fares, and staffing levels of the existing and proposed service provided by the commission. A copy of the assessment must be provided to the commission. The board may enter into the contract only if it determines that the service to be assisted under the contract will not impose an undue hardship on the ridership or financial condition of the commission, or cause the dismissal of persons that are employed by the commission."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, after the third semicolon insert "473.384, subdivision 7;"

The motion prevailed and the amendment was adopted.

Burger moved to amend S. F. No. 1618, as amended, as follows:

Page 40, after line 22, insert:

"Sec. 50. [REDUCTIONS.]

Subdivision 1. Each item of appropriation in the preceding sections of this act, except those dedicated to the purpose of the appropriation by the Minnesota Constitution or federal law is reduced by eight percent.

Subd. 2. The amount of money by which appropriations are reduced pursuant to subdivision 1 is appropriated in part as provided in this subdivision.

(a) One-eighth is appropriated to the commissioner of education to be disbursed to improve the quality of education in grades kindergarten through 12.

(b) One-eighth is appropriated to the higher education coordinating board to be disbursed to improve the quality of post-secondary education.

(c) One-eighth is appropriated to a special account in the general fund to be appropriated by other law in 1990 to provide property tax relief to commercial and industrial property.

Each disbursement under paragraphs (a) and (b) must be referred to the legislative advisory commission for its comment. If the commission does not comment on a disbursement within 60 days after the intention to make a disbursement is referred, its opinion shall be deemed to be favorable.

A roll call was requested and properly seconded.

The question was taken on the Burger amendment and the roll was called. There were 34 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Blatz	Gutknecht	Macklin	Poppenhagen	Swenson
Burger	Haukoos	McDonald	Redalen	Tjornhom
Dempsey	Henry	McPherson	Richter	Tompkins
Dille	Himle	Miller	Schafer	Valento
Forsythe	Hugoson	Morrison	Schreiber	Waltman
Frederick	Limmer	Onnen	Seaberg	Weaver
Girard	Lynch	Pauly	Sviggum	

Those who voted in the negative were:

Abrams	Cooper	Kalis	Murphy	Peterson
Anderson, R.	Dauner	Kelly	Nelson, C.	Price
Battaglia	Dawkins	Keiso	Nelson, K.	Pugh
Bauerly	Dorn	Kinkel	Neuenschwander	Quinn
Beard	Greenfield	Knickerbocker	O'Connor	Reding
Beighch	Gruenes	Kostohryz	Ogren	Rest
Bennett	Hasskamp	Krueger	Olsen, S.	Rice
Bertram	Heap	Lasley	Olson, E.	Rodosovich
Bishop	Jacobs	Lieder	Olson, K.	Rukavina
Boo	Janezich	Long	Orenstein	Sarna
Brown	Jaros	Marsh	Ostrom	Scheid
Carlson, D.	Jefferson	McEachern	Otis	Segal
Carlson, L.	Jennings	McGuire	Ozment	Simoneau
Carruthers	Johnson, A.	McLaughlin	Pappas	Solberg
Clark	Johnson, R.	Milbert	Pellow	Sparby
Conway	Johnson, V.	Munger	Pelowski	Stanius

Steenisma
TrimbleTunheim
VellengaWelle
WenzelWilliams
WinterWynia
Spk. Vanasek

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

CALL OF THE HOUSE

On the motion of Schreiber and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Schreiber moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

MOTION FOR RECONSIDERATION

Munger moved that the vote whereby the Forsythe amendment to S. F. No. 1618, as amended, which was adopted earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Munger motion and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Hasskamp	McGuire	Peterson	Sparby
Battaglia	Jacobs	McLaughlin	Price	Trimble
Beard	Janezich	Milbert	Pugh	Vellenga
Begich	Jaros	Munger	Quinn	Wagenius
Brown	Jefferson	Murphy	Reding	Welle
Carlson, L.	Johnson, A.	Nelson, K.	Rest	Wenzel
Carruthers	Kahn	Neuenschwander	Rice	Williams
Clark	Kalis	O'Connor	Rodosovich	Winter
Conway	Kelly	Ogren	Rukavina	Wynia
Cooper	Kinkel	Orenstein	Sarna	Spk. Vanasek
Dauner	Lieder	Osthoff	Segal	
Dawkins	Long	Otis	Simoneau	
Greenfield	McEachern	Pappas	Solberg	

Those who voted in the negative were:

Abrams	Frerichs	Knickerbocker	Olson, E.	Scheid
Anderson, G.	Girard	Kostohryz	Olson, K.	Schreiber
Bauerly	Gruenes	Krueger	Omann	Seaberg
Bennett	Gutknecht	Lasley	Onnen	Stanius
Bertram	Hartle	Limmer	Ostrom	Steenisma
Bishop	Haukoos	Lynch	Ozment	Sviggum
Blatz	Heap	Macklin	Pauly	Swenson
Boo	Henry	Marsh	Pellow	Tjornhom
Burger	Himle	McDonald	Pelowski	Tompkins
Dempsey	Hugoson	McPherson	Poppenhagen	Tunheim
Dille	Jennings	Miller	Redalen	Valento
Dorn	Johnson, R.	Morrison	Richter	Waltman
Forsythe	Johnson, V.	Nelson, C.	Runbeck	Weaver
Frederick	Kelso	Olsen, S.	Schafer	

The motion did not prevail.

Waltman moved to amend S. F. No. 1618, as amended, as follows:

Page 33, after line 3, insert:

"Sec. 40. Minnesota Statutes 1988, section 89.72, is amended to read:

89.72 [COUNTY FOREST ACCESS ROAD ACCOUNT.]

(a) There is created in the state treasury a county forest access road account in the special revenue fund, consisting of money credited under section 296.421, subdivision 8. Money in the county forest access road account is appropriated to the commissioner for distribution to counties managing forest lands administered through a county land department under the jurisdiction of a land commissioner appointed under section 282.13. The payments must be made by July 15 and January 15 of each year through the commissioner and in proportion to each county's ownership of commercial forest lands, for purposes of constructing, reconstructing, acquiring, and maintaining county management access roads, including the acquisition of rights-of-way or easements as may be needed.

(b) Notwithstanding the provisions of paragraph (a), the commissioner shall distribute the first \$40,000 in money credited to the county forest access road account after July 1, 1989, to the town board of Minneiska township for the purpose of improving a town road which provides access to a state-operated public launching site on the Mississippi River."

Renumber sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Waltman amendment and the roll was called.

Rice moved that those not voting be excused from voting. The motion prevailed.

There were 44 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Knickerbocker	Olsen, S.	Schafer
Bennett	Gruenes	Limmer	Omann	Schreiber
Bishop	Gutknecht	Lynch	Ozment	Stanius
Blatz	Hartle	Macklin	Pauly	Swiggum
Burger	Haukoos	Marsh	Pellow	Swenson
Dempsey	Heap	McDonald	Poppenhagen	Tompkins
Forsythe	Henry	McPherson	Redalen	Valento
Frederick	Himle	Miller	Richter	Waltman
Frerichs	Hugoson	Morrison	Runbeck	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lieder	Osthoff	Segal
Battaglia	Hasskamp	Long	Ostrom	Simoneau
Bauerly	Jacobs	McEachern	Otis	Solberg
Beard	Janezich	McGuire	Pappas	Sparby
Beighle	Jaros	McLaughlin	Pelowski	Steenisma
Bertram	Jefferson	Munger	Peterson	Tjornhom
Brown	Jennings	Murphy	Price	Trimble
Carlson, L.	Johnson, A.	Nelson, C.	Pugh	Tunheim
Carruthers	Johnson, R.	Nelson, K.	Quinn	Vellenga
Clark	Kalis	Neuenschwander	Reding	Wagenius
Conway	Kelly	O'Connor	Rest	Weaver
Cooper	Kelso	Ogren	Rice	Welle
Dauner	Kinkel	Olson, E.	Rodosovich	Wenzel
Dawkins	Kostohryz	Olson, K.	Rukavina	Williams
Dille	Krueger	Onnen	Sarna	Winter
Dorn	Lasley	Orenstein	Scheid	Wynia
				Spk. Vanasek

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

Schreiber moved to amend S. F. No. 1618, as amended, as follows:

Pages 26 and 27, delete section 32

Renumber the sections in sequence

A roll call was requested and properly seconded.

The question was taken on the Schreiber amendment and the roll was called.

Rice moved that those not voting be excused from voting. The motion prevailed.

There were 38 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Hugoson	Onnen	Stanius
Bennett	Gruenes	Knickerbocker	Pauly	Sviggum
Blatz	Gutknecht	Limmer	Pellow	Swenson
Boo	Hartle	Lynch	Redalen	Tjornhom
Dempsey	Haukoos	Marsh	Richter	Valento
Dille	Heap	McDonald	Schafer	Waltman
Forsythe	Henry	McPherson	Scheid	
Frederick	Himle	Miller	Schreiber	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lieder	Omann	Sarna
Anderson, R.	Hasskamp	Long	Orenstein	Seaberg
Battaglia	Jacobs	Macklin	Osthoff	Segal
Bauerly	Janezich	McEachern	Ostrom	Simoneau
Beard	Jaros	McGuire	Otis	Solberg
Begich	Jefferson	McLaughlin	Ozment	Sparby
Bertram	Jennings	Milbert	Pappas	Steenisma
Brown	Johnson, A.	Morrison	Pelowski	Trimble
Carlson, D.	Johnson, R.	Munger	Peterson	Tunheim
Carlson, L.	Johnson, V.	Murphy	Price	Vellenga
Carruthers	Kahn	Nelson, C.	Pugh	Wagenius
Clark	Kalis	Nelson, K.	Quinn	Weaver
Conway	Kelly	Neuenschwander	Reding	Welle
Cooper	Kelso	O'Connor	Rest	Wenzel
Dauner	Kinkel	Ogren	Rice	Williams
Dawkins	Kostohryz	Olsen, S.	Rodosovich	Winter
Dorn	Krueger	Olson, E.	Rukavina	Wynia
Frerichs	Lasley	Olson, K.	Runbeck	Spk. Vanasek

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

McPherson moved to amend S. F. No. 1618, as amended, as follows:

Page 34, after line 27, insert:

"Section 41. Minnesota Statutes 1988, section 168.123, subdivision 2, is amended to read:

Subd. 2. [DESIGN.] The commissioner of veterans affairs shall design the special plates, subject to the approval of the registrar, that satisfy the following requirements:

- (a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.
- (b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.
- (c) For a veteran who served during World War I or World War II, the special plates must bear the inscription "WORLD WAR VET" and:
 - (1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number; or
 - (2) for a World War II veteran, the characters "W" and "II" with the first character directly above the second character and both characters just preceding the first numeral of the special license plate number.
- (d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special license plate number.
- (e) For a combat wounded veteran who is a recipient of the purple heart medal, the special plates must bear the inscription "COMBAT WOUNDED VET" and inscribed with a facsimile of the official purple heart medal and the letters "c" over "w" with the first letter directly over the second letter just preceding the first numeral of the special license plate number."

Renumber the sections in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kelly, Trimble, Vellenga, Price, Long, Otis, Valento, Pappas, Orenstein, Carruthers, Weaver, Forsythe, Pauly, Morrison and Tjornhom moved to amend S. F. No. 1618, as amended, as follows:

Page 5, after line 5, insert:

"A grant for light rail transit service within the seven-county metropolitan area must be made only with the approval of the regional transit board."

The motion prevailed and the amendment was adopted.

McLaughlin moved to amend S. F. No. 1618, as amended, as follows:

Page 40, after line 5, insert:

"Sec. 49. Minnesota Statutes 1988, section 473.384, subdivision 7, is amended to read:

Subd. 7. [MTC IMPACT ASSESSMENT.] Prior to entering into a contract for operating assistance with a recipient other than the transit commission the board shall evaluate the effect, if any, of the contract on the ridership, routes, schedules, fares, and staffing levels of the existing and proposed service provided by the commission. A copy of the assessment must be provided to the commission. The board may enter into the contract only if it determines that the service to be assisted under the contract will not impose an undue hardship on the ridership or financial condition of the commission, or cause the dismissal of persons that are employed by the commission. The requirements of this subdivision do not apply to contracts for assistance to recipients who, as part of a negotiated cost-sharing arrangement with the board, pay a substantial part of the cost of services that directly benefit the recipient as an institution or organization."

Renumber the following section in sequence

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1618, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions;

providing for regulation of certain activities and practices; requiring studies and reports; fixing and limiting fees; amending Minnesota Statutes 1988, sections 12.14; 41A.09; 43A.08, subdivision 1; 237.30; 341.10; 473.384, subdivision 7; and 473.386, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Long

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

CALL OF THE HOUSE LIFTED

McLaughlin moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Otis was excused between the hours of 2:45 p.m. and 6:50 p.m.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Anderson, G., requested immediate consideration of H. F. No. 1759.

