

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION — 1989

FORTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 9, 1989

The House of Representatives convened at 1:00 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Vernon Miller of St. Mary's Church, Stillwater, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Scheid was excused until 1:20 p.m. Kalis was excused until 3:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. McGuire moved that further reading of the Journal be dis-

pensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 7, 871 and 1137 and S. F. Nos. 477, 613 and 1374 have been placed in the members' files.

S. F. No. 613 and H. F. No. 399, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

O'Connor moved that the rules be so far suspended that S. F. No. 613 be substituted for H. F. No. 399 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1374 and H. F. No. 1715, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jefferson moved that S. F. No. 1374 be substituted for H. F. No. 1715 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Long from the Committee on Taxes to which was referred:

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

Reported the same back with the following amendments:

Page 1, line 10, delete "\$30,000,000" and insert "\$20,000,000"

Page 1, line 13, after the period, insert "After June 30, 1990, Hennepin county may issue and sell additional general obligation bonds in an amount not to exceed \$80,000,000 for the construction of a public safety building and related facilities."

Page 2, line 3, after "effective" insert "including savings from night, weekend, and other additional court sessions. The report of the county commissioners must specifically include a review of the required bed capacity for the facility"

Page 2, line 6, after the period insert "The reports must be referred to the judiciary committees of the house and senate. The judiciary committees must review the report and make recommendations on the proposed facilities to the respective committees on taxes of the house and senate before April 1, 1990."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1448 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 613 and 1374 were read for the second time.

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. 97, A bill for an act relating to crimes; requiring the court to order the preparation of a presentence investigation report in gross misdemeanor cases when requested by the prosecutor; amending Minnesota Statutes 1988, section 609.115, subdivision 1.

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

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 627, A bill for an act relating to motor carriers; exempting rear-end dump trucks operated by private agricultural carriers between point of production and point of processing from requirements for rear-end protection; amending Minnesota Statutes 1988, section 221.031, subdivision 2a.

PATRICK E. FLAHAVERN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 371, A bill for an act relating to corrections; authorizing the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes; amending Minnesota Statutes 1988, section 260.161, subdivision 3.

The Senate has appointed as such committee:

Messrs. Marty, Spear and McGowan.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVERN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 827, A bill for an act relating to game and fish; authorizing the taking of certain muskrats that are causing damage; providing that license applications need not be notarized; regulating the purchase of raw furs; amending Minnesota Statutes 1988, sections 97A.481; 97B.655, subdivision 1; and 97B.905, subdivision 1.

The Senate has appointed as such committee:

Messrs. Bernhagen, Berg, Stumpf, Merriam and Frederickson, D. R.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1107, A bill for an act relating to landlord and tenant; authorizing emergency proceeding for loss of essential services; proposing coding for new law in Minnesota Statutes, chapter 566.

The Senate has appointed as such committee:

Messrs. Marty, Morse and Knaak.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 372, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; consolidating certain funds and accounts and making conforming changes; changing the organization, operation, financing, and management of certain courts and related offices; amending Minnesota Statutes 1988, sections 3.099, subdivision 3; 3.732, subdivision 1; 6.48; 6.56; 6.58; 8.15; 8.31, subdivisions 2c and 3; 13.33; 14.07, subdivisions 1 and 2; 14.08; 14.26; 15.06, subdivision 1; 15.50, subdivision 2; 15A.081, subdivision 1; 16A.10, subdivision 1; 16A.123, by adding a subdivision; 16A.125, subdivision 5, and by adding a subdivision; 16A.133, subdivision 1; 16B.24, subdivision 6; 16B.42, subdivision 4; 16B.48, subdivision 2; 16B.61, subdivision 5;

16B.70; 41A.09, subdivision 1; 43A.02, subdivision 25; 43A.17, subdivision 1; 43A.24, subdivision 2; 44A.0311; 84.0272; 82.0274, by adding a subdivision; 84.084; 84.83, subdivision 1; 84.922, subdivision 3; 84.927, subdivision 1; 84A.51, subdivision 2; 84A.55, subdivision 14; 85.055, subdivision 2; 85.22, subdivisions 1 and 2a; 85.43; 85A.01, subdivisions 1 and 5; 85A.02, subdivisions 2, 5, 5a, 5b, 12, 16, 17, 18; 85A.04, subdivisions 1 and 4; 89.035; 89.036; 89.21; 93.335, subdivision 4; 94.09, subdivision 2; 94.342, subdivision 3; 97A.055, by adding a subdivision; 97A.165; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 29a, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42; 97A.485, subdivisions 6 and 7; 97B.301, by adding a subdivision; 106A.661, subdivision 2; 112.73; 115.03, subdivision 1; 115A.14, subdivision 4; 115A.908, subdivision 2; 115B.17, subdivision 7; 115B.20, subdivisions 1, 4, and 6; 115B.22, subdivision 7; 115B.24, subdivision 10; 115B.25, subdivision 7; 115B.26; 115C.02, subdivision 6; 115C.08, subdivision 1; 116.41, subdivision 2; 116.65, subdivision 3; 116J.01; 116J.03, subdivision 2; 116J.58, subdivision 1; 116J.64, subdivision 6; 116J.68, subdivision 2; 116J.74, subdivision 5; 116J.873, subdivision 4; 116J.955, subdivisions 1 and 2; 116J.9673, subdivision 4; 116J.970; 116J.971, subdivisions 3, 6, 7, 8, and 9; 116J.982, subdivision 1; 116L.02; 116L.03, subdivisions 2 and 7; 116L.04, subdivision 1; 116N.01, subdivision 3; 116N.02, subdivision 6; 116N.08, subdivisions 4 and 8; 116O.02, and by adding a subdivision; 116O.03, subdivisions 1, 2, 3, and by adding subdivisions; 116O.04, by adding a subdivision; 116O.05; 116O.06, subdivisions 1 and 5; 116O.08, subdivisions 2 and 7; 116O.12; 116O.13; 116O.14; 116O.15; 116P.08, subdivisions 1 and 2; 116P.13; 148B.17; 169.121, subdivision 5a; 169.126, subdivisions 4 and 4a; 169.686, subdivision 3; 176.135, subdivision 1; 190.07; 190.25, subdivision 3; 192.51, subdivision 2; 196.02; 196.021; 214.06, subdivision 1; 256.482, subdivisions 3, 7, and by adding a subdivision; 260.193, subdivision 8; 270.069; 270.185, subdivision 1; 273.02, subdivisions 5 and 6; 275.51, subdivision 3f; 284.28, subdivisions 8, 9, and 10; 296.421, subdivision 8; 297.13, subdivision 1; 297.26; 297.32, subdivision 9; 297A.44, subdivision 1; 299D.03, subdivision 7; 302A.821, subdivisions 4 and 5; 307.08, subdivision 5; 336.9-302; 336.9-413; 349.213, subdivision 1; 352.01, subdivision 2b; 353.01, subdivision 2a; 356.215, subdivisions 1 and 4d; 357.021, subdivisions 1a, 2a, and 4; 357.08; 361.03, by adding a subdivision; 373.27, subdivision 3; 402.065; 403.11, subdivision 1; 423A.02, subdivisions 1 and 2; 462.396, subdivision 4; 462A.21, by adding a subdivision; 466.01, subdivision 6; 469.056, subdivision 4; 469.100, subdivision 6; 471.699; 473.13, subdivision 4; 473.375, subdivision 17; 473.435, subdivision 2; 473.543, subdivision 5; 473.843, subdivision 2; 473.844, subdivision 1; 473.845, subdivision 1; 473.877, subdivision 1; 480.01; 480.058; 480.09, subdivision 5; 480.241, subdivisions 1 and 2; 480.242; 481.01; 481.20; 484.54, subdivision 2; 484.545, subdivisions 2 and 3; 484.62; 484.64, subdivision 3; 484.65, subdivisions 3 and 7; 484.68, subdivision 5; 485.018, subdivisions 5 and 7; 486.05, subdivision 1; 486.055; 486.06; 487.08, subdivision 5; 487.31, subdivision 1; 488.14, subdivision 1; 488A.17, subdivision 2;