H. F. No. 1759 was reported to the House.

POINT OF ORDER

Miller raised a point of order pursuant to section 121, paragraph 1, of "Mason's Manual of Legislative Procedure" relating to breaches of the order of the House. Speaker pro tempore Quinn ruled the point of order not well taken.

Frerichs moved to amend H. F. No. 1759, as follows:

Page 6, line 5, delete "12,894,000" and insert "12,767,000"; delete "11,464,000" and insert "11,374,000"

Page 10, line 48, delete "509,618,000" and insert "514,231,000"; delete "548,850,000" and insert "553,463,000"

Page 12, after line 30, insert:

"Of this amount, \$4,000,000 is for rate years beginning July 1, 1989 and July 1, 1990 for the commissioner to pay facilities the lesser of actual workers' compensation insurance premiums or 120 percent of workers' compensation insurance reported on the facilities' cost report.

The biennial amount of \$5,226,000 is to pay for a wage disparity adjustment per diem for nursing homes, intermediate care facilities for the mentally retarded, and for day training and habilitation services."

Page 14, line 40, delete "206,313,000" and insert "204,529,000"; delete "205,772,000" and insert "196,574,000"

Page 14, line 44, delete "and"

Page 14, delete line 45

Page 15, delete lines 29 to 41

Page 15, delete lines 49 to 55.

Page 17, line 41, delete "18,117,000" and insert "19,117,000"; delete "18,117,000" and insert "19,117,000"

Page 17, after line 44, insert:

"Of this amount, \$1,000,000 each year shall be expended by the commissioner to develop additional work sites under the extended employment program."

Adjust totals accordingly

Page 299, line 10, after "home" insert ", and for rate years beginning July 1, 1989, and July 1, 1990, the commissioner shall include workers' compensation insurance costs, provided the nursing home submits by April 5 a copy of its actual invoice for workers' compensation insurance for coverage which most nearly approximates the nursing home's rate year. The commissioner shall substitute the amount of the annual actual workers' compensation insurance premium for the amount of workers' compensation insurance reported on the cost report at an amount that is the lesser of the actual workers' compensation insurance premium submitted or 120 percent of workers' compensation insurance reported on the cost report. If the actual invoice for workers' compensation insurance is not provided by April 5, the commissioner shall disallow the nursing home's workers' compensation insurance. The disallowance shall remain in effect until the nursing home provides the actual invoice for workers' compensation insurance and amends its cost report as provided in Minnesota Rules, part 9549.0041, subpart 14. Upon receipt of that invoice, the commissioner shall adjust the nursing home's payment rate accordingly."

Page 299, line 19, after "contribution," insert "workers' compensation insurance increase,"

Page 246, after line 29, insert:

"Sec. . . . Minnesota Statutes 1988, section 252.46, is amended by adding a subdivision to read:

Subd. 15. [RATES FOR DAY TRAINING AND HABILITATION; SALARY ADJUSTMENT.] For the 12-month contract period beginning January 1, 1990, the county must recommend payment rates for day training and habilitation services for approval by the commissioner that are adjusted according to clauses (1) and (2). To be eligible for the adjustment in payment rates, the county shall require a written affidavit signed by the vendor. The affidavit must include assurances that the entire amount paid under this provision

shall be used for equitable increases for employee salaries, payroll taxes, and fringe benefits included in clause (1). That portion of the payment rate increase attributable to compliance with this subdivision and recommended for approval to the commissioner under subdivision 5, is exempt from the limits in subdivision 3. The county shall determine the salary adjustment on payment rates by:

(1) multiplying each vendor's eligible salary expenses, payroll taxes, and fringe benefits for calendar year 1989 by three and one-half percent in addition to the annual cost-of-living increase recommended under subdivision 3; and

(2) then dividing the amount in clause (1) by the total number of service units projected to be provided for the contract period.

Counties that contract for salary increases under this subdivision shall monitor expenditures according to section 252.44 and shall report the actual salary expenses and annual salary increases of vendors to the department on forms prescribed by the commissioner. This subdivision does not apply to state-operated services."

Page 332, after line 20, insert:

"Sec. . . . Minnesota Statutes 1988, section 256B.501, is amended by adding a subdivision to read:

Subd. 12. [RATES FOR INTERMEDIATE CARE FACILITIES FOR PERSONS WITH MENTAL RETARDATION OR RELATED CONDITIONS; SALARY ADJUSTMENT.] For the rate period January 1, 1990, to September 30, 1991, the commissioner shall add the appropriate salary adjustment per diem calculated in clauses (1) and (2) to the total operating cost payment rate of each eligible facility. For a facility to be eligible for a salary adjustment per diem, the commissioner shall require a written affidavit signed by the provider of each facility. The affidavit must include assurances that at least 50 percent of the amount of the increase resulting from the application of the statewide composite index for the rate year beginning October 1, 1989, and the entire amount paid under this provision, shall be used for equitable increases to facility employee salaries, fringe benefits, and payroll taxes included in clause (1). Facilities with rates governed by section 252.292 or Minnesota Rules, part 9553.0075, or which are newly developed or established with payment rates effective on or after July 1, 1989, are not eligible for payments under this subdivision. The commissioner shall determine the salary adjustment per diem by:

(1) multiplying each eligible facility's total salaries, payroll taxes, and fringe benefits allowed after desk audit in each operating cost category, for the reporting year ending December 31, 1988, by three and one-half percent; and

(2) then dividing the amount in clause (1) by the facility's resident days."

Page 302, after line 36, insert:

"[WAGE DISPARITY ADJUSTMENT PER DIEM; 1988-1990.] For the rate period October 1, 1989, to June 30, 1991, the commissioner shall add the appropriate salary adjustment per diem calculated under clauses (1) to (3) to the total operating cost payment rate of each nursing home. The salary adjustment per diem for each nursing home must be determined as follows:

(1) All nursing homes must be grouped according to Minnesota hospital association districts as indicated in the Minnesota salary survey of hospitals and nursing homes for 1988 as published by the department of jobs and training. The percentage adjustment is determined according to the percentage disparity that exists between the care-related salaries of hospital employees and nursing home employees in each district. For this purpose the disparity is determined as follows:

(i) The median hourly wage for staff nurses, licensed practical nurses, and nurse assistants employed in nursing homes in each district is combined on a district basis. A corresponding value is determined for hospitals in each district.

(ii) The value determined in subclause (i) for hospital employees is divided by the corresponding value for the nursing home wages determined in subclause (i). The resulting value is the wage disparity for each district.

(iii) Nursing homes with disparity values of greater than one but less than or equal to 1.1 will receive a one percent adjustment. Nursing homes with a disparity value of greater than 1.1 but less than or equal to 1.2 will receive a two percent adjustment. Nursing homes with a disparity value of greater than 1.2 will receive a three percent adjustment.

(2) For each nursing home that reports salaries for registered nurses, licensed practical nurses, and aides, orderlies and attendants separately, the commissioner shall determine the salary adjustment per diem by multiplying the total salaries, payroll taxes, and fringe benefits allowed in each operating cost category, except management fees and administrator and central office salaries and the related payroll taxes and fringe benefits, by the appropriate percentage determined under clause (1) and then dividing the resulting amount by the nursing home's actual resident days.

(3) For each nursing home that does not report salaries for registered nurses, licensed practical nurses, aides, orderlies, and

attendants separately, the salary adjustment per diem is the weighted average salary adjustment per diem increase determined under clause (2) for the district in which the nursing home is located.

Each nursing home that receives a salary adjustment per diem pursuant to this clause must adjust nursing home employee salaries by a minimum of the amount determined under clauses (1) to (3). The commissioner shall review allowable salary costs, including payroll taxes and fringe benefits, for the reporting year ending September 30, 1990, to determine whether or not each nursing home complied with this requirement. The commissioner shall report the extent to which each nursing home complied with the legislative commission on long-term care by August 1, 1991.

Until January 1, 1990, the state shall pay any increased cost to the counties resulting from implementation of the wage disparity adjustment.”

Page 510, line 3, before the period, insert “for a period not to exceed four months”

Pages 565 to 572, delete section 16 and insert:

“Sec. 16. [252.501] [SERVICES FOR DEVELOPMENTALLY DISABLED PERSONS AT REGIONAL TREATMENT CENTERS.]

Subdivision 1. [CRISIS SERVICES.] Within the limits of the appropriation, technical assistance shall be available at regional treatment centers to assist counties, residential and day programming staff, and families to prevent or resolve crises that could lead to a shift in placement.

Technical assistance and consultation shall also be available in each region to providers and counties. Staff will be available to provide:

- (1) individual assessments;
- (2) program plan development and implementation assistance;
- (3) analysis of service delivery problems; and
- (4) assistance with transition planning, including technical assistance to counties and providers to develop new services, site such services, and assist with community acceptance.

By 1995, the commissioner shall develop crisis units to be operated in conjunction with the regional technical assistance services. Crisis units, not to exceed four beds per unit, shall be developed at

the regional treatment centers at Cambridge, Fergus Falls, Moose Lake, Willmar, and Faribault. These services will be available within the limits of the appropriation, when assistance at home is not possible or has failed.

Subd. 2. [REGIONAL TREATMENT CENTERS.] (a) The regional treatment centers shall provide services for persons for whom appropriate community services have not yet been identified or developed including:

- (1) persons with developmental disabilities who are mentally ill;
- (2) persons with developmental disabilities with such medical fragility that skilled nursing is needed; and
- (3) persons with severe aggressive behavior who are self-injurious or who place others at risk.

(b) By June 1993, the commissioner shall reduce the population of the regional treatment centers to the following levels:

- (1) For persons who are medically fragile, up to 60 beds will be maintained at the Faribault regional center.
- (2) For persons who are mentally retarded and mentally ill, up to 35 beds will be maintained at the St. Peter regional treatment center.
- (c) The commissioner shall also maintain services for an additional 100 persons at Faribault regional center for whom adequate services could not be planned and implemented by June, 1993. This group of 100 people shall be moved into community placements as appropriate services are developed, with a goal of placing all of them by July 1, 1995.
- (d) The commissioner shall maintain two 15-bed residential units at Willmar regional treatment center for persons with developmental disabilities and shall plan to move the remaining residential and habilitation services for persons with developmental disabilities from that facility to the community, by June 30, 1991.
- (e) The commissioner shall plan to move residential and habilitation services for persons with developmental disabilities at Moose Lake regional treatment center to community-based services by June 30, 1991.

(f) The commissioner shall plan to move residential and habilitation services for persons with developmental disabilities at the regional centers at Cambridge and Brainerd to community-based services by June 30, 1992, and by that date, all persons with

developmental disabilities at St. Peter regional center who are not dually diagnosed as mentally ill and mentally retarded will be discharged.

(g) The commissioner shall maintain one 15-bed residential unit for persons with developmental disabilities at the Fergus Falls regional treatment center and shall plan to move the remaining residential and habilitation services for persons with developmental disabilities from that facility to the community by June 30, 1992.

(h) The commissioner shall reassess the objectives and dates detailed in this subdivision as part of each biennial budget planning.

(i) No person will be discharged before an appropriate community placement is available.

Subd. 3. [SPIRITUAL CARE SERVICES.] An organized means for providing spiritual care services and follow-up shall be established as part of the comprehensive health care, congruent with the operational philosophy of the department of human services, to clients of residential group homes including residents of regional treatment centers discharged to private facilities, by persons certified for ministry in specialized settings.

Subd. 4. [EVALUATION OF COMMUNITY-BASED SERVICES DEVELOPMENT.] The commissioner shall develop an integrated approach to assessing and improving the quality of community-based services for persons with developmental disabilities.

The commissioner shall evaluate the progress of the development and quality of community-based services to determine if further development can proceed. The commissioner shall report results of the evaluation to the legislature by January 31, 1991, and January 31, 1993.

Subd. 5. [DISCHARGE OF PERSONS WITH MENTAL RETARDATION OR A RELATED CONDITION.] (a) Prior to discharge of persons with mental retardation or a related condition, a screening shall be conducted pursuant to section 256B.092, subdivision 8, and a plan developed pursuant to section 256B.092, subdivision 1a. The screening team shall determine that the services outlined in the plan can be made available in the community. For persons who have overriding health care needs or behaviors which cause injury to self or others, or cause damage to property which is an immediate threat to the physical safety of the persons or others, the following additional conditions must be met:

(1) For persons with overriding health care needs, a registered nurse or a licensed physician shall review the proposed community

services to assure that the medical needs of the person have been planned for adequately.

(2) For persons with behaviors which cause injury to self or others, or cause damage to property which is an immediate threat to the physical safety of the person or others, a qualified mental retardation professional, as that term is defined in section 256B.092, subdivision 7, shall review the proposed community services to assure that the behavioral needs of the person have been planned for adequately. The qualified mental retardation professional must have one year of experience in the areas of assessment, planning, implementation, and monitoring of individual habilitation plans which have used behavior intervention techniques.

(3) For purposes of this section, "overriding health care needs" means a medical condition that requires daily clinical monitoring by a licensed nurse.

(b) No person with mental retardation or a related condition may be discharged before an appropriate community placement is available to receive the person.

(c) A person, legal representative, or near relative may object to a proposed discharge by using the procedures in section 252.515."

Page 579, after line 16, insert:

"Sec. 26. [REPEALER.]

Minnesota Statutes 1988, section 252.50, is repealed.

Renumber sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Frerichs amendment and the roll was called. There were 26 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Miller	Redalen
Burger	Frerichs	Limmer	Morrison	Richter
Conway	Gruenes	Marsh	Onnen	Schafer
Dempsey	Gutknecht	McDonald	Osthoff	Schreiber
Dille	Haukoos	McPherson	Pellow	Sviggum
				Waltman

Those who voted in the negative were:

Anderson, R.	Hartle	Lasley	Omann	Seaberg
Battaglia	Hasskamp	Lieder	Orenstein	Segal
Bauerly	Heap	Long	Ostrom	Simoneau
Beard	Himle	Lynch	Ozment	Sparby
Begich	Hugoson	Macklin	Pauly	Stanius
Bennett	Jacobs	McEachern	Pelowski	Sciensma
Bertram	Janezich	McGuire	Peterson	Swenson
Blatz	Jaros	McLaughlin	Poppenhagen	Tjornhom
Boo	Jefferson	Milbert	Price	Tompkins
Brown	Jennings	Munger	Pugh	Tunheim
Carlson, D.	Johnson, A.	Murphy	Quinn	Vellenga
Carlson, L.	Johnson, R.	Nelson, C.	Reding	Wagenius
Carruthers	Johnson, V.	Nelson, K.	Rest	Weaver
Clark	Kalis	Neuenschwander	Rice	Welle
Cooper	Kelly	O'Connor	Rodosovich	Wenzel
Dawkins	Kelso	Ogren	Rukavina	Williams
Dorn	Kinkel	Olsen, S.	Runbeck	Winter
Girard	Kostohryz	Olson, E.	Sarna	Wynia
Greenfield	Krueger	Olson, K.	Scheid	Spk. Vanasek

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

Hasskamp and Wenzel moved to amend H. F. No. 1759, as follows:

Page 557, line 34, after "Anoka," insert "Brainerd,"

Page 563, line 23, delete the second comma and insert "authorize the placement of beds at the Brainerd regional treatment center, and shall,"

Page 574, line 10, after "Anoka," insert "Brainerd,"

A roll call was requested and properly seconded.

The question was taken on the Hasskamp and Wenzel amendment and the roll was called. There were 41 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Krueger	Olsen, S.	Scheid
Bauerly	Dille	Limmer	Olson, K.	Solberg
Beard	Hartle	McDonald	Pellow	Sparby
Bennett	Hasskamp	McEachern	Peterson	Swiggum
Bertram	Heap	McGuire	Redalen	Tjornhom
Boo	Henry	Milbert	Richter	Tompkins
Burger	Jaros	Miller	Rukavina	Waltman
Carruthers	Knickerbocker	Morrison	Schafer	Welle
				Wenzel

Those who voted in the negative were:

Anderson, G.	Begich	Brown	Clark	Dauner
Anderson, R.	Bishop	Carlson, D.	Conway	Dawkins
Battaglia	Blatz	Carlson, L.	Cooper	Dorn

Forsythe	Johnson, R.	Murphy	Price	Tunheim
Frederick	Johnson, V.	Nelson, K.	Pugh	Valento
Frerichs	Kahn	Neuenschwander	Quinn	Vellenga
Girard	Kalis	O'Connor	Reding	Wagenius
Greenfield	Kostohryz	Ogren	Rice	Weaver
Gruenes	Lasley	Olson, E.	Rodosovich	Williams
Haukoos	Lieder	Onnen	Runbeck	Winter
Himle	Long	Orenstein	Sarna	Wynia
Hugoson	Lynch	Ostrom	Schreiber	Spk. Vanasek
Janezich	Macklin	Ozment	Seaberg	
Jefferson	Marsh	Pauly	Segal	
Jennings	McLaughlin	Pelowski	Stanis	
Johnson, A.	Munger	Poppenhagen	Swenson	

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

Stanis and Simoneau moved to amend H. F. No. 1759, as follows:

Page 187, line 21, after the period, insert "A town, municipal, or county zoning authority may require a conditional use or special use permit to assure proper maintenance and operation of a residential program. Conditions imposed on the residential program must not be more restrictive than those imposed on other conditional uses or special uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the adults or children being served by the program."

Page 187, line 25, delete everything after the period and insert "A town, municipal, or county zoning authority may require a conditional use or special use permit to assure proper maintenance and operation of a residential program."

Page 187, delete line 26

Page 187, line 27, delete everything up to and including the period

Page 188, delete lines 22 to 24

A roll call was requested and properly seconded.

Lasley moved to amend the Stanis and Simoneau amendment to H. F. No. 1759, as follows:

Page 1, line 6, after "residential" insert "corrections"

Page 1, line 7, after "residential" insert "corrections"

Page 1, line 15, after "residential" insert "corrections"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 69 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Kostohryz	Olson, E.	Runbeck
Battaglia	Greenfield	Lasley	Omann	Sarna
Bauerly	Hartle	Lieder	Osthoff	Segal
Beard	Haukoos	Long	Ostrom	Simoneau
Begich	Heap	Lynch	Ozment	Skoglund
Bertram	Jacobs	Macklin	Pappas	Sparby
Bishop	Jaros	McGuire	Pelowski	Steenisma
Boo	Jefferson	McLaughlin	Poppenhagen	Sviggum
Carlson, L.	Johnson, A.	McPherson	Price	Trimble
Clark	Johnson, R.	Murphy	Quinn	Wagenius
Conway	Kahn	Nelson, C.	Rest	Williams
Dauner	Kelly	O'Connor	Rice	Winter
Dawkins	Kelso	Ogren	Rodosovich	Spk. Vanasek
Dille	Knickerbocker	Olsen, S.	Rukavina	

Those who voted in the negative were:

Anderson, G.	Frerichs	Krueger	Pellow	Tjornhom
Anderson, R.	Girard	Limmer	Peterson	Tompkins
Bennett	Gruenes	Marsh	Pugh	Tunheim
Blatz	Gutknecht	McDonald	Redalen	Valento
Brown	Hasskamp	McEachern	Reding	Veilenga
Burger	Henry	Milbert	Richter	Waltman
Carlson, D.	Himle	Miller	Schafer	Weaver
Carruthers	Hugoson	Morrison	Scheid	Welle
Cooper	Janezich	Neuenschwander	Schreiber	Wenzel
Dempsey	Jennings	Olson, K.	Solberg	
Forsythe	Johnson, V.	Onnen	Stanius	
Frederick	Kinkel	Pauly	Swenson	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Stanius and Simoneau amendment, as amended, and the roll was called. There were 102 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Abrams	Forsythe	Johnson, R.	Milbert	Price
Anderson, G.	Frederick	Johnson, V.	Miller	Pugh
Bauerly	Frerichs	Kalis	Morrison	Quinn
Beard	Girard	Kelly	Munger	Redalen
Begich	Gruenes	Kelso	Neuenschwander	Reding
Bennett	Gutknecht	Kinkel	O'Connor	Richter
Bertram	Hartle	Knickerbocker	Ogren	Rukavina
Bishop	Hasskamp	Kostohryz	Olsen, S.	Runbeck
Boo	Haukoos	Krueger	Olson, E.	Sarna
Brown	Heap	Lasley	Olson, K.	Schafer
Burger	Henry	Lieder	Onnen	Scheid
Carlson, D.	Himle	Limmer	Osthoff	Schreiber
Carruthers	Hugoson	Lynch	Ostrom	Seaberg
Conway	Jacobs	Macklin	Ozment	Skoglund
Cooper	Janezich	Marsh	Pellow	Solberg
Dempsey	Jaros	McDonald	Pelowski	Sparby
Dille	Jennings	McEachern	Peterson	Stanius
Dorn	Johnson, A.	McPherson	Poppenhagen	Steenisma

Swenson	Tunheim	Waltman	Wenzel
Tjornhom	Valento	Weaver	Williams
Tompkins	Wagenius	Welle	Winter

Those who voted in the negative were:

Battaglia	Greenfield	Murphy	Rest	Vellenga
Blatz	Jefferson	Nelson, C.	Rice	Spk. Vanasek
Carlson, L.	Kahn	Nelson, K.	Rodosovich	
Clark	Long	Orenstein	Segal	
Dauner	McGuire	Pappas	Sviggum	
Dawkins	McLaughlin	Pauly	Trimble	

The motion prevailed and the amendment, as amended, was adopted.

Forsythe; Stanius; Boo; Omann; Henry; McPherson; Lynch; Freerichs; Gruenes; Girard; Frederick; Abrams; Carlson, D.; Pauly; Johnson, V.; Sviggum; Burger; Blatz; Gutknecht; Bennett; Limmer; Tompkins; Knickerbocker; Weaver; Heap; Pellow and Bishop moved to amend H. F. No. 1759, as amended, as follows:

Page 12, line 8, before "Payments" insert:

"Of this appropriation, \$6,555,000 in fiscal year 1990 and \$9,061,000 in fiscal year 1991 is for the increased costs of changing the base year for reimbursing certain medical assistance vendors. Agency base spending shall be reduced by these amounts each fiscal year. Beginning July 1, 1989,"

Page 12, line 18, delete "continue to"

Page 12, line 21, delete "1982" and insert "1984"

A roll call was requested and properly seconded.

The question was taken on the Forsythe et al amendment and the roll was called. There were 71 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Heap	Lynch	Onnen
Beard	Dille	Henry	Macklin	Ozment
Bennett	Forsythe	Himle	Marsh	Pauly
Bertram	Frederick	Hugoson	McDonald	Pellow
Bishop	Frerichs	Johnson, V.	McGuire	Peterson
Blatz	Girard	Kelso	McPherson	Poppenhagen
Boo	Gruenes	Kinkel	Miller	Redalen
Burger	Gutknecht	Knickerbocker	Morrison	Reding
Carlson, D.	Hartle	Kostohryz	Olsen, S.	Richter
Cooper	Hasskamp	Krueger	Olson, K.	Runbeck
Dauner	Haukoos	Limmer	Omann	Schafer

Schreiber	Stanus	Tjornhom	Weaver
Seaberg	Steensma	Tompkins	Welle
Solberg	Sviggum	Valento	Wenzel
Sparby	Swenson	Waltman	Winter

Those who voted in the negative were:

Anderson, G.	Greenfield	Lieder	Osthoff	Scheid
Anderson, R.	Jacobs	Long	Ostrom	Segal
Battaglia	Janezich	McEachern	Pappas	Simoneau
Bauerly	Jaros	McLaughlin	Pelowski	Skoglund
Begich	Jefferson	Munger	Price	Trimble
Brown	Jennings	Murphy	Pugh	Tunheim
Carlson, L.	Johnson, A.	Nelson, C.	Quinn	Vellenga
Carruthers	Johnson, R.	Nelson, K.	Rest	Wagenius
Clark	Kahn	Neuenschwander	Rice	Williams
Conway	Kalis	O'Connor	Rodosovich	Wynia
Dawkins	Kelly	Olson, E.	Rukavina	Spk. Vanasek
Dorn	Lasley	Orenstein	Sarna	

The motion prevailed and the amendment was adopted.

Pauly moved to amend H. F. No. 1759, as amended, as follows:

Page 88, line 7, after the period insert:

"The portion of the plan relating to a city within the county may be prepared by the city and must include a division of the city into from 6 to 30 areas or neighborhoods of approximately equal population, and a procedure for placement of state-licensed residential facilities so that none of the city's areas or neighborhoods shall contain a second state-licensed residential facility until each area or neighborhood contains at least one. The plan must provide a similar policy for placement of additional state-licensed residential facilities after the first so that they are evenly dispersed throughout each city."