488A.31, subdivision 1; 488A.34, subdivision 2; 517.08, subdivision 1c; 525.033; 609.101; 609.5315, subdivision 5; 611.17; 611.21; 611.215, subdivision 2; 611.26, subdivision 2; 611A.61, subdivision 3; 626.861, subdivisions 3 and 4; Laws 1971, chapter 355, section 1, subdivision 2; Laws 1987, chapter 386, article 2, section 22; article 9, section 19; Laws 1988, chapter 686, article 1, section 37; article 2, section 10; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 84; 93; 115A; 116J; 116K; 192; 290; 462A; 469; 473; 480; 611; and 631; proposing coding for new law as Minnesota Statutes, chapter 361A; repealing Minnesota Statutes 1988, sections 3.865, 3.866; 3C.035; 3C.056; 11A.22; 16A.133, subdivision 3; 41A.01; 41A.02; 41A.021; 41A.022; 41A.023; 41A.03; 41A.035; 41A.036; 41A.04; 41A.05; 41A.051; 41A.06; 41A.065; 41A.066; 41A.07; 41A.08; 43A.316; 84.0911, subdivisions 1 and 3; 85.051; 85A.01, subdivision 1b; 89.04; 93.221; 94.165; 97A.065, subdivision 3; 97A.071; 97A.075; 115A.162; 116E.01; 116E.02; 116E.03; 116E.035; 116E.04; 116J.941; 116J.942; 116J.968; 161.52; 190.26; 198.001, subdivision 5; 344.03; 383B.63, subdivisions 4 and 5; 469.121, subdivision 1; 469.148; 469.149; 480.242, subdivision 4; 480.245; 486.07; 487.31, subdivision 4; 488A.05; 488A.111; 488A.22; 488A.281; 525.012, subdivisions 1, 2, 3, and 4; 611.07; 611.071; 611.12; 611.214; and 611.25, subdivision 2; Laws 1975, chapter 258, section 6, subdivisions 1, 3, 4, and 5; Laws 1983, chapter 334, section 7, as amended; Laws 1984, chapter 564, section 48; and Laws 1988, chapter 686, article 1, sections 14, paragraph (j); 21; 37, subdivision 10; and article 2, section 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, G., moved that the House refuse to concur in the Senate amendments to H. F. No. 372, 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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 279, A bill for an act relating to local government; permitting bank letters of credit in lieu of certain bonds; proposing coding for new law in Minnesota Statutes, chapter 574.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Blatz moved that the House concur in the Senate amendments to

H. F. No. 279 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 279, A bill for an act relating to local government; permitting bank letters of credit in lieu of bonds in certain public work projects; proposing coding for new law in Minnesota Statutes, chapter 574.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 812, A bill for an act relating to insurance; life; allowing insurance policies to contain a rider providing for early payment of benefits to recipients of long-term care; amending Minnesota Statutes 1988, sections 60A.06, subdivisions 1 and 3; proposing coding

for new law in Minnesota Statutes, chapter 61A.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 812 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 812, A bill for an act relating to insurance; life; allowing insurance policies to contain a rider providing for early payment of benefits; amending Minnesota Statutes 1988, sections 60A.06, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 61A.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kinkel moved that the House concur in the Senate amendments to H. F. No. 593 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 593, A bill for an act relating to occupations and professions; allowing the board of electricity to issue citations for electrical violations; proposing coding for new law in Minnesota Statutes, chapter 326.

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

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

Those who voted in the affirmative were:

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

Trimble
Tunheim
Uphus

Valento
Vellenga
Wagenius

Waltman
Weaver
Welle

Wenzel
Williams
Winter

Wynia
Spk. Vanasek

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

Mr. Speaker:

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

H. F. No. 635, A bill for an act relating to credit unions; providing members with written notice regarding proposed bylaw amendments; clarifying requirements for credit unions to maintain reserve funds; allowing private insurance of member share and deposit accounts; amending Minnesota Statutes 1988, sections 52.02, subdivision 1, and by adding a subdivision; 52.17, subdivision 1; and 52.24, subdivisions 1 and 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Simoneau moved that the House concur in the Senate amendments to H. F. No. 635 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 635, A bill for an act relating to credit unions; providing members with written notice regarding proposed bylaw amendments; clarifying requirements for credit unions to maintain reserve funds; allowing private insurance of member share and deposit accounts; amending Minnesota Statutes 1988, sections 52.02, subdivision 1; 52.17, subdivision 1; and 52.24, subdivisions 1 and 2.

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

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

Those who voted in the affirmative were:

Abrams
Anderson, G.
Anderson, R.
Battaglia
Bauerly
Beard

Begich
Bennett
Bertram
Bishop
Blatz
Boo

Brown
Burger
Carlson, D.
Carlson, L.
Carruthers
Clark

Conway
Cooper
Dauner
Dawkins
Dempsey
Dille

Dorn
Forsythe
Frederick
Frerichs
Girard
Greenfield

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

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olson, E., moved that the House concur in the Senate amendments to H. F. No. 774 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Rodosovich moved that the House concur in the Senate amendments to H. F. No. 955 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 955, A bill for an act relating to financial institutions; providing standards for determining transaction account service charges; permitting state banks to establish subsidiaries under

certain circumstances; authorizing the commissioner to adopt rules regarding activities of banks and bank subsidiaries; permitting banks to perform clerical services at off-premises data processing and storage centers; amending Minnesota Statutes 1988, sections 48.512, by adding a subdivision; and 48.61, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 48.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

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

Statutes 1988, sections 144.805; 144.807, subdivision 3; and 144.8092.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Conway moved that the House concur in the Senate amendments to H. F. No. 1429 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 74 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abrams	Forsythe	Kostohryz	Olsen, S.	Runbeck
Anderson, G.	Frederick	Krueger	Olsen, E.	Sarna
Battaglia	Greenfield	Lasley	Orenstein	Segal
Beard	Gruenes	Lieder	Osthoff	Simoneau
Begich	Gutknecht	Long	Otis	Skoglund
Bishop	Hartle	Lynch	Pauly	Steensma
Blatz	Janezich	McGuire	Pelowski	Trimble
Brown	Jaros	McLaughlin	Peterson	Vellenga
Burger	Jefferson	Morrison	Price	Wagenius
Carlson, L.	Johnson, A.	Munger	Pugh	Weaver
Carruthers	Kahn	Murphy	Reding	Welle
Clark	Kelly	Nelson, C.	Rest	Williams
Conway	Kelso	Nelson, K.	Rice	Wynia
Dawkins	Kinkel	Neuenschwander	Rodosovich	Spk. Vanasek
Dorn	Knickerbocker	O'Connor	Rukavina	

Those who voted in the negative were:

Anderson, R.	Dille	Jennings	Olson, K.	Schreiber
Bauerly	Frerichs	Johnson, V.	Omann	Seaberg
Bennett	Girard	Limmer	Onnen	Solberg
Bertram	Hasskamp	Macklin	Ostrom	Spurby
Boo	Haukoos	McDonald	Pellow	Stanius
Carlson, D.	Heap	McEachern	Poppenhagen	Sviggum
Cooper	Henry	McPherson	Redalen	Swenson
Dauner	Himle	Miller	Richter	Tjornhom
Dempsey	Hugoson	Ogren	Schafer	Tompkins

Tunheim
Uphus

Valento
Waltman

Wenzel
Winter

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

Mr. Speaker:

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

H. F. No. 1626, A bill for an act relating to state lands; conveying easement for sanitary sewer to city of Cambridge.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lasley moved that the House concur in the Senate amendments to H. F. No. 1626 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1626, A bill for an act relating to state lands; conveying easement for sanitary sewer to city of Cambridge.

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Reding	Schafer	Sparby	Tunheim	Wenzel
Rest	Scheid	Stanius	Uphus	Williams
Rice	Schreiber	Steensma	Valento	Winter
Richter	Seaberg	Sviggum	Vellenga	Wynia
Rodosovich	Segal	Swenson	Wagenius	Spk. Vanasek
Rukavina	Simoneau	Tjornhom	Waltman	
Runbeck	Skoglund	Tompkins	Weaver	
Sarna	Solberg	Trimble	Welle	

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lasley moved that the House concur in the Senate amendments to H. F. No. 804 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Janezich moved that the House concur in the Senate amendments to H. F. No. 43 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams Anderson, G. Anderson, R. Battaglia Bauerly

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

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

Mr. Speaker:

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

H. F. No. 390, A bill for an act relating to appropriations; requiring recommendations of the legislative advisory commission to be made at a meeting of the commission except in certain circumstances; amending Minnesota Statutes 1988, section 3.30, subdivisions 1 and 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 390 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 390, A bill for an act relating to appropriations; requiring recommendations of the legislative advisory commission to be made at a meeting of the commission except in certain circumstances; amending Minnesota Statutes 1988, section 3.30, subdivisions 1 and 2.

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

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1061, A bill for an act relating to state lands; authorizing conveyance of surplus state real property to Leo A. Hoffmann Center, Inc.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ostrom moved that the House concur in the Senate amendments to H. F. No. 1061 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1061, A bill for an act relating to state lands; authorizing conveyance of surplus state real property to Leo A. Hoffmann Center, Inc.

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 1077, A bill for an act relating to state lands; authorizing conveyance of state land to the city of St. Peter.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ostrom moved that the House concur in the Senate amendments

to H. F. No. 1077 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1077, A bill for an act relating to state lands; authorizing conveyance of state land to the city of St. Peter.

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

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 956, A bill for an act relating to insurance; clarifying the calculation of underinsured motorist benefits; amending Minnesota

Statutes 1988, section 65B.49, subdivisions 3a and 4a.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carruthers moved that the House concur in the Senate amendments to H. F. No. 956 and that the bill be repassed as amended by the Senate.