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

On the motion of Anderson, G., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

McEachern	Olsen, S.	Peterson	Schafer	Trimble
McGuire	Olson, E.	Poppenhagen	Scheid	Tunheim
McLaughlin	Olson, K.	Price	Schreiber	Valento
McPherson	Omann	Pugh	Seaberg	Yellenga
Milbert	Onnen	Quinn	Segal	Wagenius
Morrison	Orenstein	Redalen	Skoglund	Waltman
Munger	Osthoff	Reding	Sparby	Weaver
Murphy	Ostrom	Rest	Stanius	Welle
Nelson, C.	Ozment	Richter	Steenisma	Wenzel
Nelson, K.	Pappas	Rodosovich	Sviggum	Williams
Neuenschwander	Pauly	Rukavina	Swenson	Winter
O'Connor	Pellow	Runbeck	Tjornhom	Wynia
Ogren	Pelowski	Sarna	Tompkins	Spk. Vanasek

Wynia moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Tompkins; Valento; Heap; Poppenhagen; Lynch; Onnen; Seaberg; Pellow; Girard; Johnson, V.; Schafer; Frerichs; McDonald; Ozment; Henry; Richter; Hugoson; Frederick; Abrams; McPherson; Macklin; Dauner; Haukoos and Tjornhom moved to amend H. F. No. 1759, as amended, as follows:

Page 299, line 10, after "home" insert ", and for rate years beginning July 1, 1989, and July 1, 1990, the commissioner shall include workers' compensation insurance costs, provided the nursing home submits by April 5 a copy of its actual invoice for workers' compensation insurance for coverage which most nearly approximates the nursing home's rate year. The commissioner shall substitute the amount of the annual actual workers' compensation insurance premium for the amount of workers' compensation insurance reported on the cost report at an amount that is the lesser of the actual workers' compensation insurance premium submitted or 120 percent of workers' compensation insurance reported on the cost report. If the actual invoice for workers' compensation insurance is not provided by April 5, the commissioner shall disallow the nursing home's workers' compensation insurance. The disallowance shall remain in effect until the nursing home provides the actual invoice for workers' compensation insurance and amends its cost report as provided in Minnesota Rules, part 9549.0041, subpart 14. Upon receipt of that invoice, the commissioner shall adjust the nursing home's payment rate accordingly."

Page 299, line 19, after "contribution," insert "workers' compensation insurance increase,"

Page 302, after line 36, insert:

"[WAGE DISPARITY ADJUSTMENT PER DIEM; 1988-1990.] For the rate period October 1, 1989, to June 30, 1991, the commissioner shall add the appropriate salary adjustment per diem calculated under clauses (1) to (3) to the total operating cost payment rate

of each nursing home. The salary adjustment per diem for each nursing home must be determined as follows:

(1) All nursing homes must be grouped according to Minnesota hospital association districts as indicated in the Minnesota salary survey of hospitals and nursing homes for 1988 as published by the department of jobs and training. The percentage adjustment is determined according to the percentage disparity that exists between the care-related salaries of hospital employees and nursing home employees in each district. For this purpose the disparity is determined as follows:

(i) The median hourly wage for staff nurses, licensed practical nurses, and nurse assistants employed in nursing homes in each district is combined on a district basis. A corresponding value is determined for hospitals in each district.

(ii) The value determined in subclause (i) for hospital employees is divided by the corresponding value for the nursing home wages determined in subclause (i). The resulting value is the wage disparity for each district.

(iii) Nursing homes with disparity values of greater than one but less than or equal to 1.1 will receive a one percent adjustment. Nursing homes with a disparity value of greater than 1.1 but less than or equal to 1.2 will receive a two percent adjustment. Nursing homes with a disparity value of greater than 1.2 will receive a three percent adjustment.

(2) For each nursing home that reports salaries for registered nurses, licensed practical nurses, and aides, orderlies and attendants separately, the commissioner shall determine the salary adjustment per diem by multiplying the total salaries, payroll taxes, and fringe benefits allowed in each operating cost category, except management fees and administrator and central office salaries and the related payroll taxes and fringe benefits, by the appropriate percentage determined under clause (1) and then dividing the resulting amount by the nursing home's actual resident days.

(3) For each nursing home that does not report salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the salary adjustment per diem is the weighted average salary adjustment per diem increase determined under clause (2) for the district in which the nursing home is located.

Each nursing home that receives a salary adjustment per diem pursuant to this clause must adjust nursing home employee salaries by a minimum of the amount determined under clauses (1) to (3). The commissioner shall review allowable salary costs, including payroll taxes and fringe benefits, for the reporting year ending

September 30, 1990, to determine whether or not each nursing home complied with this requirement. The commissioner shall report the extent to which each nursing home complied with the legislative commission on long-term care by August 1, 1991."

Page 304, line 14, delete “a subdivision” and insert “subdivisions”

Page 304, after line 28, insert:

“Subd. 21. [CASE MIX COST ALLOCATION ADJUSTMENT.] For rate years beginning after June 30, 1989, the commissioner shall adjust a nursing home's total payment rate established in Minnesota Rules, part 9549.0070, subpart 1, according to paragraphs (a) to (h):

(a) A nursing home whose nursing facility beds are not 100 percent certified for Medicare by the end of the reporting year ending September 30, 1988, and each full reporting year thereafter, is not eligible for a case mix cost allocation adjustment per diem.

(b) The commissioner shall calculate each nursing home's Medicare case mix score by dividing each home's standardized Medicare resident days by its actual Medicare resident days for the reporting year.

(c) The commissioner shall calculate each nursing home's total case mix score by dividing each home's standardized resident days by its actual resident days for the reporting year.

(d) The commissioner shall subtract the nursing home's total case mix score from the home's Medicare case mix score and multiply the difference by the allowable historical case mix operating cost standardized per diem, as established in Minnesota Rules, part 9549.0054, subpart 3.

(e) The commissioner shall calculate the case mix cost allocation adjustment factor by multiplying the amount calculated in paragraph (c) by the number of actual Medicare resident days in the reporting year.

(f) The commissioner shall calculate the case mix cost allocation adjustment per diem by multiplying the case mix cost allocation adjustment factor by the care-related annual adjustment factor, as established in Minnesota Rules, part 9549.0055, subpart 1, item A, and dividing the product by the sum of the number of actual medical assistance resident days and private pay resident days in the reporting year.

(g) The commissioner shall add the case mix cost allocation

adjustment per diem calculated in paragraph (e) to the nursing home's total payment rate.

(h) A case mix cost allocation adjustment paid under this subdivision is subject to retroactive recovery if the Health Care Financing Administration disapproves the commissioner's state plan amendment."

Page 309, after line 1, insert:

"(f) [CAPITAL ASSET REPLACEMENT FUND.] For rate years beginning on or after July 1, 1990, the commissioner shall establish a capital asset replacement fund per diem for each nursing home. The capital asset replacement fund per diem equals the nursing home's allowable appraised value multiplied by .03, divided by the home's capacity days as determined under Minnesota Rules, part 9549.0060, subpart 11, as modified by paragraph (c) for the preceding reporting year. The nursing home must establish, manage, and use the capital asset replacement fund as provided in clauses 1 to 7.

(1) The nursing home must annually deposit to the capital asset replacement fund, within 30 days after the end of the reporting year, an amount equal to the capital asset replacement fund per diems multiplied by the nursing home's proportion of resident days appropriate to the capital asset replacement fund per diem established for that reporting year. For the reporting year ending September 30, 1989, the nursing home's resident days must be multiplied by .25.

(2) Capital asset replacement funds must be invested in liquid marketable investments such as savings or money market accounts, certificates of deposit and United States treasury bills. A separate capital asset replacement fund account must be maintained for each nursing home.

(3) Capital asset replacement funds and the interest income earned on the capital asset replacement funds may only be used for the cost of capitalized repair, renovation, or replacement of the nursing home's buildings, attached fixtures, or land improvements that were incurred after June 30, 1990.

(4) Capital asset replacement funds and the interest income earned on the capital asset replacement funds attach to the nursing home, and shall remain the property of the nursing home regardless of a sale, change of ownership, or reorganization of provider entity. If the nursing home is decertified or delicensed, and the nursing home's beds are not replaced as certified nursing home beds under the medical assistance program, the commissioner shall recapture all remaining capital asset replacement funds, including any interest income earned thereon.

(5) Capital asset replacement funds managed or used contrary to any of the provisions of this paragraph must be recaptured by the commissioner through desk audit or field audit adjustments.

(6) The terms "renovation" and "replacement" have the meanings given them in section 144A.073, subdivision 1.

(7) The terms "reporting year," "rate year," "buildings," "attached fixtures," "land improvements," "repairs," and "resident days," have the meanings given them in Minnesota Rules, parts 9549.0010 to 9549.0080."

Page 309, line 2, delete "(f)" and insert "(g)"

Page 317, line 28, delete "20" and insert "35"

Amend the title accordingly

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

Hasskamp moved to amend H. F. No. 1759, as amended, as follows:

Page 564, lines 29 to 33, delete the new language

Amend the title accordingly

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

MOTION FOR RECONSIDERATION

Krueger moved that the vote whereby the Forsythe et al amendment to H. F. No. 1759, as amended, which was adopted earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Krueger motion and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 76 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Dorn	Lasley	Orenstein	Sarna
Anderson, R.	Greenfield	Lieder	Osthoff	Segal
Battaglia	Jacobs	Long	Ostrom	Skoglund
Bauerly	Janezich	McEachern	Pappas	Solberg
Beard	Jefferson	McGuire	Pelowski	Sparby
Beginch	Jennings	McLaughlin	Peterson	Steenisma
Bertram	Johnson, A.	Munger	Price	Trimble
Brown	Johnson, R.	Murphy	Pugh	Tunheim
Carlson, L.	Kahn	Nelson, C.	Quinn	Vellenga
Carruthers	Kalis	Nelson, K.	Redalen	Wagenius
Clark	Kelly	Neuenschwander	Reding	Welle
Conway	Kelso	O'Connor	Rest	Wenzel
Cooper	Kinkel	Ogren	Rice	Williams
Dauner	Kostohryz	Olson, E.	Rodosovich	Winter
Dawkins	Krueger	Olson, K.	Rukavina	Wynia
				Spk. Vanasek

Those who voted in the negative were:

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

The motion prevailed.

The Forsythe et al amendment to H. F. No. 1759, as amended, was reported to the House.

Forsythe; Stanius; Boo; Omann; Henry; McPherson; Lynch; Frerichs; Gruenes; Girard; Frederick; Abrams; Carlson, D.; Pauly; Johnson, V.; Swiggum; Burger; Blatz; Gutknecht; Bennett; Limmer; Tompkins; Knickerbocker; Weaver; Heap; Pellow and Bishop moved to amend H. F. No. 1759, as amended, as follows:

Page 12, line 8, before "Payments" insert:

"Of this appropriation, \$6,555,000 in fiscal year 1990 and \$9,061,000 in fiscal year 1991 is for the increased costs of changing the base year for reimbursing certain medical assistance vendors. Agency base spending shall be reduced by these amounts each fiscal year. Beginning July 1, 1989,"

Page 12, line 18, delete "continue to"

Page 12, line 21, delete "1982" and insert "1984"

A roll call was requested and properly seconded.

The question was taken on the Forsythe et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 59 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Kinkel	Olson, K.	Schreiber
Bennett	Gruenes	Knickerbocker	Omann	Seaberg
Bishop	Gutknecht	Kostohryz	Onnen	Solberg
Blatz	Hartle	Limmer	Osthoff	Stanius
Boo	Hasskamp	Lynch	Ozment	Swiggum
Burger	Haukoos	Macklin	Pauly	Swenson
Carlson, D.	Heap	Marsh	Pellow	Tjornhom
Dempsey	Henry	McDonald	Poppenhagen	Tompkins
Dille	Himle	McPherson	Redalen	Valento
Forsythe	Hugoson	Miller	Richter	Waltman
Frederick	Johnson, R.	Morrison	Runbeck	Weaver
Frerichs	Johnson, V.	Olsen, S.	Schafer	

Those who voted in the negative were:

Anderson, G.	Dawkins	Lieder	Pappas	Sparby
Anderson, R.	Dorn	Long	Pelowski	Steenisma
Battaglia	Greenfield	McLachern	Peterson	Trimble
Bauerly	Jacobs	McLaughlin	Price	Tunheim
Beard	Janezich	Munger	Quinn	Vellenga
Begich	Jefferson	Murphy	Reding	Wagenius
Bertram	Jennings	Nelson, C.	Rest	Welle
Brown	Johnson, A.	Nelson, K.	Rice	Wenzel
Carlson, L.	Kahn	Neuenschwander	Rodosovich	Williams
Carruthers	Kalis	O'Connor	Rukavina	Winter
Clark	Kelly	Ogren	Sarna	Wynia
Conway	Kelso	Olson, E.	Scheid	Spk. Vanasek
Cooper	Krueger	Orenstein	Segal	
Dauner	Lasley	Ostrom	Skoglund	

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

Skoglund was excused for the remainder of today's session.

Burger moved to amend H. F. No. 1759, as amended, as follows:

Page 579, after line 16, insert:

"ARTICLE 7
REDUCTIONS

Sec. 26. [REDUCTIONS.]

Subdivision 1. Each item of appropriation in the preceding sec-

tions of this act, except those dedicated to the purpose of the appropriation by the Minnesota Constitution or federal law, is reduced by eight percent.

Subd. 2. The amount of money by which appropriations are reduced pursuant to subdivision 1 is appropriated in part as provided in this subdivision.

(a) One-eighth is appropriated to the commissioner of education to be disbursed to improve the quality of education in grades kindergarten through 12.

(b) One-eighth is appropriated to the higher education coordinating board to be disbursed to improve the quality of post-secondary education.

(c) One-eighth is appropriated to a special account in the general fund to be appropriated by other law in 1990 to provide property tax relief to commercial and industrial property.

Each disbursement under paragraphs (a) and (b) must be referred to the legislative advisory commission for its recommendation. Its recommendation is advisory only. Failure or refusal of the commission to make a recommendation promptly is a negative recommendation.

A roll call was requested and properly seconded.

The question was taken on the Burger amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 44 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Limmer	Omann	Seaberg
Bishop	Girard	Lynch	Onnen	Sviggum
Blatz	Gutknecht	Macklin	Osthoff	Swenson
Boo	Haukoos	Marsh	Pellow	Tjornhom
Burger	Heap	McDonald	Poppenhagen	Tompkins
Dempsey	Henry	McPherson	Redalen	Valento
Dille	Himle	Miller	Richter	Waltman
Forsythe	Hugoson	Morrison	Schafer	Weaver
Frederick	Knickerbocker	Olsen, S.	Schreiber	

Those who voted in the negative were:

Anderson, G.	Battaglia	Beard	Bennett	Brown
Anderson, R.	Bauerly	Begich	Bertram	Carlson, D.

Carlson, L.	Jennings	McGuire	Pappas	Solberg
Carruthers	Johnson, A.	McLaughlin	Pelowski	Sparby
Clark	Johnson, R.	Milbert	Peterson	Stanius
Conway	Johnson, V.	Munger	Price	Steenisma
Cooper	Kahn	Murphy	Pugh	Trimble
Dauner	Kalis	Nelson, C.	Quinn	Tunheim
Dawkins	Kelly	Nelson, K.	Reding	Vellenga
Dorn	Kelso	Neuenschwander	Rest	Wagenius
Greenfield	Kinkel	O'Connor	Rice	Welle
Gruenes	Kostohryz	Ogren	Rodosovich	Wenzel
Hartle	Krueger	Olson, E.	Rukavina	Williams
Hasskamp	Lasley	Olson, K.	Runbeck	Winter
Jacobs	Lieder	Orenstein	Sarna	Wynia
Janezich	Long	Ostrom	Scheid	Spk. Vanasek
Jefferson	McEachern	Ozment	Segal	

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

Stanius; Gruenes; Johnson, V.; Miller; Svingum; Bennett; Poppenhagen; Forsythe and Swenson moved to amend H. F. No. 1759, as amended, as follows:

Page 437, line 35, delete everything after the semicolon

Page 437, line 36, delete everything up to and including the semicolon

Page 438, line 16, after the second comma, insert "and"

Page 438, line 17, delete ", and the food stamp"

Page 440, line 5, delete "sum of the" and "and the full"

Page 440, line 6, delete "cash value of food stamps"

Page 440, line 12, delete everything after the period

Page 440, delete lines 13 to 19

Page 442, line 14, delete the comma

Page 442, line 15, delete "food stamp,"

Page 442, line 21, delete ", food stamp,"

Page 442, line 26, delete "food stamp,"

Page 442, line 32, delete "food coupons or"

Page 443, line 4, delete everything after the period

Page 443, delete lines 5 to 11

Page 443, line 36, delete everything up to and including the semicolon

Page 446, line 2, after "256.74" delete the remainder of the line

Page 446, delete line 3

Page 447, line 4, delete "amended,"

Page 449, line 11, delete "according to the processing" and insert "but, in any event,"

Page 449, delete line 12

Pages 449 and 450, delete subdivisions 6 to 9

A roll call was requested and properly seconded.

The question was taken on the Stanius et al amendment and the roll was called.

McLaughlin moved that those not voting be excused from voting. The motion prevailed.

There were 63 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Greenfield	Kostohryz	Ogren	Rice
Anderson, R.	Jacobs	Krueger	Orenstein	Rodosovich
Battaglia	Janezich	Lasley	Osthoff	Rukavina
Beard	Jefferson	Long	Ostrom	Sarna
Begich	Johnson, A.	McEachern	Pappas	Scheid
Brown	Johnson, R.	McGuire	Peterson	Segal
Carlson, L.	Kahn	McLaughlin	Price	Simoneau
Carruthers	Kalis	Murphy	Pugh	Solberg
Clark	Kelly	Nelson, C.	Quinn	Sparby
Conway	Kelso	Nelson, K.	Reding	Steenisma
Dawkins	Kinkel	O'Connor	Rest	Trimble

Vellenga
WageniusWelle
WenzelWilliams
WinterWynia
Spk. Vanasek

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

Macklin; Limmer; Heap; Bertram; Swenson; Valento; Tjornhom; Pellow; McDonald; Jennings; Henry; Blatz; Stanis; Tompkins; Richter; Seaberg; Frerichs; Johnson, R.; Kinkel; Bennett; Scheid; Runbeck and Frederick moved to amend H. F. No. 1759, as amended, as follows:

Page 504, line 20, before "Each" insert "Except as provided in section 256D.06, subdivision 1d,"

Page 509, line 35, before "A" insert "Except as provided in section 256D.06, subdivision 1d,"

Page 520, after line 9, insert:

"Sec. 69. Minnesota Statutes 1988, section 256D.06, is amended by adding a subdivision to read:

Subd. 1d. [GENERAL ASSISTANCE AND WORK READINESS FOR NEW RESIDENTS.] This subdivision applies to assistance units without minor children who have been residing in the state less than six months. General assistance and work readiness assistance shall be granted to an eligible unit in an amount that, when added to the nonexempt income actually available to the assistance unit, will equal the amount of assistance that the unit received or was eligible to receive in the last state in which the unit resided, up to a maximum amount. The maximum amount shall be the assistance that would be paid to the unit under subdivision 1. Nonexempt income is the income considered available under Minnesota Rules, parts 9500.1200 to 9500.1270."

Renumber sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Macklin et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 107 yeas and 21 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Battaglia	Jefferson	Ogren	Segal	Spk. Vanasek
Clark	Kahn	Orenstein	Simoneau	
Dawkins	McLaughlin	Pappas	Vellenga	
Dorn	Murphy	Rice	Wagenius	
Greenfield	Nelson, K.	Rodosovich	Wynia	

The motion prevailed and the amendment was adopted.

Schreiber moved to amend H. F. No. 1759, as amended, as follows:

Page 444, line 28, delete “24” and insert “12”

Page 444, line 29, delete “36” and insert “18”; delete “25th” and insert “13th”

Page 447, line 3, delete “24” and insert “12”; delete “36” and insert “24”

Page 449, line 4, delete “18” and insert “nine”; delete “36” and insert “18”

Page 449, line 6, delete “24th” and insert “13th”

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

Hasskamp and Wenzel moved to amend H. F. No. 1759, as amended, as follows:

Page 573, line 9, delete “a” and insert “their”

The motion prevailed and the amendment was adopted.

Gruenes, Waltman, Stanius, Frederick, Svingum, Onnen, Bennett, Forsythe and Gutknecht moved to amend H. F. No. 1759, as amended, as follows:

Page 6, line 5, delete "11,464,000" and insert "10,594,000"

Page 6, line 17, delete "4,565,000" and insert "4,139,000"

Page 6, line 28, delete "127,243,000" and insert "123,491,000"

Page 8, line 2, delete "156,550,000" and insert "156,507,000"

Page 10, line 48, delete "\$509,618,000" and insert "\$520,332,000"

Page 10, line 48, delete "\$548,850,000" and insert "\$547,663,000"

Page 12, after line 30, insert:

"Of this amount, \$10,000,000 is for rate years beginning after June 30, 1989, for a case mix cost allocation adjustment per diem for nursing homes that are 100 percent Medicare certified."

Page 13, line 7, delete "\$24,960,000" and insert "\$24,785,000"

Page 14, line 40, delete "205,772,000" and insert "201,708,000"

Page 16, line 28, delete "1,018,000" and insert "821,000"

Adjust totals accordingly

Page 304, line 14, delete "a subdivision" and insert "subdivisions"

Page 304, after line 28, insert:

"Subd. 21. [CASE MIX COST ALLOCATION ADJUSTMENT.] For rate years beginning after June 30, 1989, the commissioner shall adjust a nursing home's total payment rate established in Minnesota Rules, part 9549.0070, subpart 1, according to paragraphs (a) to (h):

(a) A nursing home whose nursing facility beds are not 100 percent certified for Medicare by the end of the reporting year ending September 30, 1988, and each full reporting year thereafter, is not eligible for a case mix cost allocation adjustment per diem.

(b) The commissioner shall calculate each nursing home's Medicare case mix score by dividing each home's standardized Medicare resident days by its actual Medicare resident days for the reporting year.

(c) The commissioner shall calculate each nursing home's total case mix score by dividing each home's standardized resident days by its actual resident days for the reporting year.

(d) The commissioner shall subtract the nursing home's total case mix score from the home's Medicare case mix score and multiply the difference by the allowable historical case mix operating cost standardized per diem, as established in Minnesota Rules, part 9549.0054, subpart 3.

(e) The commissioner shall calculate the case mix cost allocation adjustment factor by multiplying the amount calculated in paragraph (c) by the number of actual Medicare resident days in the reporting year.

(f) The commissioner shall calculate the case mix cost allocation adjustment per diem by multiplying the case mix cost allocation adjustment factor by the care-related annual adjustment factor, as established in Minnesota Rules, part 9549.0055, subpart 1, item A, and dividing the product by the sum of the number of actual medical assistance resident days and private pay resident days in the reporting year.

(g) The commissioner shall add the case mix cost allocation adjustment per diem calculated in paragraph (e) to the nursing home's total payment rate.

(h) A case mix cost allocation adjustment paid under this subdivision is subject to retroactive recovery if the Health Care Financing Administration disapproves the commissioner's state plan amendment."

Page 557, line 9, delete "1990" and insert "1991"

Page 566, line 20, delete "1990" and insert "1991"

Page 574, line 22, delete "1990" and insert "1991"

Page 574, line 25, delete "1990" and insert "1991"

Page 576, line 2, delete "1990" and insert "1991"

Page 577, line 32, delete "1989" and insert "1990"

Page 577, line 34, delete "1988" and insert "1989"

Page 578, line 1, delete "1989" and insert "1991"

Page 578, line 9, delete "1990" and insert "1991"

Page 579, after line 16, insert:

"Sec. 25. [EFFECTIVE DATE.]

Article 6 is effective July 1, 1990.

A roll call was requested and properly seconded.

The question was taken on the Gruenes et al amendment and the roll was called.

McLaughlin moved that those not voting be excused from voting. The motion prevailed.

There were 61 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Heap	McPherson	Runbeck
Anderson, G.	Dille	Henry	Miller	Schafer
Bennett	Dorn	Himle	Morrison	Schreiber
Bertram	Forsythe	Hugoson	Olsen, S.	Seaberg
Bishop	Frederick	Johnson, V.	Omann	Stanius
Blatz	Frerichs	Kelso	Onnen	Sviggum
Boo	Girard	Knickerbocker	Pauly	Swenson
Brown	Gruenes	Limmer	Pellow	Tjornhom
Burger	Gutknecht	Lynch	Pelowski	Tompkins
Carlson, D.	Hartle	Macklin	Poppenhagen	Valento
Cooper	Hasskamp	Marsh	Redalen	Waltman
Dauner	Haukoos	McDonald	Richter	Weaver
				Wenzel

Those who voted in the negative were:

Anderson, R.	Janezich	McEachern	Peterson	Simoneau
Battaglia	Jaros	McLaughlin	Price	Solberg
Bauerly	Jefferson	Munger	Pugh	Sparby
Beard	Johnson, A.	Murphy	Quinn	Steenisma
Beighch	Kahn	O'Connor	Reding	Trimble
Carlson, L.	Kalis	Ogren	Rest	Tunheim
Carruthers	Kelly	Olson, E.	Rice	Vellenga
Clark	Kinkel	Orenstein	Rodosovich	Wagenius
Conway	Kostohryz	Osthoff	Rukavina	Welle
Dawkins	Krueger	Ostrom	Sarna	Williams
Greenfield	Lasley	Ozment	Scheid	Winter
Jacobs	Long	Pappas	Segal	Wynia
				Spk. Vanasek

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

Ogren, Welle, Cooper, Rukavina, Ssviggum and Onnen moved to amend H. F. No. 1759, as amended, as follows:

Page 288, after line 30, insert:

"Sec. 62. Minnesota Statutes 1988, section 256B.0625, subdivision 17, is amended to read:

Subd. 17. [TRANSPORTATION COSTS.] Medical assistance covers transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by nonambulatory persons in obtaining emergency or nonemergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. For the purpose of this subdivision, a person who is incapable of transport by taxicab or bus shall be considered to be nonambulatory. Medical assistance does not cover the cost of ambulance transportation services provided to ambulatory persons for the purpose of obtaining nonemergency medical care, unless under a physician's order.

Special transportation, as defined in Minnesota Rules, part 9505.0315, subpart 1, Item F, provided to nonambulatory persons who are not developmentally disabled may be reimbursed at a lower rate than special transportation provided to nonambulatory persons who are developmentally disabled.

Page 290, after line 8, insert:

"Sec. 65. Minnesota Statutes 1988, section 256B.0625, is amended by adding a subdivision to read:

Subd. 28. [TRANSSEXUAL SURGERY.] Medical assistance does not cover procedures and services related to transsexual surgery.