Simoneau moved that the House refuse to concur in the Senate amendments to H. F. No. 956, 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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 76, A bill for an act relating to juveniles; prohibiting the detention of juveniles in jails or lockups for longer than 24 hours before a detention hearing is held; prohibiting the detention of juveniles in jails or lockups after August 1, 1991, for longer than 24 hours unless a reference motion has been filed; amending Minnesota Statutes 1988, sections 260.171, subdivisions 2 and 4; and 260.172, subdivisions 1 and 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vellenga moved that the House concur in the Senate amendments to H. F. No. 76 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 76, A bill for an act relating to juveniles; establishing maximum periods of detention of juveniles in adult jails or lockups; prohibiting detention beyond the maximum period before a detention hearing is held; prohibiting detention beyond the maximum period after August 1, 1991, unless a reference motion has been filed; prohibiting temporary detention beyond the maximum period; amending Minnesota Statutes 1988, sections 260.171, subdivisions 2 and 4; 260.172, subdivisions 1 and 2; and 260.173, subdivision 4.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Olson, K.

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

Mr. Speaker:

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

H. F. No. 1115, A bill for an act relating to Dakota county; permitting the county to pay costs of a morgue; proposing coding for new law in Minnesota Statutes, chapter 383D.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tompkins moved that the House concur in the Senate amend-

ments to H. F. No. 1115 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1115, A bill for an act relating to Dakota county; exempting certain juveniles from the county personnel department; amending certain procedural requirements for the personnel board of appeals; providing for the employment of a campground operator without competitive bids; permitting the county to pay costs of a morgue; amending Minnesota Statutes 1988, sections 383D.23, by adding a subdivision; and 383D.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 383D.

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

The question was taken on the repassage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following

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

H. F. No. 1492, A bill for an act relating to state parks; special permits for handicapped users; amending Minnesota Statutes 1988, section 85.053, subdivision 7.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jacobs moved that the House concur in the Senate amendments to H. F. No. 1492 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1492, A bill for an act relating to state parks; special permits for handicapped users; amending Minnesota Statutes 1988, section 85.053, subdivision 7.

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

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 218, A bill for an act relating to motor vehicles; defining terms; including station wagon and certain passenger-carrying vans as passenger automobiles for all purposes; providing for registration of certain vehicles; amending Minnesota Statutes 1988, sections 65B.001, subdivision 3; 65B.43, subdivision 12; 116.60, subdivision 7; 168.011, subdivisions 7, and 28; 168.012, subdivision 1; 168.017, subdivision 1; 168.12, subdivisions 2b and 2c; 168.124, subdivision 5; 168.125, subdivision 1; and 168.126, subdivision 2; repealing Minnesota Statutes 1988, sections 168.011, subdivision 23; and 168.101, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olson, K., moved that the House concur in the Senate amendments to H. F. No. 218 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 218, A bill for an act relating to motor vehicles; defining terms; including station wagon and certain passenger-carrying vans as passenger automobiles for all purposes; providing for registration of certain vehicles; requiring commissioner of public safety to conduct background study on applicant for school bus endorsement; amending Minnesota Statutes 1988, sections 65B.001, subdivision 3; 65B.43, subdivision 12; 116.60, subdivision 7; 168.011, subdivisions 7, and 28; 168.012, subdivision 1; 168.017, subdivision 1; 168.12, subdivisions 2b and 2c; 168.124, subdivision 5; 168.125, subdivision 1; 168.126, subdivision 2; and 171.321, by adding a subdivision; repealing Minnesota Statutes 1988, sections 168.011, subdivision 23; and 168.101, subdivision 5.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 707, A bill for an act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, 6, and by adding a subdivision; 240.14, by adding a subdivision; and 240.29.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kostohryz moved that the House concur in the Senate amendments to H. F. No. 707 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 707, A bill for an act relating to horse racing; allowing a licensed racetrack to conduct pari-mutuel betting on televised races

on days when races are not conducted at the licensed racetrack; allowing the licensed racetrack to commingle pari-mutuel pools with the sending racetrack; allowing a licensed racetrack to transmit telecasts of races it conducts to other racetracks; amending Minnesota Statutes 1988, sections 240.01, subdivision 10, and by adding a subdivision; 240.10; 240.13, subdivisions 1, 3, 6, and by adding a subdivision; 240.14, by adding a subdivision; 240.16, by adding a subdivision; and 240.29.

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

The question was taken on the repassage of the bill and the roll was called. There were 87 yeas and 40 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Kelso	Olsen, S.	Seaberg
Anderson, G.	Dorn	Kinkel	Olson, K.	Simoneau
Anderson, R.	Forsythe	Knickerbocker	Omann	Solberg
Battaglia	Frederick	Kostohryz	Osthoff	Stanius
Bauerly	Frerichs	Krueger	Pauly	Steenasma
Beard	Girard	Lieder	Pellow	Sviggum
Begich	Gruenes	Lynch	Pelowski	Swenson
Bennett	Heap	Macklin	Peterson	Tompkins
Bertram	Henry	McDonald	Price	Uphus
Bishop	Himle	McEachern	Pugh	Valento
Blatz	Jacobs	McLaughlin	Quinn	Waltman
Boo	Janezich	McPherson	Redalen	Welle
Brown	Jaros	Milbert	Reding	Wenzel
Carlson, L.	Jefferson	Morrison	Rest	Winter
Carruthers	Jennings	Nelson, C.	Rukavina	Spk. Vanasek
Cooper	Johnson, A.	Neuenschwander	Sarna	
Dauner	Johnson, V.	O'Connor	Schafer	
Dawkins	Kelly	Ogren	Scheid	

Those who voted in the negative were:

Burger	Johnson, R.	Munger	Ozment	Tjornhom
Carlson, D.	Kahn	Murphy	Poppenhagen	Trimble
Conway	Lasley	Nelson, K.	Rice	Tunheim
Greenfield	Limmer	Olson, E.	Richter	Vellenga
Gutknecht	Long	Onnen	Runbeck	Wagenius
Hasskamp	Marsh	Orenstein	Segal	Weaver
Haukoos	McGuire	Ostrom	Skoglund	Williams
Hugoson	Miller	Otis	Sparby	Wynia

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

Mr. Speaker:

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

H. F. No. 832, A bill for an act relating to Ramsey county;

authorizing the use of certain property for public purposes.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kostohryz moved that the House concur in the Senate amendments to H. F. No. 832 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 832, A bill for an act relating to Ramsey county; authorizing the use of certain property for a public library.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following

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

H. F. No. 1411, A bill for an act relating to cooperatives; recodifying and clarifying certain provisions on cooperative businesses; amending certain provisions of cooperative business law; requiring a registered officer or agent for cooperatives; authorizing cooperatives to provide greater approval proportions than provided in statute for certain cooperative actions; providing corporate existence of cooperative begins with filing of articles; authorizing loans to and fiduciary powers with members; specifying how vacancies in unexpired directors' terms may be filled; authorizing the board to rescind membership for member violations; eliminating certain filings with county recorders; eliminating attorney general approval of articles of merger or consolidation; prescribing a fee for filing articles of consolidation; prescribing a procedure for dissolution of cooperatives; deeming certain organized cooperatives to be organized under and subject to this act; amending Minnesota Statutes 1988, sections 47.20, subdivision 2; 117.232, subdivision 1; 216B.027, subdivision 5; 237.075, subdivision 9; 273.124, subdivisions 3 and 6; 273.132, subdivision 5; 363.01, subdivision 32; and 500.20, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 308A; repealing Minnesota Statutes 1988, sections 308.01 to 308.92.

PATRICK E. FLAHAËN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Krueger moved that the House concur in the Senate amendments to H. F. No. 1411 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1411, A bill for an act relating to cooperatives; recodifying and clarifying certain provisions on cooperative businesses; amending certain provisions of cooperative business law; requiring a registered officer or agent for cooperatives; authorizing cooperatives to provide greater approval proportions than provided in statute for certain cooperative actions; providing corporate existence of cooperative begins with filing of articles; authorizing loans to and fiduciary powers with members; specifying how vacancies in unexpired directors' terms may be filled; authorizing the board to rescind membership for member violations; eliminating certain filings with county recorders; eliminating attorney general approval of articles of merger or consolidation; prescribing a fee for filing articles of consolidation; prescribing a procedure for dissolution of cooperatives; deeming certain organized cooperatives to be organized under and subject to this act; amending Minnesota Statutes 1988, sections 47.20, subdivision 2; 117.232, subdivision 1; 216B.027, subdivision 5; 237.075, subdivision 9; 273.124, subdivisions 3 and 6; 273.132, subdivision 5; 363.01, subdivision 32; and 500.20, subdivision 2a;

proposing coding for new law as Minnesota Statutes, chapter 308A; repealing Minnesota Statutes 1988, sections 308.01 to 308.92.