Page 337, line 16, after "care." insert "General assistance medical care does not cover the cost of ambulance transportation services provided to ambulatory persons for the purposes of obtaining nonemergency medical care, unless under a physician's order."

Renumber sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Gutknecht, Ssviggum, Miller, Boo, Henry, Swenson and Frerichs moved to amend H. F. No. 1759, as amended, as follows:

Page 7, line 54, delete "186,130,000" and insert "183,130,000"

Page 7, line 54, delete "188,545,000" and insert "185,545,000"

Page 10, line 48, delete "509,618,000" and insert "512,618,000"

Page 10, line 48, delete "548,850,000" and insert "551,850,000"

Page 246, after line 29, insert:

"Sec. . . . Minnesota Statutes 1988, section 252.46, is amended by adding a subdivision to read:

Subd. 15. [RATES FOR DAY TRAINING AND HABILITATION; SALARY ADJUSTMENT.] For the 12-month contract period beginning January 1, 1990, the county must recommend payment rates for day training and habilitation services for approval by the commissioner that are adjusted according to clauses (1) and (2). To be eligible for the adjustment in payment rates, the county shall require a written affidavit signed by the vendor. The affidavit must include assurances that the entire amount paid under this provision shall be used for equitable increases for employee salaries, payroll taxes, and fringe benefits included in clause (1). That portion of the payment rate increase attributable to compliance with this subdivision and recommended for approval to the commissioner under subdivision 5, is exempt from the limits in subdivision 3. The county shall determine the salary adjustment on payment rates by:

(1) multiplying each vendor's eligible salary expenses, payroll taxes, and fringe benefits for calendar year 1989 by three and one-half percent in addition to the annual cost-of-living increase recommended under subdivision 3; and

(2) then dividing the amount in clause (1) by the total number of service units projected to be provided for the contract period.

Counties that contract for salary increases under this subdivision shall monitor expenditures according to section 252.44 and shall report the actual salary expenses and annual salary increases of vendors to the department on forms prescribed by the commissioner. This subdivision does not apply to state-operated services."

Page 332, after line 20, insert:

"Sec. . . . Minnesota Statutes 1988, section 256B.501, is amended by adding a subdivision to read:

Subd. 12. [RATES FOR INTERMEDIATE CARE FACILITIES FOR PERSONS WITH MENTAL RETARDATION OR RELATED CONDITIONS; SALARY ADJUSTMENT.] For the rate period Jan-

uary 1, 1990, to September 30, 1991, the commissioner shall add the appropriate salary adjustment per diem calculated in clauses (1) and (2) to the total operating cost payment rate of each eligible facility. For a facility to be eligible for a salary adjustment per diem, the commissioner shall require a written affidavit signed by the provider of each facility. The affidavit must include assurances that at least 50 percent of the amount of the increase resulting from the application of the statewide composite index for the rate year beginning October 1, 1989, and the entire amount paid under this provision, shall be used for equitable increases to facility employee salaries, fringe benefits, and payroll taxes included in clause (1). Facilities with rates governed by section 252.292 or Minnesota Rules, part 9553.0075, or which are newly developed or established with payment rates effective on or after July 1, 1989, are not eligible for payments under this subdivision. The commissioner shall determine the salary adjustment per diem by:

(1) multiplying each eligible facility's total salaries, payroll taxes, and fringe benefits allowed after desk audit in each operating cost category, for the reporting year ending December 31, 1988, by three and one-half percent; and

(2) then dividing the amount in clause (1) by the facility's resident days."

Page 302, after line 36, insert:

"[WAGE DISPARITY ADJUSTMENT PER DIEM; 1988-1990.] For the rate period October 1, 1989, to June 30, 1991, the commissioner shall add the appropriate salary adjustment per diem calculated under clauses (1) to (3) to the total operating cost payment rate of each nursing home. The salary adjustment per diem for each nursing home must be determined as follows:

(1) All nursing homes must be grouped according to Minnesota hospital association districts as indicated in the Minnesota salary survey of hospitals and nursing homes for 1988 as published by the department of jobs and training. The percentage adjustment is determined according to the percentage disparity that exists between the care-related salaries of hospital employees and nursing home employees in each district. For this purpose the disparity is determined as follows:

(i) The median hourly wage for staff nurses, licensed practical nurses, and nurse assistants employed in nursing homes in each district is combined on a district basis. A corresponding value is determined for hospitals in each district.

(ii) The value determined in subclause (i) for hospital employees is divided by the corresponding value for the nursing home wages

determined in subclause (i). The resulting value is the wage disparity for each district.

(iii) Nursing homes with disparity values of greater than one but less than or equal to 1.1 will receive a one percent adjustment. Nursing homes with a disparity value of greater than 1.1 but less than or equal to 1.2 will receive a two percent adjustment. Nursing homes with a disparity value of greater than 1.2 will receive a three percent adjustment.

(2) For each nursing home that reports salaries for registered nurses, licensed practical nurses, and aides, orderlies and attendants separately, the commissioner shall determine the salary adjustment per diem by multiplying the total salaries, payroll taxes, and fringe benefits allowed in each operating cost category, except management fees and administrator and central office salaries and the related payroll taxes and fringe benefits, by the appropriate percentage determined under clause (1) and then dividing the resulting amount by the nursing home's actual resident days.

(3) For each nursing home that does not report salaries for registered nurses, licensed practical nurses, aides, orderlies, and attendants separately, the salary adjustment per diem is the weighted average salary adjustment per diem increase determined under clause (2) for the district in which the nursing home is located.

Each nursing home that receives a salary adjustment per diem pursuant to this clause must adjust nursing home employee salaries by a minimum of the amount determined under clauses (1) to (3). The commissioner shall review allowable salary costs, including payroll taxes and fringe benefits, for the reporting year ending September 30, 1990, to determine whether or not each nursing home complied with this requirement. The commissioner shall report the extent to which each nursing home complied with the legislative commission on long-term care by August 1, 1991.

Until January 1, 1990, the state shall pay any increased cost to the counties resulting from implementation of the wage disparity adjustment.

Page 510, line 3, before the period, insert "for a period not to exceed four months"

Renumber sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gutknecht et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Hasskamp	McEachern	Otis	Solberg
Anderson, R.	Jacobs	McGuire	Pappas	Sparby
Battaglia	Janezich	McLaughlin	Peterson	Steenisma
Bauerly	Jaros	Munger	Price	Trimble
Beard	Jefferson	Murphy	Pugh	Tunheim
Beighich	Johnson, A.	Nelson, C.	Quinn	Vellenga
Bertram	Kahn	Nelson, K.	Reding	Wagenius
Brown	Kalis	Neuenschwander	Rest	Welle
Carlson, L.	Kelly	O'Connor	Rice	Wenzel
Carruthers	Kinkel	Ogren	Rodosovich	Williams
Clark	Kostohryz	Olson, E.	Rukavina	Winter
Conway	Krueger	Olson, K.	Sarna	Wynia
Cooper	Lasley	Orenstein	Scheid	Spk. Vanasek
Dawkins	Lieder	Osthoff	Segal	
Greenfield	Long	Ostrom	Simoneau	

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

Hasskamp and Wenzel moved to amend H. F. No. 1759, as amended, as follows:

Page 568, line 34, before “Cambridge” insert “Brainerd,”

A roll call was requested and properly seconded.

The question was taken on the Hasskamp and Wenzel amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 48 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Krueger	Omann	Solberg
Bauerly	Frerichs	McDonald	Osthoff	Stanius
Begich	Girard	McEachern	Ozment	Steenisma
Bennett	Gutknecht	McGuire	Pellow	Sviggum
Bertram	Hasskamp	McPherson	Peterson	Tompkins
Boo	Johnson, R.	Milbert	Richter	Waltman
Brown	Johnson, V.	Miller	Rukavina	Wenzel
Carlson, D.	Kelly	O'Connor	Sarna	Winter
Carruthers	Kinkel	Olsen, S.	Schafer	
Cooper	Knickerbocker	Olson, K.	Scheid	

Those who voted in the negative were:

Anderson, G.	Hartle	Lasley	Onnen	Schreiber
Anderson, R.	Haukoos	Lieder	Orenstein	Seaberg
Battaglia	Heap	Limmer	Ostrom	Segal
Beard	Henry	Long	Otis	Simoneau
Bishop	Himle	Lynch	Pappas	Swenson
Blatz	Hugoson	Macklin	Pauly	Tjornhom
Burger	Jacobs	Marsh	Pelowski	Trimble
Carlson, L.	Janezich	McLaughlin	Poppenhagen	Tunheim
Conway	Jaros	Morrison	Price	Valento
Dauner	Jefferson	Munger	Pugh	Vellenga
Dawkins	Jennings	Murphy	Quinn	Wagenius
Dempsey	Johnson, A.	Nelson, C.	Reding	Weaver
Dorn	Kahn	Nelson, K.	Rest	Welle
Forsythe	Kalis	Neuenschwander	Rice	Williams
Greenfield	Kelso	Ogren	Rodosovich	Wynia
Gruenes	Kostohryz	Olson, E.	Runbeck	Spk. Vanasek

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

Ogren, Welle, Onnen, Dauner and Sviggum moved to amend H. F. No. 1759, as amended, as follows:

Page 49, delete section 31

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 22, delete ", 3,"

A roll call was requested and properly seconded.

The question was taken on the Ogren et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 80 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Battaglia	Frederick	Krueger	Olson, K.	Schafer
Bauerly	Frerichs	Lasley	Omann	Seaberg
Beard	Girard	Lieder	Onnen	Solberg
Begich	Gruenes	Macklin	Ostrom	Sparby
Bennett	Gutknecht	Marsh	Ozment	Steenisma
Bertram	Hasskamp	McDonald	Pellow	Sviggum
Boo	Haukoos	McEachern	Pelowski	Swenson
Brown	Hugoson	McPherson	Petersen	Tompkins
Burger	Jacobs	Milbert	Poppenhagen	Tunheim
Carlson, D.	Janezich	Miller	Price	Waltman
Conway	Jaros	Morrison	Pugh	Weaver
Cooper	Jennings	Murphy	Quinn	Welle
Dauner	Johnson, R.	Nelson, C.	Redalen	Wenzel
Dempsey	Johnson, V.	Neuenschwander	Reding	Williams
Dille	Kalis	Ogren	Richter	Winter
Dorn	Kinkel	Olson, E.	Rukavina	Spk. Vanasek

Those who voted in the negative were:

Abrams	Greenfield	Knickerbocker	Orenstein	Scheid
Anderson, G.	Hartle	Kostohryz	Osthoff	Schreiber
Anderson, R.	Heap	Limmer	Otis	Segal
Bishop	Henry	Long	Pappas	Simoneau
Blatz	Himle	Lynch	Pauly	Stanius
Carlson, L.	Jefferson	McGuire	Rest	Tjornhom
Carruthers	Johnson, A.	McLaughlin	Rice	Trimble
Clark	Kahn	Nelson, K.	Rodosovich	Valento
Dawkins	Kelly	O'Connor	Runbeck	Vellenga
Forsythe	Kelso	Olsen, S.	Sarna	Wagenius
				Wyma

The motion prevailed and the amendment was adopted.

Speaker pro tempore Quinn called Long to the Chair.

Sviggum, Tjornhom, Henry, Limmer and Onnen moved to amend H. F. No. 1759, as amended, as follows:

Page 6, line 28, delete "122,195,000" and insert "122,545,000"; delete "127,243,000" and insert "127,593,000".

Page 7, after line 16, insert:

"Of this appropriation, \$700,000 is for the home delivered meal program to increase the number of meals served."

Page 19, line 6, delete "5,653,000" and insert "5,303,000"; delete "3,669,000" and insert "3,319,000"

Adjust totals accordingly

Page 173, delete lines 31 to 36

Page 174, delete lines 1 to 36

Page 175, delete lines 1 to 32

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Svingum et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 50 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abrams	Gruenes	Limmer	Onnen	Seaberg
Bennett	Gutknecht	Lynch	Ostrom	Sparby
Blatz	Hartle	Macklin	Ozment	Stanius
Burger	Haukoos	Marsh	Pauly	Svingum
Carlson, D.	Heap	McPherson	Pellow	Swenson
Dempsey	Henry	Miller	Poppenhagen	Tjornhom
Forsythe	Hugoson	Morrison	Redalen	Tompkins
Frederick	Jennings	Olsen, S.	Richter	Valento
Frerichs	Johnson, V.	Olson, K.	Schafer	Waltman
Girard	Knickerbocker	Omann	Schreiber	Weaver

Those who voted in the negative were:

Anderson, G.	Conway	Johnson, A.	McEachern	Orenstein
Anderson, R.	Cooper	Johnson, R.	McGuire	Osthoff
Battaglia	Dauner	Kahn	McLaughlin	Otis
Bauerly	Dawkins	Kalis	Milbert	Pappas
Beard	Dille	Kelly	Munger	Pelowski
Beginch	Dorn	Kelso	Murphy	Peterson
Bertram	Greenfield	Kinkel	Nelson, C.	Price
Boo	Hasskamp	Kostohryz	Nelson, K.	Pugh
Brown	Jacobs	Krueger	Neuenschwander	Quinn
Carlson, L.	Janezich	Lasley	O'Connor	Reding
Carruthers	Jaros	Lieder	Ogren	Rest
Clark	Jefferson	Long	Olson, E.	Rice

Rodosovich	Scheid	Steenisma	Wagenius	Winter
Rukavina	Segal	Trimble	Welle	Wynia
Runbeck	Simoneau	Tunheim	Wenzel	Spk. Vanasek
Sarna	Solberg	Vellenga	Williams	

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

Speaker pro tempore Long called Quinn to the Chair.