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frichs	Lieder	Osthoff	Simoneau
Anderson, G.	Girard	Limmer	Ostrom	Skoglund
Anderson, R.	Greenfield	Long	Otis	Solberg
Battaglia	Gruenes	Lynch	Ozment	Sparby
Bauerly	Gutknecht	Macklin	Pappas	Stanius
Beard	Haskamp	Marsh	Pauly	Steenma
Begich	Haukoos	McDonald	Pellow	Sviggum
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	Uphus
Burger	Jaros	Morrison	Redalen	Valento
Carlson, D.	Jefferson	Munger	Reding	Vellenga
Carlson, L.	Jennings	Murphy	Rest	Wagenius
Carruthers	Johnson, A.	Nelson, C.	Rice	Waltman
Clark	Johnson, R.	Nelson, K.	Richter	Weaver
Conway	Johnson, V.	Neuenschwander	Rodosovich	Welle
Cooper	Kahn	O'Connor	Rukavina	Wenzel
Dauner	Kelly	Ogren	Runbeck	Williams
Dawkins	Kelso	Olsen, S.	Sarna	Winter
Dempsey	Kinkel	Olsen, E.	Schafer	Wynia
Dille	Knickerbocker	Olson, K.	Scheid	Spk. Vanasek
Dorn	Kostohryz	Omann	Schreiber	
Forsythe	Krueger	Onnen	Seaberg	
Frederick	Lasley	Orenstein	Segal	

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Skoglund moved that the House concur in the Senate amendments to H. F. No. 942 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Lieder	Osthoff	Simoneau
Anderson, G.	Greenfield	Limmer	Ostrom	Skoglund
Anderson, R.	Gruenes	Long	Otis	Solberg
Battaglia	Gutknecht	Lynch	Ozment	Sparby
Bauerly	Hartle	Macklin	Pappas	Stanius
Beard	Hasskamp	Marsh	Pauly	Steensma
Begich	Haukoos	McDonald	Pellow	Sviggun
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	Uphus
Burger	Jaros	Morrison	Redalen	Valento
Carlson, D.	Jefferson	Munger	Reding	Vellenga
Carlson, L.	Jennings	Murphy	Rest	Wagenius
Carruthers	Johnson, A.	Nelson, C.	Rice	Waltman
Conway	Johnson, R.	Nelson, K.	Richter	Weaver
Cooper	Johnson, V.	Neuenschwander	Rodosovich	Welle
Dauner	Kahn	O'Connor	Rukavina	Wenzel
Dawkins	Kelly	Ogren	Runbeck	Williams
Dempsey	Kelso	Olsen, S.	Sarna	Winter
Dille	Kinkel	Olson, E.	Schafer	Wynia
Dorn	Knickerbocker	Olson, K.	Scheid	Spk. Vanasek
Forsythe	Kostohryz	Omam	Schreiber	
Frederick	Krueger	Onnen	Seaberg	
Frerichs	Lasley	Orenstein	Segal	

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

Mr. Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 6, A senate concurrent resolu-

tion proclaiming Sunday, June 4, as Ethnic American Day in Minnesota.

PATRICK E. FLAHAVEN, Secretary of the Senate

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

Mr. Speaker:

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

S. F. Nos. 1123, 1252, 1278, 1239, 258, 811, 1105 and 1227.

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. 6, 1358, 1375, 662, 703, 29, 653 and 1502.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1123, A bill for an act relating to commerce; authorizing certain investments by state banks; regulating lending practices of industrial loan and thrifts; prescribing the qualifications of the directors of certain companies; regulating the lending practices of regulated lenders; regulating delinquency and collection charges on retail installment contracts; requiring notice to perfect certain storage liens; amending Minnesota Statutes 1988, sections 48.61, by adding a subdivision; 53.04, by adding a subdivision; 53.06; 56.12; 168.71; and 514.19.

The bill was read for the first time.

Scheid moved that S. F. No. 1123 and H. F. No. 156, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1252, A bill for an act relating to local government; the towns of Crystal Bay, Beaver Bay, and Stony River, the cities of

Beaver Bay and Silver Bay, and Unorganized Territory No. 1; permitting the establishment of a medical clinic district; permitting a hospital appropriation by the Cook county board; authorizing the establishment of a Cook county hospital district; adding and removing certain unorganized territory from a St. Louis county hospital district; validating hospital referenda; providing for certain bonded indebtedness of the city of Cook; amending Laws 1988, chapter 645, sections 1, subdivision 1, and by adding a subdivision; and 4.

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

S. F. No. 1278, A bill for an act relating to taxation; extending the duration of a property tax exemption for land held for economic development by the city of Hermantown; amending Laws 1988, chapter 719, article 19, section 31.

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

S. F. No. 1239, A bill for an act relating to Roseau county; providing increased bonding authority for hospital districts in the county; amending Laws 1961, chapter 115, section 4, as amended.

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

S. F. No. 258, A bill for an act relating to state government; regulating state employment practices; regulating the setting of certain salaries; extending inclusion of veterans in the category of protected groups for the purpose of state employment; authorizing an alternative procedure for discharges of state troopers; ratifying certain salaries; amending Minnesota Statutes 1988, sections 15A.083, subdivisions 5 and 7; 43A.02, subdivision 33; 43A.04, subdivisions 1 and 3, and by adding a subdivision; 43A.10, subdivisions 7 and 8; 43A.12, subdivision 5; 43A.13, subdivisions 4, 5, 6, and 7; 43A.15, subdivision 10; 43A.17, subdivision 1; 43A.18, subdivisions 4 and 5; 43A.191, subdivisions 2 and 3; 43A.27, subdivision 4; 43A.316, subdivision 5; 43A.37, subdivision 1; 176.421, by adding a subdivision; and 299D.03, subdivision 7; repealing Minnesota Statutes 1988, section 43A.081, subdivisions 1, 2, and 5.

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

S. F. No. 811, A bill for an act relating to local government;

expanding the purpose for the use of certain dedicated cash payments under the municipal planning law; amending Minnesota Statutes 1988, section 462.358, subdivision 2b.

The bill was read for the first time.

Swenson moved that S. F. No. 811 and H. F. No. 1004, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1105, A bill for an act relating to motor vehicles; providing for suspension of apportioned license plates and fuel tax compact licenses for certain interstate vehicle fleet owners who are delinquent in required filings or payments; providing for installment payments by interstate fleet owners; amending Minnesota Statutes 1988, sections 168.187, by adding a subdivision; and 168.31, subdivision 4, and by adding a subdivision.

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

S. F. No. 1227, A bill for an act relating to commerce; providing for the regulation of real estate closing agents; prescribing penalties; amending Minnesota Statutes 1988, sections 82.17, subdivisions 7, 9, and 10; 82.18; 82.19, subdivisions 1, 2, 3, and 4, and by adding a subdivision; 82.20, subdivisions 1, 2, 3, 5, 8, 12, and by adding a subdivision; 82.21, subdivision 1; 82.22, subdivisions 1, 5, 6, 10, and 11; 82.23, subdivisions 2 and 3; 82.24, subdivisions 1, 2, 3, 4, 5, and 6; 82.27, subdivisions 1 and 2; 82.30, subdivision 1; 82.31, subdivision 1; 82.33, subdivision 1; 82.34, subdivisions 3, 4, 6, 7, 13, and 14; and 507.45, subdivision 2; repealing Minnesota Statutes 1988, section 82.34, subdivision 12.

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

S. F. No. 6, A bill for an act relating to taxation; exempting an Itasca county levy from the penalty for levies in excess of limitations; temporarily exempting an Itasca county levy for economic development from levy limits.

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

S. F. No. 1358, A bill for an act relating to metropolitan airport planning; requiring various actions, plans, and reports by the metropolitan council and the metropolitan airports commission;

establishing a state advisory council on metropolitan airport planning; providing for a study on the effects of a runway expansion at Airlake airport and the use of certain airports to relieve congestion at Minneapolis-St. Paul international airport; amending Minnesota Statutes 1988, sections 473.604, subdivision 1; 473.608, subdivision 1; and 473.621, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time.

Wynia moved that S. F. No. 1358 and H. F. No. 1336, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1375, A bill for an act relating to alcohol assessment; allowing assessors to have access to law enforcement data; imposing a time limit for performance of the assessment; amending Minnesota Statutes 1988, section 169.126, subdivision 4.

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

S. F. No. 662, A bill for an act relating to public safety; authorizing fire department access to criminal history data; limiting use of criminal history data in assessing fire protection agency job applicants; exempting fire protection agencies from requirements relating to public employment of rehabilitated criminal offenders; eliminating the requirement that certain burn injuries must be reported by telephone; amending Minnesota Statutes 1988, sections 364.09; and 626.52, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

S. F. No. 703, A bill for an act relating to education; reauthorizing program improvement grants; providing an exception to consolidation timelines; providing for agreements between Peterson and Rushford independent school districts; amending Minnesota Statutes 1988, sections 122.23, by adding a subdivision; and 129B.11, subdivisions 1 and 2.

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

S. F. No. 29, A bill for an act relating to taxation; clarifying authorization for county levy for providing funds for county agricul-

tural societies; amending Minnesota Statutes 1988, section 38.27, subdivision 1; repealing Minnesota Statutes 1988, sections 38.17; 38.27, subdivision 3; and 38.28.

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

S. F. No. 653, A bill for an act relating to agriculture; requiring certain disposable waste containers to be degradable; amending Minnesota Statutes 1988, section 325E.045, subdivision 1, and by adding subdivisions.

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

S. F. No. 1502, A bill for an act relating to game and fish; regulating the time when fish houses may be on the ice; amending Minnesota Statutes 1988, section 97C.355, subdivision 7.

The bill was read for the first time.