Olsen, S.; Stanius; Johnson, V.; Runbeck; Pauly; Morrison; Henry; Lynch; Forsythe and McPherson moved to amend H. F. No. 1759, as amended, as follows:

Page 7, line 54, delete "186,130,000" and insert "183,130,000"

Page 7, line 54, delete "188,545,000" and insert "185,545,000"

Page 20, line 28, delete "24,916,000" and insert "27,916,000"

Page 20, line 28, delete "24,825,000" and insert "27,825,000"

Page 20, after line 28, insert:

"Of this appropriation, \$3,000,000 each year is for battered women grants to expand services in counties where access to services is limited or nonexistent and to increase grant funds for special projects."

Page 510, line 3, before the period insert "for a period not to exceed four months"

Adjust totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Olsen, S., et al amendment and the roll was called.

McLaughlin moved that those not voting be excused from voting. The motion prevailed.

There were 54 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Abrams	Blatz	Burger	Cooper	Dille
Bennett	Boo	Carlson, D.	Dempsey	Dorn

Forsythe	Henry	McDonald	Pauly	Stanius
Frederick	Himle	McPherson	Pellow	Sviggum
Frerichs	Hugoson	Miller	Poppenhagen	Swenson
Girard	Johnson, V.	Morrison	Redalen	Tjornhom
Gruenes	Kelso	Munger	Richter	Tompkins
Gutknecht	Limmer	Olsen, S.	Runbeck	Valento
Hartle	Lynch	Omann	Schafer	Waltman
Haukoos	Macklin	Onnen	Schreiber	Weaver
Heap	Marsh	Ozment	Seaberg	

Those who voted in the negative were:

Anderson, G.	Jacobs	Long	Otis	Solberg
Anderson, R.	Janezich	McEachern	Pappas	Sparby
Battaglia	Jaros	McGuire	Pelowski	Steenisma
Bauerly	Jefferson	McLaughlin	Peterson	Trimble
Beard	Jennings	Milbert	Price	Tunheim
Begich	Johnson, A.	Murphy	Pugh	Vellenga
Bertram	Johnson, R.	Nelson, C.	Quinn	Wagenius
Brown	Kahn	Nelson, K.	Reding	Welle
Carlson, L.	Kalis	Neuenschwander	Rest	Wenzel
Carruthers	Kelly	O'Connor	Rice	Williams
Clark	Kinkel	Ogren	Rodosovich	Winter
Conway	Knickerbocker	Olson, E.	Rukavina	Wynia
Dauner	Kostohryz	Olson, K.	Sarna	Spk. Vanasek
Dawkins	Krueger	Orenstein	Scheid	
Greenfield	Lasley	Osthoff	Segal	
Hasskamp	Lieder	Ostrom	Simoneau	

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

Gruenes, Wenzel, Cooper, Dempsey, Bertram, Gutknecht, Steenisma, Tjornhom and Hasskamp moved to amend H. F. No. 1759, as amended, as follows:

Page 472, line 4, after the period, insert "No money appropriated or received for purposes of this section shall be used for the performance, the referral, or the encouragement of voluntary termination of pregnancy."

A roll call was requested and properly seconded.

The question was taken on the Gruenes et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 99 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Bauerly	Bennett	Boo	Conway
Anderson, R.	Beard	Bertram	Brown	Cooper
Battaglia	Begich	Blatz	Carlson, D.	Dauner

Dempsey	Johnson, V.	Milbert	Pelowski	Solberg
Dille	Kalis	Miller	Peterson	Sparby
Dorn	Kelly	Morrison	Poppenhagen	Stanius
Forsythe	Kelso	Murphy	Price	Steensma
Frederick	Kinkel	Nelson, C.	Pugh	Sviggum
Frerichs	Knickerbocker	Neuenschwander	Quinn	Swenson
Girard	Kostohryz	O'Connor	Redalen	Tjornhom
Gruenes	Krueger	Ogren	Reding	Tompkins
Gutknecht	Lasley	Olsen, S.	Rice	Tunheim
Hasskamp	Lieder	Olson, E.	Richter	Valento
Haukoos	Limmer	Omann	Rodosovich	Waltman
Heap	Lynch	Onnen	Runbeck	Weaver
Henry	Macklin	Osthoff	Sarna	Welle
Himle	Marsh	Ostrom	Schafer	Wenzel
Hugoson	McDonald	Ozment	Scheid	Winter
Jacobs	McEachern	Pauly	Schreiber	Spk. Vanasek
Johnson, R.	McPherson	Pellow	Seaberg	

Those who voted in the negative were:

Abrams	Janezich	McGuire	Otis	Trimble
Carlson, L.	Jefferson	McLaughlin	Pappas	Vellenga
Carruthers	Jennings	Munger	Rest	Wagenius
Clark	Johnson, A.	Nelson, K.	Rukavina	Wynia
Dawkins	Kahn	Olson, K.	Segal	
Greenfield	Long	Orenstein	Simoneau	

The motion prevailed and the amendment was adopted.

Blatz moved to amend H. F. No. 1759, as amended, as follows:

Page 28, after line 18, insert:

"Section 1. Minnesota Statutes 1988, section 43A.27, subdivision 2, is amended to read:

Subd. 2. [ELECTIVE ELIGIBILITY.] The following persons, if not otherwise covered by section 43A.24, may elect coverage for themselves or their dependents at their own expense:

(a) a state employee, including persons on layoff from a civil service position as provided in collective bargaining agreements or a plan established pursuant to section 43A.18;

(b) an employee of the board of regents of the University of Minnesota, including persons on layoff, as provided in collective bargaining agreements or by the board of regents;

(c) an officer or employee of the state agricultural society, state horticultural society, Sibley house association, Minnesota humanities commission, Minnesota international center, Minnesota academy of science, science museum of Minnesota, Minnesota safety council, state office of disabled American veterans, state office of the American Legion and its auxiliary, or state office of veterans of

foreign wars and its auxiliary, or state office of the Military Order of the Purple Heart;

(d) a civilian employee of the adjutant general who is paid from federal funds and who is not eligible for benefits from any federal civilian employee group life insurance or health benefits program; and

(e) an officer or employee of the state capitol credit union or the highway credit union."

Renumber the sections

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina; Johnson, R.; Ogren; Blatz; Himle; Kahn; McDonald; Carlson, D.; Knickerbocker; Battaglia; Heap; Begich and Lynch moved to amend H. F. No. 1759, as amended, as follows:

Page 190, after line 31, insert:

"Sec. 192. Minnesota Statutes 1988, section 518.551, is amended by adding a subdivision to read:

Subd. 5a. [ORDER FOR COMMUNITY SERVICES.] If the court finds that the obligor earns \$400 or less per month and does not have the ability to provide support based on the guidelines and factors under subdivision 5, the court may order the obligor to perform community services to fulfill the obligor's support obligation. In ordering community services under this subdivision, the court shall consider whether the obligor has the physical capability of performing community services, and shall order community services that are appropriate for the obligor's abilities."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Rukavina et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

Kelly moved to amend H. F. No. 1759, as amended, as follows:

Page 201, line 29, delete "1991" and insert "1990"

Page 202, line 22, delete "1992" and insert "1991"

The motion prevailed and the amendment was adopted.

Abrams, Jennings and Bishop moved to amend H. F. No. 1759, as amended, as follows:

Page 27, after line 38, insert:

"The commissioner of corrections shall provide a full-time work assignment for every inmate incarcerated in a state correctional institution at no additional cost to the state than the amount appropriated in other sections of this

bill for this purpose. The commissioner may excuse an inmate from work because of illness or physical disability or because no work assignment is available."

A roll call was requested and properly seconded.

The question was taken on the Abrams et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 124 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Greenfield	Kahn	Pappas	Vellenga
Jefferson	Long	Rice	

The motion prevailed and the amendment was adopted.

Stanious and Carlson, D., moved to amend H. F. No. 1759, as amended, as follows:

Page 85, line 14 to page 92, line 10, delete section 78

Page 187, line 9 to page 189, line 15, delete section 188

Renumber the sections in sequence

Correct internal references

Adjust the totals accordingly

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Stanius and Carlson, D., amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 84 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Jacobs	Miller	Richter
Anderson, G.	Dempsey	Jennings	Morrison	Schafer
Anderson, R.	Dille	Johnson, R.	Murphy	Scheid
Battaglia	Dorn	Johnson, V.	Nelson, C.	Schreiber
Bauerly	Forsythe	Kalis	Neuenschwander	Seaberg
Beard	Frederick	Kelso	Olsen, S.	Solberg
Begin	Frerichs	Kinkel	Olson, E.	Sparby
Bennett	Girard	Knickerbocker	Olson, K.	Stanius
Bertram	Gruenes	Lieder	Omann	Steensma
Bishop	Gutknecht	Limmer	Onnen	Tjornhom
Blatz	Hartle	Lynch	Ostrom	Tompkins
Boo	Hasskamp	Macklin	Pellow	Valento
Brown	Haukoos	Marsh	Pelowski	Waltman
Burger	Heap	McDonald	Peterson	Weaver
Carlson, D.	Henry	McEachern	Poppenhagen	Wenzel
Carruthers	Himle	McPherson	Pugh	Winter
Cooper	Hugoson	Milbert	Redalen	

Those who voted in the negative were:

Carlson, L.	Kelly	Ogren	Rice	Tunheim
Clark	Kostohryz	Orenstein	Rodosovich	Vellenga
Conway	Krueger	Osthoff	Rukavina	Wagenius
Dawkins	Lasley	Otis	Runbeck	Welle
Greenfield	Long	Ozman	Sarna	Williams
Janezich	McGuire	Pappas	Segal	Wynia
Jaros	McLaughlin	Price	Simoneau	Spk. Vanasek
Jefferson	Munger	Quinn	Sviggum	
Johnson, A.	Nelson, K.	Reding	Swenson	
Kahn	O'Connor	Rest	Trimble	

The motion prevailed and the amendment was adopted.

Wenzel, Kinkel and Hasskamp moved to amend H. F. No. 1759, as amended, as follows:

Page 569, lines 13 and 24, delete "1993" and insert "1995"

Page 569, line 26, delete "1995" and insert "1997"

Page 569, lines 32 and 36, delete "1991" and insert "1993"

Page 570, line 4, delete "1992" and insert "1995"

Page 570, line 13, delete "1992" and insert "1994"

A roll call was requested and properly seconded.

The question was taken on the Wenzel et al amendment and the roll was called.

Wynia moved that those not voting be excused from voting. The motion prevailed.

There were 49 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Olsen, S.	Schreiber
Bauerly	Frerichs	Krueger	Olson, E.	Sparby
Begich	Girard	Limmer	Omann	Steenisma
Bennett	Gutknecht	Lynch	Onnen	Tompkins
Bishop	Hasskamp	Marsh	Pellow	Tunheim
Blatz	Haukoos	McDonald	Peterson	Valento
Carruthers	Heap	McGuire	Redalen	Weaver
Dauner	Henry	McPherson	Richter	Wenzel
Dempsey	Johnson, V.	Milbert	Schafer	Winter
Dille	Kinkel	Miller	Scheid	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lasley	Ostrom	Sarna
Anderson, R.	Hartle	Lieder	Otis	Seaberg
Battaglia	Himle	Long	Ozment	Segal
Beard	Hugoson	Macklin	Pappas	Simoneau
Bertram	Jacobs	McEachern	Pauly	Solberg
Boo	Janezich	McLaughlin	Pelowski	Stanius
Brown	Jaros	Munger	Poppenhagen	Sviggum
Burger	Jefferson	Murphy	Price	Swenson
Carlson, D.	Jennings	Nelson, C.	Pugh	Tjornhom
Carlson, L.	Johnson, A.	Nelson, K.	Quinn	Trimble
Clark	Johnson, R.	Neuenschwander	Reding	Vellenga
Conway	Kahn	O'Connor	Rest	Wagenius
Cooper	Kalis	Ogren	Rice	Waltman
Dawkins	Kelly	Olson, K.	Rodosovich	Welle
Dorn	Kelso	Orenstein	Rukavina	Williams
Forsythe	Kostohryz	Osthoff	Runbeck	Wynia
				Spk. Vanasek

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

Stanius moved to amend H. F. No. 1759, as amended, as follows:

Page 47, after line 1, insert:

"Sec. 29. [145.461] [HEALTH CLUBS; STAFF TRAINING IN CARDIOPULMONARY RESUSCITATION.]