Omann moved that S. F. No. 1502 and H. F. No. 1395, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 956:

Carruthers, Kelly, Dempsey, Simoneau and Bishop.

CONSENT CALENDAR

S. F. No. 858, A bill for an act relating to health; authorizing community health boards to establish community-based health promotion teams; prescribing duties; amending Minnesota Statutes 1988, section 145A.10, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1258, A bill for an act relating to Martin county; permitting the county board to assign certain duties to the county recorder.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Rest	Scheid	Stanis	Uphus	Williams
Rice	Schreiber	Steensma	Valento	Winter
Richter	Seaberg	Sviggum	Vellenga	Wynia
Rodosovich	Segal	Swenson	Wagenius	Spk. Vanasek
Rukavina	Simoneau	Tjornhom	Waltman	
Runbeck	Skoglund	Tompkins	Weaver	
Sarna	Solberg	Trimble	Welle	
Schafer	Sparby	Tunheim	Wenzel	

The bill was passed and its title agreed to.

S. F. No. 1417 was reported to the House.

McGuire moved to amend S. F. No. 1417, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [BENTON COUNTY; EXCHANGE OF LAND.]

Notwithstanding Minnesota Statutes, sections 92.45 and 94.342, subdivision 3, the commissioner of natural resources may exchange:

Part of Outlot “A”. Lakewood Shores, according to the plat and survey thereof on file and of record in the Office of the County Recorder located in Section 15, Township 37N, Range 31 W, Benton County, for land owned by John Burton, described as follows:

Part of Government Lot 1 of Section 14, Township 37 North, Range 31 West, Benton County, Minnesota, lying westerly of U. S. Trunk Highway No. 10.

The exchange will allow better access to state land located on Little Rock Lake in Benton county.

Sec. 2. [ITASCA COUNTY; TRUST FUND LAND.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell in the manner prescribed for trust fund land, under Minnesota Statutes, chapter 92, the property described as:

The East half of the Northeast Quarter of Section 14, Township 150 North, Range 27 West, in Itasca county, Minnesota.

The land is suitable for agriculture and is not required for state forest purposes.

This land has been leased for several years to the adjacent property owner. The property owner has requested to purchase the property to expand a farming operation. The land is not needed for resource management purposes.

Sec. 3. [ST. LOUIS COUNTY; TRUST FUND LAND.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell in the manner prescribed for trust fund land, under Minnesota Statutes, chapter 92, the following described property:

Lot 1 of Block 1 of the plat of Burntside View located in Government Lot 6, Section 23, Township 63 North, Range 13 West, St. Louis county.

The land and any improvements must be appraised separately.

If the purchaser of the property is not J. A. Louis LaMontague, the purchaser must reimburse Mr. LaMontague for the value of the improvements.

The land sale will resolve an inadvertent trespass that was discovered when a boundary line was resurveyed. The public interest will be best served when this trespass is resolved.

Sec. 4. [COOK COUNTY; TRUST FUND LAND.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell in the manner prescribed for trust fund land, under Minnesota Statutes, chapter 92, the following described property:

The East 100 feet of the North 1,715 feet of the West half of the Northwest Quarter of Section 15, Township 64 North, Range 1 West, Cook county, Minnesota, containing 3.94 acres, more or less.

The land and improvements must be appraised separately.

If the purchaser of the property is not the Northwest Conference of the Evangelical Covenant Church, the purchaser must reimburse the Northwest Conference of the Evangelical Covenant Church for the value of the improvements.

This will resolve an inadvertent trespass that was discovered when a boundary line was resurveyed. The public interest will be best served when this trespass is resolved.

Sec. 5. [CITY OF FARIBAULT; SURPLUS LAND FOR RECREATIONAL PURPOSES.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell the following described property to the city of Faribault in the manner prescribed by Minnesota Statutes, section 84.027, subdivision 10.

The commissioner of natural resources may sell:

All that part of the Northeast Quarter of the Northeast Quarter of Section 31, Township 110 North, Range 20 West, Rice county, Minnesota, containing 1.8 acres, more or less, described as follows: all that part of the land described in that certain deed between Swift and Company and the state of Minnesota dated June 28, 1971, and filed for record in the office of the register of deeds in and for Rice county, Minnesota, on August 19, 1971, in book 250 of Deeds on page 453, which lies westerly of the water's edge of the Straight river.

This land has been leased by the city for park purposes and the conveyance to the city will best serve the public interest.

Sec. 6. [ANOKA COUNTY; SURPLUS LAND FOR RECREATIONAL PURPOSES.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell the following described property to Anoka county in the manner prescribed by Minnesota Statutes, section 84.027, subdivision 10.

The commissioner of natural resources may sell property described as:

Government Lot 1, Section 5, Township 120 North, Range 22 West; and Government Lot 1, Section 6, Township 120 North, Range 22 West; and Government Lot 4, Section 31, Township 121 North, Range 22 West, Hennepin county, according to the government survey thereof. Containing 97.0 acres, more or less.

This land will be used for a county park and the conveyance to the county will best serve the public interest.

Sec. 7. [CITY OF WARROAD; RECREATIONAL PURPOSES.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell the following described property to the city of Warroad in the manner prescribed by Minnesota Statutes, section 84.027, subdivision 10:

Government Lot 6, Section 28, Township 163 North, Range 36 West, Roseau county, Minnesota.

This land was acquired for a public access and is no longer needed for that purpose. The conveyance to the city will best serve the public interest.

Sec. 8. [CITY OF ORTONVILLE; RECREATIONAL PURPOSES.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell the following described property to the city of Ortonville in the manner prescribed by Minnesota Statutes, section 84.027, subdivision 10.

The commissioner may sell property described as:

Commencing at the intersection of the center line of the Minnesota River and the center line of County State Aid Highway No. 30 on the Minnesota MHD Bridge No. 5411; thence southwesterly along the center line of County State Aid Highway No. 30 a distance of 550 feet, to its intersection with the South Dakota-Minnesota boundary line; thence southeasterly along the interstate boundary line a distance of 60 feet to the point of beginning and its intersection with the south right-of-way line of County State Aid Highway No. 30. Thence northeasterly along the said right-of-way line a distance of 970 feet, more or less; thence southeasterly 350 feet along the top of the berm dyke; thence southwesterly 1,000 feet to the interstate boundary; thence northerly along said state line a distance of 120 feet, more or less, to a state monument; thence northwesterly along the interstate boundary line a distance of 315 feet, more or less, to the point of beginning, excepting therefrom the channel area, containing 7.2 acres, more or less, all lying in Section 9, Township 121 North, Range 46 West of the 5th Principal Meridian, being parts of Government Lots 1, 3, and 4, in said Section, Township, and Range, Lac Qui Parle and Big Stone counties, Minnesota.

This land has been used by the city for park purposes for some time. The conveyance to the city will best serve the public interest.

Sec. 9. [CITY OF BRAINERD; CITY LOT.]

Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell in the manner prescribed in Minnesota Statutes, chapter 94, the following described land:

Lot 10, Block 1, Bonny Woode Addition to the city of Brainerd, except the south eight feet thereof, according to the plat thereof on file and of record in the office of the county recorder in and for the county of Crow Wing in Minnesota.

This land is a lot within the city that was obtained through a gift to the state. It will best serve the public interest if this property is sold and the proceeds are used for the acquisition of other land.

Sec. 10. [GOODHUE COUNTY; PRIVATE SALE.]

Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale for a

consideration of not less than the appraised value, excluding improvements, to Eugene Laqua, of Red Wing, Minnesota, a tract of land in Goodhue county and described as:

That part of Block 8, Wacouta Beach, according to the recorded plat thereof, described as follows:

Commencing at a found iron pipe at the southwest corner of Lot 7, Block 4, Wacouta Beach; thence South 00 degrees 07 minutes 53 seconds West along the southerly projection of the west line of said Lot 7, a distance of 40.01 feet to the north line of said Block 8; thence North 88 degrees 41 minutes 10 seconds East along said north line, a distance of 364.60 feet to the point of beginning of the land to be described; thence South 83 degrees 50 minutes 01 second East, a distance of 188.87 feet; thence North 23 degrees 32 minutes 52 seconds East, a distance of 12 feet, more or less, to the north line of said Block 8; thence westerly along said north line to the point of beginning containing .04 acres, more or less.

This will resolve an inadvertent trespass that was discovered through a resurvey of a boundary line. It will best serve the public interest if this land is sold to the affected property owner.

Sec. 11. [GOODHUE COUNTY; CORRECTION OF SURVEY ERROR.]

Notwithstanding Minnesota Statutes, sections 94.09 to 94.16; 92.45; or 85.012, the commissioner of natural resources shall convey to the adjacent landowners interests in certain real property described in this section. This conveyance shall be made without consideration as it corrects a previous survey error.

The conveyance shall be in a form approved by the attorney general.

The interest in land to be conveyed is located in Goodhue county and is described as follows:

That part of Government Lot 3, Section 13, Township 112 North, Range 13 West of the 5th Principal Meridian, Goodhue County, Minnesota, described more particularly as follows:

Commencing at a found Minnesota Department of Transportation 3-inch aluminum right-of-way marker, said marker is at Highway Station Number 239 + 48.1 and is at the easterly right of way of State Highway No. 61 at the T.S. of a spiral curve concave to the southwest. Said commencing point bears N 38 degrees 26' 20" W a chord distance of 137.60 feet from a found ½ inch iron pipe marked "RLS 12788" for the intersection of the east right of way line of State Hwy. No. 61; and the south line of Government Lot 3, also being the

south line of Beach Bay Subdivision as recorded. Said commencing point also bears S 68 degrees 06' 17" E a distance of 3253.47 feet from a found Minnesota Department of Natural Resources Cast Iron Monument for the west one-quarter corner of Section 13, Township 112 N, Range 13 W, 5th Principal Meridian, Goodhue County, Minnesota, thence N 38 degrees 41' 05" W, astronomic bearing determined by solar observation a distance of 359.38 feet along the easterly right of way of State Highway No. 61 to the POINT OF BEGINNING of said tract; thence N 38 degrees 41' 05" W a distance of 16.21 feet continuing along the easterly right of way of State Highway No. 61, for the northwesterly corner of said tract; thence N 88 degrees 50' 35" E a distance of 1317.00 feet to the westerly shore of Lake Pepin, said distance reflects the shoreline as observed on August 9, 1988, with a mean sea level elevation of Lake Pepin observed at 667.11 feet, said elevation being referenced to a U.S. Coast & Geodetic Survey Brass Disc Benchmark stamped "K249", and located approximately 4.1 miles north of the intersection of Highways No. 61 & 63, 157 feet northeast of the centerline of Highway No. 61; thence S 18 degrees 14' 31" W a distance of 40.25 feet along the shoreline of Lake Pepin as described above; thence S 89 degrees 57' 18" W a distance of 1294.00 feet parallel with the south line of Government Lot 3, to the POINT OF BEGINNING. Said tract contains 33,193 square feet or 0.762 acres, more or less, to the shoreline of Lake Pepin as surveyed on August 9, 1988.

Sec. 12. [CARLTON COUNTY; TRANSFER FROM DEPARTMENT OF TRANSPORTATION TO DEPARTMENT OF NATURAL RESOURCES.]

Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, or other law, the commissioner of transportation on behalf of the state shall convey from the department of transportation to the department of natural resources, without compensation, interests in certain real property described in this section.

The conveyance shall be in a form approved by the attorney general.

The interest in land to be conveyed is located in Carlton county and is described as follows:

All right of access, being the right of ingress to and egress from Tract A described below, to Trunk Highway No. 311 renumbered No. 73;

Tract A. That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 46 North, Range 19 West, Carlton County, Minnesota; lying southeasterly of the southeasterly right of way line of Trunk Highway No. 73 as now located and established and westerly of the right of way of Trunk Highway No. 35 as now located and established;

which lies between points distant 20 feet and 80 feet southwesterly of the point of termination of Line 1 described below (both distances measured along said Line 1);

Line 1. Beginning at a point on the north line of Section 29, Township 46 North, Range 19 West, distant 1045.1 feet east of the north quarter corner thereof, thence run southwesterly at an angle of 73 degrees 02 minutes 00 seconds from said north section line (measured from west to south) for 699.16 feet; thence deflect to the left on a 4 degree 00 minute 00 second curve (delta angle 48 degrees 02 minutes 00 seconds) for 1200.83 feet; thence on tangent to said curve for 2630.1 feet to tangent spiral point; thence deflect to the left on a spiral curve of decreasing radius (spiral angle 06 degrees 00 minutes 00 seconds) for 300 feet to Spiral Curve Point; thence deflect to the left on a 04 degree 00 minute 00 second circular curve (delta angle 72 degrees 15 minutes 00 seconds) for 1806.25 feet to Curve Spiral Point; thence deflect to the left on a spiral curve of increasing radius (spiral angle 06 degrees 00 minutes 00 seconds) for 300 feet to Spiral Tangent Point; thence on tangent to said curve for 1239.8 feet and there terminating.

Sec. 13. [OTTER TAIL COUNTY; PRIVATE SALE TO CLEAR TITLE.]

Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, or other law, the commissioner of natural resources shall convey to the adjacent landowner interests in certain real property described in this section. The conveyance shall be made for not less than the appraised value.

The conveyance shall be in a form approved by the attorney general.

The interest in land to be conveyed is located in Otter Tail county and is described as follows:

Part of the Northeast Quarter of the Northwest Quarter (NE ¼ of NW ¼), of Section 17, Township 137, Range 38, in Ottertail County furtherly described as:

Beginning at a point 4 rods west of the Northeast corner of said Northeast Quarter of the Northwest Quarter (NE ¼ of NW ¼), of Section 17, Township 137, Range 38, 256 feet west, thence 429 feet south, thence 256 feet east, thence 429 feet north to place of beginning, less road across the northeast corner of same.

This conveyance will allow the chain of title for this parcel to be cleared.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 13 are effective the day following final enactment."

Delete the title and insert:

"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 to 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 motion prevailed and the amendment was adopted.

Jennings and McGuire moved to amend S. F. No. 1417, as amended, as follows:

Page 9, after line 5, insert:

"Sec. 14. [SALE OF TAX-FORFEITED LAND; CHISAGO COUNTY.]

(a) Notwithstanding Minnesota Statutes, section 282.018, Chisago county may sell the tax-forfeited lands bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The lands that may be conveyed are located in Chisago county and consist of lots and blocks and other lands described as:

Lot 10 lying west of the Sunrise River in Block 7 of John S. Brown's Addition to Sunrise City

Outlot B of Rignell's Rearrangement of Deer Garden

Lot 6, Block 1 of Rignell's Rearrangement of Deer Garden

Cambridge Lake Estates, Unit 1

Lots 10, 11, 14 to 17, 29, 30, 32 to 36, Block 1

Park lot located in Block 1

Cambridge Lake Estates, Unit 3

Lot 26 Block 1

Cambridge Lake Estates, Unit 4

That part of Block 11 bounded on North by continuance of North line of 2nd Street and bounded on South by South line of 2nd Street if said lines were extended easterly to St. Croix River.

That part of Block 11 bounded on North by line found by continuing North line of South Half of Lot 4, Block 2, easterly in straight line to St. Croix River and bounded on South by continuing line between Lots 2 and 3, Block 2, easterly in straight line to St. Croix River.

That part of Block 11 bounded on North by a line found by continuing the line between Lots 1 and 2, Block 3, easterly in a straight line to St. Croix River and on South by continuing North line of Lot 5, Block 2, easterly in a straight line to St. Croix River.

All in the city of Taylors Falls

Part of the Northeast Quarter of the Southeast Quarter described as follows:

Beginning at a point on the North line of the Northeast Quarter of the Southeast Quarter where the East line of right-of-way of N.P. Railroad Company intersects the same; thence East on North line of the Northeast Quarter of the Southeast Quarter to the Northeast corner thereof; thence South on the East line of the Northeast Quarter of the Southeast Quarter 496 feet, more or less, to County Ditch running in an easterly and westerly direction through said Northeast Quarter of the Southeast Quarter; thence due West to the East line of the right-of-way of said railroad; thence North on East line of right-of-way to place of beginning.

Section 9, Township 37 North, Range 21 West.

(d) The county has determined that the county's land management interests would best be served if the lands were privately owned."

Page 9, line 6, delete "14." and insert "15."

Page 9, line 7, delete "13" and insert "14"

The motion prevailed and the amendment was adopted.

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 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 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Munger

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

The Speaker called Redalen to the Chair.

SPECIAL ORDERS

S. F. No. 1031 was reported to the House.

Trimble moved that S. F. No. 1031 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 847, A bill for an act relating to transportation; deregulating persons who provide transportation service under contract to and with assistance from the department of transportation; amending Minnesota Statutes 1988, sections 221.022; 221.025; and 221.031, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 180 was reported to the House.

Hugoson moved to amend S. F. No. 180, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [5.22] [CONTEST OF REGISTRATION OF NAME.]

Subdivision 1. [NOTICE OF CONTEST; DEPOSIT.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state by filing an acknowledged notice of contest with the secretary of state and sending a copy of the notice of contest to the person who subsequently registered the contested name. The notice to the secretary of state must be accompanied by a \$100 deposit, which the secretary of state shall award to the prevailing party in the contest.

Subd. 2. [PROCEDURE.] (a) Upon receipt of a notice of contest, the secretary of state shall ask each party to the contest to submit within 30 days an affidavit setting forth the facts, opinions, and arguments for or against the retention of the contested name on the records of the secretary of state. The secretary of state shall review the affidavits and shall make a decision or order a hearing to be held within 30 days.

(b) If a hearing is ordered, the parties shall meet with the secretary of state before the hearing and attempt to settle the contest.

(c) If a settlement is not reached, the secretary of state shall hold a hearing. At the hearing, the secretary of state may consider evidence presented by the parties relating to the factual or legal issues raised by the contest. A record of the hearing is not required. The hearing is not a contested case hearing under chapter 14.