Subdivision 1. [REQUIREMENT FOR TRAINED STAFF.] A health club must have at least one staff member, who is trained in cardiopulmonary resuscitation, present in the health club facility while patrons are present in the facility.

Subd. 2. [HEALTH CLUB.] "Health club" is defined for purposes of this section as a facility that provides exercise equipment and offers exercise programs to the public for a membership fee."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Greenfield moved to amend H. F. No. 1759, as amended, as follows:

Page 61, after line 27, insert "The commissioner shall study the availability of surety bonds, the cost of bonds, and underwriter financial requirements of sellers of hearing instruments for obtaining bonds, and shall recommend whether other mechanisms are available for protecting purchasers of hearing instrument products and services."

Page 213, after line 15, insert:

"The provision in section 47 requiring the commissioner to study issues related to surety bonds for hearing instrument sellers is effective the day following final enactment."

The motion prevailed and the amendment was adopted.

Greenfield moved to amend H. F. No. 1759, as amended, as follows:

Page 213, line 10, delete "sections 245A.11;" and insert "section"

Page 213, line 11, delete everything after "3"

Page 213, line 12, delete "are" and insert "is"

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

H. F. No. 1759, A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, veterans nursing homes, and other purposes with certain conditions; amending Minnesota Statutes 1988, sections 13.46, subdivision 2; 43A.27, subdivision 2; 62A.045; 62A.046; 62D.041, subdivision 1, and by adding a subdivision; 62D.042, subdivision 1; 62D.05, subdivision 6; 144.50, subdivision 6, and by adding a subdivision; 144.562, subdivisions 2 and 3; 144.651, subdivision 2; 144.698, subdivision 1; 144.701; 144.702, subdivision 2, and by adding subdivisions; 144A.01, subdivision 5, and by adding subdivisions; 144A.04, subdivision 7, and by adding subdivisions; 144A.071, subdivision 3; 144A.073, subdivision 1; 144A.10, subdivisions 5, 6a, and by adding subdivisions; 144A.11, subdivision 3, and by adding a subdivision; 144A.12, subdivision 1; 144A.15, subdivision 1, and by adding subdivisions; 144A.45, subdivision 2; 144A.46; 144A.61; 144A.611; 145.38, subdivision 1; 145.39, subdivision 1; 145.61, subdivision 5; 145.63; 145.882, subdivisions 1 and 7; 146.13; 147.02, subdivision 1; 148B.23, subdivision 1; 148B.27, subdivision 2; 148B.32, subdivision 2; 148B.40, subdivision 3; 148B.42, by adding a subdivision; 149.02; 149.06; 150A.06, subdivision 2a; 153A.13, subdivision 4; 153A.15, subdivision 3; 153A.16; 176.136, subdivisions 1 and 5; 214.04, subdivision 3; 214.06, subdivision 1; 237.70, subdivision 7; 237.701, subdivision 1; 245.461; 245.462; 245.463, subdivision 2, and by adding subdivisions; 245.464; 245.465; 245.466, subdivisions 1, 2, 5, and 6; 245.467, subdivisions 3, 4, and 5; 245.468; 245.469; 245.470, subdivision 1; 245.472, subdivision 1, and by adding a subdivision; 245.473, subdivision 1; 245.474; 245.476, subdivisions 1, 3, and by adding subdivisions; 245.477; 245.478, subdivisions 2 and 3; 245.479; 245.48; 245.482; 245.483; 245.484; 245.485; 245.486; 245.62, subdivision 3; 245.696, subdivision 2; 245.697, subdivisions 1, 2, and 2a; 245.713, subdivision 2; 245.73, subdivisions 1, 2, and 4; 245.771, subdivision 3; 245.91, by adding a subdivision; 245.94, subdivision 1, and by adding a subdivision; 245A.02, subdivisions 3, 9, 10, 14, and by adding a subdivision; 245A.03, subdivisions 1, 2, and 3; 245A.04, subdivisions 1, 3, 5, 6, 7, and by adding subdivisions; 245A.06, subdivisions 1, 5, and by adding a subdivision; 245A.07, subdivision 2; 245A.08, subdivision 5; 245A.095; 245A.12; 245A.13; 245A.14, subdivision 3, and by adding subdivisions; 245A.16, subdivision 1; 246.015; 246.18, subdivision 4; 246.36; 246.50, subdivisions 3, 4, and 5; 246.54; 246.57, subdivision 1; 251.011, subdivision

4, and by adding a subdivision; 252.27, subdivision 1; 252.291, subdivision 2; 252.31; 252.41, subdivision 9; 252.46, subdivisions 1, 2, 3, 4, 6, and 12; 252.47; 252.50; 253.015; 254A.08, subdivision 2; 254B.02, subdivision 1; 254B.03, subdivisions 1 and 4; 254B.04, subdivision 2; 254B.06, subdivision 1; 254B.09, subdivisions 1, 4, and 5; 256.01, subdivision 2, and by adding a subdivision; 256.014, subdivision 1; 256.045, subdivisions 1, 3, 4, 4a, 5, 6, 7, 10, and by adding a subdivision; 256.12, subdivision 14; 256.73, subdivision 3a; 256.736, subdivisions 3, 3b, 4, 10, 11, 14, 16, and by adding subdivisions; 256.737; 256.74, subdivisions 1, 1a, and by adding a subdivision; 256.85; 256.87, subdivision 1a; 256.936, subdivisions 1, 2, and 4; 256.969, 256.974; 256.9741, subdivisions 3, 5, and by adding a subdivision; 256.9742; 256.9744, subdivision 1; 256.975, subdivision 2; 256B.031, subdivision 5, 256B.04, subdivision 14, and by adding a subdivision; 256B.055, subdivisions 7 and 8; 256B.056, subdivisions 3, 4, and 5; 256B.062; 256B.0625, subdivisions 2, 13, 17, and by adding subdivisions; 256B.091, subdivision 3; 256B.092, subdivision 7; 256B.14; 256B.25, by adding a subdivision; 256B.421, subdivision 14; 256B.431, subdivisions 2b, 2e, 2i, 3a, 3f, 3g, 4, and by adding subdivisions; 256B.47, subdivision 3; 256B.48, subdivisions 1, 6, and 8; 256B.501, subdivisions 3, 3g, and by adding subdivisions; 256B.69, subdivisions 4, 5, 11, and by adding a subdivision; 256C.28, subdivision 3, and by adding subdivisions; 256D.01, subdivisions 1, 1a, 1b, and 1c; 256D.02, subdivisions 1 and 4; 256D.03, subdivisions 2, 3, 4; 256D.05, subdivision 1, and by adding a subdivision; 256D.051, subdivisions 1, 2, 3, 6, 8, 13, and by adding subdivisions; 256D.052, subdivisions 1, 2, 3, and 4; 256D.06, by adding a subdivision; 256D.101; 256D.111, subdivision 5; 256D.35, subdivisions 1, 7, and by adding subdivisions; 256D.36, subdivision 1, and by adding a subdivision; 256D.37, subdivision 1; 256E.03, subdivision 2; 256E.05, subdivision 3; 256E.08, subdivision 5; 256E.09, subdivisions 1 and 3; 256F.05, subdivisions 2, 3, and 4; 256F.07, subdivision 3a; 256H.01, subdivisions 1, 2, 7, 8, 11, and 12; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09; 256H.10, subdivisions 2, 3, and by adding a subdivision; 256H.11; 256H.12; 256H.15; 256H.18; 256H.20, subdivision 3; 257.071, subdivision 7; 257.55, subdivision 1; 257.57, subdivision 1; 257.62, subdivision 5; 259.47, subdivision 5; 259.49, subdivision 2; 260.251, subdivision 1; 268.0111, subdivision 4, and by adding a subdivision; 268.0122, subdivisions 2 and 3; 268.08, subdivision 1; 268.31; 268.37, by adding a subdivision; 268.86, subdivision 2; 268.871, subdivision 5; 268.88; 287.12; 297.13, subdivision 1; 326.78, subdivision 2; 327.20, subdivision 1; 327C.02, subdivision 2; 357.021, subdivisions 2 and 2a; 517.08, subdivisions 1b and 1c; 518.54, subdivision 6; 518.551, subdivision 10, and by adding a subdivision; 518.611, subdivision 4; 518.613, subdivisions 1, 2, 4, and by adding a subdivision; 609.378; 626.556, subdivisions 2 and 10e; and 626.558; Laws 1984, chapter 654, article 5, section 57, subdivision 1, as amended; Laws 1987, chapter 403, article 3, section 98; Laws 1988, chapter 689, article 2, sections 248 and 269, subdivision 2; repealing Minnesota Statutes 1988, sections 144A.10, subdivision 4a; 150A.06, subdivision 7; 245.462, subdivision 25; 245.471; 245.475; 245.64; 245.698; 245.775; 245.83; 245.84; 245.85; 245.871; 245.872; 245.873;

245A.095, subdivision 3; 246.50, subdivisions 3a, 4a, and 9; 254B.09, subdivision 3; 254B.10; 256.87, subdivision 4; 256.969, subdivisions 2a, 3, 4, 5, and 6; 256B.0625, subdivision 21; 256B.17, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 256B.69, subdivisions 12, 13, 14, and 15; 256D.01, subdivision 1c; 256D.051, subdivision 6a; 256D.052, subdivisions 5, 6, and 7; 256D.06, subdivisions 3, 4, and 6; 256D.35, subdivisions 2, 3, 4, and 8; 256D.36, subdivision 2; 256D.37, subdivisions 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, and 14; 256D.38, 256D.39; 256D.41; 256D.42; 256D.43; 256E.08, subdivision 9; 256F.05, subdivision 1; 256H.04; 256H.05, subdivision 4; 256H.06; 256H.07, subdivision 4; 256H.13; 268.86, subdivision 7; 518.613, subdivision 5; Laws 1987, chapter 403, article 5, section 1; proposing coding for new law in Minnesota Statutes, chapters 144; 144A; 145; 157; 196; 245; 246; 251; 252; 253; 254A; 256; 256B; 256D; 256E; 256F; 256H; 259; 268; and 626; proposing coding for new law as Minnesota Statutes, chapter 256I.

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

The question was taken on the passage of the bill and the roll was called. There were 89 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Greenfield	Lasley	Ostrom	Segal
Anderson, R.	Hartle	Lieder	Otis	Simoneau
Battaglia	Henry	Long	Ozment	Solberg
Bauerly	Jacobs	Macklin	Pappas	Sparby
Beard	Janezich	McEachern	Pelowski	Steenisma
Beigh	Jaros	McGuire	Peterson	Sviggum
Bertram	Jefferson	McLaughlin	Price	Swenson
Boo	Jennings	Munger	Pugh	Trimble
Brown	Johnson, A.	Murphy	Quinn	Tunheim
Carlson, D.	Johnson, R.	Nelson, C.	Redalen	Vellenga
Carlson, L.	Johnson, V.	Nelson, K.	Reding	Wagenius
Carruthers	Kahn	Neuenschwander	Rest	Waltman
Clark	Kalis	O'Connor	Rice	Welle
Conway	Kelly	Ogren	Rodosovich	Williams
Dauner	Kelso	Olsen, S.	Rukavina	Winter
Dawkins	Kinkel	Olson, E.	Runbeck	Wynia
Dorn	Kostohryz	Olson, K.	Sarna	Spk. Vanasek
Frederick	Krueger	Orenstein	Scheid	

Those who voted in the negative were:

Abrams	Frerichs	Knickerbocker	Omann	Seaberg
Bennett	Girard	Limmer	Onnen	Stanius
Bishop	Gruenes	Lynch	Osthoff	Tjornhom
Blatz	Gutknecht	Marsh	Pauly	Tompkins
Burger	Hasskamp	McDonald	Pellow	Valento
Cooper	Haukoos	McPherson	Poppenhagen	Weaver
Dempsey	Heap	Milbert	Richter	Wenzel
Dille	Himle	Miller	Schafer	
Forsythe	Hugoson	Morrison	Schreiber	

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

CALL OF THE HOUSE LIFTED

Wynia moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

CONSENT CALENDAR

Wynia moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

SPECIAL ORDERS

Wynia moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

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

Rest moved that S. F. No. 851, now on General Orders, be referred to the Committee on Appropriations. The motion prevailed.

Anderson, G., moved that H. F. No. 1758 be returned to its author. The motion prevailed.

Weaver moved that H. F. No. 1466 be returned to its author. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 169:

Hartle, Beard and Lasley.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 826:

Weaver, Kelly and Pappas.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 65:

Otis, Cooper and Himle.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1734:

Long; Wynia; Welle; Olson, E., and Rest.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 11:00 a.m., Friday, May 5, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Friday, May 5, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