Subd. 3. [STANDARD OF REVIEW.] The secretary of state may order that the contested name be changed on the records of the secretary of state if it is likely that the use of the names will cause confusion, mistake, or deception among the public when applied to the goods or services provided by the businesses. In determining whether confusion, mistake, or deception is likely, the secretary of state shall consider:

- (1) the strength or unique nature of the names;
- (2) the similarity of sound, appearance, or meaning of the names;
- (3) the intent of the parties;
- (4) the type of businesses engaged in or to be engaged in by the parties;
- (5) the geographic market areas served by each party and the manner of distribution and marketing used in those areas;

(6) the nature and quality of goods or services provided by the parties;

(7) the level of sophistication of potential purchasers of goods or services offered by the parties;

(8) whether the party contesting the subsequent registration of a name failed to make a timely objection or acquiesced to the use of the name so that it would be inequitable to prohibit its registration; and

(9) whether the names in question are in fair use, have been abandoned, or are parodies of other names.

Subd. 4. [DECISION; ENFORCEMENT.] The secretary of state shall make a decision for one of the parties within ten days of the hearing and may order that the contested name be changed on the records of the office of the secretary of state and the relevant documents be amended by the secretary of state in a manner that results in a new name that is not the same as or deceptively similar to another name registered with the office of the secretary of state.

Subd. 5. [APPEAL.] A party may appeal the decision of the secretary of state to the district court within 20 days. The district court shall consider the factual and legal issues without reference to the decision of the secretary of state.

Subd. 6. [LIABILITY.] The office of the secretary of state is not liable for damages incurred as a result of the registration of a name found to be the same or deceptively similar to another name already registered with the office of the secretary of state. The office of the secretary of state is not liable for damages that arise from the decision of the secretary of state in a contest under this section.

Sec. 2. Minnesota Statutes 1988, section 300.025, is amended to read:

300.025 [ORGANIZATION OF FINANCIAL CORPORATIONS.]

(a) Three or more persons may form a corporation for any of the purposes specified in section 47.12 by applying to the department of commerce and complying with all applicable organizational requirements and the conditions set out in clauses (1) to (7). However, no corporation may be formed under this section if it may be formed under the Minnesota business corporation act. The incorporators must subscribe a certificate specifying:

(1) the corporation's name, which must distinguish it from all other corporations authorized to do business in this state, and must

contain the word "company," "corporation," "bank," "association," or "incorporated";

(2) the general nature of the corporation's business and its principal place of business;

(3) the period of its duration, if limited;

(4) the names and places of residence of the incorporators;

(5) the board in which the management of the corporation will be vested, the date of the annual meeting at which it will be elected, and the names and addresses of the board members until the first election, a majority of whom must always be residents of this state;

(6) the amount of capital stock, if any, how the capital stock is to be paid in, the number of shares into which it is to be divided, and the par value of each share; and, if there is to be more than one class, a description and the terms of issue of each class, and the method of voting on each class; and

(7) the highest amount of indebtedness or liability to which the corporation will at any time be subject.

The certificate may contain any other lawful provision defining and regulating the powers and business of the corporation, its officers, directors, trustees, members, and stockholders. However, a corporation subject to sections 48.27 and 51A.22, subdivision 2, may show its highest amount of indebtedness to be 30 times the amount of its capital and actual surplus.

(b) A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 3. Minnesota Statutes 1988, section 302A.115, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS; PROHIBITIONS.] The corporate name:

(a) Shall be in the English language or in any other language expressed in English letters or characters;

(b) Shall contain the word "corporation," "incorporated," or "limited," or shall contain an abbreviation of one or more of these words, or the word "company" or the abbreviation "Co." if that word or abbreviation is not immediately preceded by the word "and" or the character "&"

(c) Shall not contain a word or phrase that indicates or implies that it is incorporated for a purpose other than a legal business purpose;

(d) Shall ~~not be the same as, or deceptively similar to,~~ distinguishable upon the records in the office of the secretary of state from the name of a domestic corporation or limited partnership, whether profit or nonprofit, or a foreign corporation or limited partnership authorized or registered to do business in this state, whether profit or nonprofit, or a name the right to which is, at the time of incorporation, reserved or provided for in sections 302A.117, 322A.03, or 333.001 to 333.54, unless there is filed with the articles one of the following:

(1) The written consent of the domestic corporation or limited partnership or foreign corporation or limited partnership authorized or registered to do business in this state or the holder of a reserved name or a name filed by or registered with the secretary of state under sections 333.001 to 333.54 having ~~the same or a deceptively similar~~ a name which is not distinguishable;

(2) A certified copy of a final decree of a court in this state establishing the prior right of the applicant to the use of the name in this state; or

(3) The applicant's affidavit that the corporation or limited partnership with ~~the same or deceptively similar~~ name which is not distinguishable has been incorporated or on file in this state for at least three years prior to the affidavit, if it is a domestic corporation or limited partnership; or has been authorized or registered to do business in this state for at least three years prior to the affidavit, if it is a foreign corporation or limited partnership, or that the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54 filed or registered that name at least three years prior to the affidavit, and has not during the three-year period filed any document with the secretary of state; that the applicant has mailed written notice to the corporation or limited partnership or the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54 by certified mail, return receipt requested, properly addressed to the registered office of the corporation or in care of the agent of the limited partnership, or the address of the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54, shown in the records of the secretary of state, that the applicant intends to use ~~the same or deceptively similar~~ a name which is not distinguishable and the notice has been returned to the applicant as undeliverable to the addressee corporation or limited partnership or holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54; that the applicant, after diligent inquiry, has been unable to find any telephone listing for the corporation or limited partnership with ~~the same or deceptively similar~~ name which is not

distinguishable in the county in which is located the registered office of the corporation shown in the records of the secretary of state or has been unable to find any telephone listing for the holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54 in the county in which is located the address of the holder shown in the records of the secretary of state; and that the applicant has no knowledge that the corporation or limited partnership or holder of a name filed or registered with the secretary of state under sections 333.001 to 333.54 is currently engaged in business in this state.

Sec. 4. Minnesota Statutes 1988, section 302A.115, subdivision 3, is amended to read:

Subd. 3. [DETERMINATION.] The secretary of state shall determine whether a name is ~~"deceptively similar"~~ to "distinguishable" from another name for purposes of this section and section 302A.117.

Sec. 5. Minnesota Statutes 1988, section 302A.115, is amended by adding a subdivision to read:

Subd. 8. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 6. Minnesota Statutes 1988, section 302A.117, subdivision 1, is amended to read:

Subdivision 1. [WHO MAY RESERVE.] The exclusive right to the use of a corporate name otherwise permitted by section 302A.115 may be reserved by:

(a) A person doing business in this state under that name or a ~~name deceptively similar to that name;~~

(b) A person intending to incorporate under this chapter;

(c) A domestic corporation intending to change its name;

(d) A foreign corporation intending to make application for a certificate of authority to transact business in this state;

(e) A foreign corporation authorized to transact business in this state and intending to change its name;

(f) A person intending to incorporate a foreign corporation and intending to have the foreign corporation make application for a certificate of authority to transact business in this state; or

(g) A foreign corporation doing business under that name or a name deceptively similar to that name in one or more states other than this state and not described in clauses (d), (e), or (f).

Sec. 7. Minnesota Statutes 1988, section 303.05, is amended by adding a subdivision to read:

Subd. 4. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 8. Minnesota Statutes 1988, section 308.06, subdivision 2, is amended to read:

Subd. 2. The incorporators of a cooperative association under sections 308.05 to 308.18 shall sign written articles of incorporation, specifying (1) the name of the association, its purpose, and the principal place of transacting its business. Such name shall distinguish it from all other corporations, domestic or foreign assumed names, trade or service marks, limited partnerships or reserved corporate or limited partnership names, pursuant to the standards set forth in section 302A.115, doing business in the state upon the records in the office of the secretary of state from the name of a domestic corporation, whether profit or nonprofit, or limited partnership, or a foreign corporation of a limited partnership authorized or registered to do business in this state, whether profit or nonprofit, or a name the right to which is, at the time of incorporation, reserved or provided for in sections 302A.117, 322A.03, or 333.001 to 333.54 and shall be preserved to it during its corporate existence; (2) the period of its duration, which may be limited or perpetual; (3) if organized on a capital stock basis the total authorized number of shares and the par value of each share; a description of the classes of shares, if the shares are to be classified; a statement of the number of shares in each class and relative rights, preferences, and restrictions granted to or imposed upon the shares of each class, and a provision that only common stockholders shall have voting power; (4) that individuals owning common stock shall be restricted to one vote in the affairs of the association; (5) that shares of stock shall be transferable only with the approval of the board of directors of the association; (6) that dividends upon capital stock of the association shall not exceed eight percent annually; (7) the names, post office addresses, and terms of office of the first directors; and (8) that net income in excess of dividends and additions to reserves shall be distributed on the basis of patronage, and that the records of the association may show the interest of patrons, stockholders of any classes, and members in the reserves. The articles of incorporation shall always contain the provisions above required and may contain any other lawful provision; except that the names, post office addresses, and terms of offices of the first directors may be omitted after their successors have been elected by the stockholders or when

the articles are amended in their entirety. Cooperative associations may be incorporated for any of the purposes for which an association may also be formed upon a membership basis and without capital stock. Such associations organized on a capital stock basis may be organized, and shall have the same powers and authority as are conferred upon such associations, and the articles of incorporation of any such nonstock associations shall contain the provisions required in the articles of incorporation of an association organized upon a capital stock basis whenever the same are applicable to an association organized upon a membership basis. Except as provided for by section 308.07, subdivision 4, no member of an association organized upon a membership basis shall have more than one vote, and a membership shall be transferable only with the consent and approval of the board of directors of the association. Holders of shares of common stock which entitle the holder thereof to vote, shall be deemed to be members of associations organized on a capital stock basis. As used in sections 308.05 to 308.18, "stockholder," unless otherwise specified, means and includes only a holder of a share of common stock which entitles the holder thereof to vote.

Sec. 9. Minnesota Statutes 1988, section 308.06, is amended by adding a subdivision to read:

Subd. 5. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 10. If S.F. No. 848 is enacted in the 1989 legislative session, Minnesota Statutes, section 308.06, subdivision 5, as amended by section 9 of this act, is repealed and S.F. No. 848, article 1, section 8, is amended by adding a subdivision to read:

Subd. 3. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 11. Minnesota Statutes 1988, section 317.09, subdivision 2, is amended to read:

Subd. 2. [USE OF SIMILAR NAME FORBIDDEN.] The corporate name shall not be the same as, nor deceptively similar to, distinguishable from the name of any assumed name, trade or service mark, or limited partnership, or domestic corporation, whether profit or nonprofit, or of any foreign corporation or foreign limited partnership, whether profit or nonprofit, authorized or registered to do business in this state or to any name reserved under section 302A.117 or 322A.03, unless there is filed with the articles a written consent, court decree of prior right, or affidavit of nonuse of the kind required by section 302A.115, subdivision 1, paragraph (d).

The secretary of state shall determine whether a name is "~~deceptively similar~~" "distinguishable" from to another name for purposes of this section. This section does not abrogate or limit the law of unfair competition or unfair practices, nor sections 333.001 to 333.54, nor the laws of the United States with respect to the right to acquire and protect copyrights, trademarks, service names, service marks, or any other rights to the exclusive use of names or symbols, nor derogate the common law or principles of equity.

Sec. 12. Minnesota Statutes 1988, section 317.09, is amended by adding a subdivision to read:

Subd. 4. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 13. If S.F. No. 525 is enacted in the 1989 legislative session, Minnesota Statutes, section 317.09, subdivision 4, as amended by section 12 of this act, is repealed and S.F. No. 525, section 12, is amended by adding a subdivision to read:

Subd. 6. [CONTEST OF REGISTRATION OF NAME.] A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 14. Minnesota Statutes 1988, section 322A.02, is amended to read:

322A.02 [NAME.]

(a) The name of each limited partnership as set forth in its certificate of limited partnership:

(1) shall contain without abbreviation the words "limited partnership";

(2) may not contain the name of a limited partner unless (i) it is also the name of a general partner or the corporate name of a corporate general partner, or (ii) the business of the limited partnership had been carried on under that name before the admission of that limited partner;

(3) may not shall be the same as, or deceptively similar to, distinguishable from the name of a domestic corporation or limited partnership, whether profit or nonprofit, or a foreign corporation or limited partnership authorized or registered to do business in this state, whether profit or nonprofit, or a name the right to which is reserved or provided for in the manner provided for in sections

302A.117, 322A.03, or 333.001 to 333.54, unless there is filed with the certificate a written consent, court decree of prior right, or affidavit of nonuse, of the kind required by section 302A.115, subdivision 1, paragraph (d); and

(4) may not contain the following words: corporation, incorporated.

The secretary of state shall determine whether a name is "~~deceptively similar~~" to "distinguishable" from another name for purposes of this section and section 322A.03. This section does not abrogate or limit the law of unfair competition or unfair practices, nor sections 333.001 to 333.54, nor the laws of the United States with respect to the right to acquire and protect copyrights, trademarks, service names, service marks, or any other rights to the exclusive use of names or symbols, nor derogate the common law or principles of equity.

(b) A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 15. Minnesota Statutes 1988, section 322A.72, is amended to read:

322A.72 [NAME.]

(a) A foreign limited partnership may register with the secretary of state under any name (whether or not it is the name under which it is registered in its state of organization) that includes without abbreviation the words "limited partnership" and that could be registered by a domestic limited partnership.

(b) A person doing business in this state may contest the subsequent registration of a name with the office of the secretary of state as provided in section 1.

Sec. 16. Minnesota Statutes 1988, section 333.055, subdivision 4, is amended to read:

Subd. 4. The secretary of state shall accept for filing all certificates and renewals thereof which comply with the provisions of sections 333.001 to 333.06 and which are accompanied by the prescribed fees, notwithstanding the fact that the assumed name disclosed therein ~~may be the same as, or similar to,~~ not be distinguishable from one or more other assumed names already filed with the secretary of state. In the event of duplication or similarity, the secretary of state shall, within 20 days after the filing, notify in writing each previously filed business holding a certificate for the assumed name or a similar assumed name, of the duplication or similarity, including in the notice the name and last known address

of the person so filing. The secretary of state shall not accept for filing a certificate that discloses an assumed name that is the same as, or ~~deceptively similar to, not distinguishable from~~ a corporate, or limited partnership name in use or reserved in this state by another or a trade or service mark registered with the secretary of state, unless there is filed with the certificate a written consent, court decree of prior right, or affidavit of nonuser of the kind required by section 302A.115, subdivision 1, clause (d). The secretary of state shall determine whether a name is "~~deceptively similar~~" to distinguishable from another name for purposes of this subdivision."

Delete the title and insert:

"A bill for an act relating to commerce; regulating the use of names for certain business entities; providing a procedure for contesting the registration of a name; amending Minnesota Statutes 1988, sections 300.025; 302A.115, subdivisions 1, 3, and by adding a subdivision; 302A.117, subdivision 1; 303.05, by adding a subdivision; 308.06, subdivision 2, and by adding a subdivision; 317.09, subdivision 2, and by adding a subdivision; 322A.02; 322A.72; and 333.055, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 5."

The motion prevailed and the amendment was adopted.

S. F. No. 180, A bill for an act relating to the office of the secretary of state; establishing a procedure for contesting the registration of a corporation, limited partnership, or assumed name, or a trade or service mark with the secretary of state; providing that the office of the secretary of state is not liable for registrations; amending Minnesota Statutes 1988, sections 300.025; 302A.115, by adding a subdivision; 303.05, by adding a subdivision; 308.06, by adding a subdivision; 317.09, by adding a subdivision; 322A.02; 322A.72; 1989 S.F. No. 525, section 12, by adding a subdivision; S.F. No. 848, article 1, section 8, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 5.

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

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

Those who voted in the negative were:

Milbert

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

S. F. No. 590 was reported to the House.

Welle moved that S. F. No. 590 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 486 was reported to the House.

Rest moved that S. F. No. 486 be continued on Special Orders. The motion prevailed.

S. F. No. 783 was reported to the House.

Simoneau moved that S. F. No. 783 be returned to General Orders. The motion prevailed.

S. F. No. 583, A bill for an act relating to agriculture; regulating the manufacture of cultured dairy food; requiring pasteurization for certain dairy products; amending Minnesota Statutes 1988, section 32.486, subdivision 1, and by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 590 which was temporarily laid over earlier today was again reported to the House.

S. F. No. 590, A bill for an act relating to veterans; requiring corrections officials to consider the fact that a veteran inmate suffers from posttraumatic stress disorder in the preparation of the inmate's corrections plan; proposing coding for new law in Minnesota Statutes, chapter 243.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bauerly	Bertram	Brown	Carruthers
Anderson, G.	Beard	Bishop	Burger	Clark
Anderson, R.	Begich	Blatz	Carlson, D.	Conway
Battaglia	Bennett	Boo	Carlson, L.	Cooper

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

The bill was passed and its title agreed to.

H. F. No. 950 was reported to the House.

Orenstein moved to amend H. F. No. 950, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1988, section 363.01, subdivision 25, is amended to read:

Subd. 25. [DISABILITY.] “Disability” means any condition or characteristic that renders a person a disabled person. A disabled person is any person who (1) has a physical, sensory, or mental impairment which substantially materially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Sec. 2. Minnesota Statutes 1988, section 363.01, subdivision 25a, is amended to read:

Subd. 25a. [QUALIFIED DISABLED PERSON.] “Qualified disabled person” means:

(1) with respect to employment, a disabled person who, with reasonable accommodation, can perform the essential functions required of all applicants for the job in question; and

(2) with respect to services and programs, a disabled person who,

with physical and program access, meets the essential eligibility criteria required of all applicants for the program or service in question.

For the purposes of this subdivision, "disability" excludes any condition resulting from alcohol or drug abuse which prevents a person from performing the essential functions of the job in question or constitutes a direct threat to property or the safety of others.

If a respondent contends that the person is not a qualified disabled person, the burden is on the respondent to prove that it was reasonable to conclude the disabled person, with reasonable accommodation, could not have met the requirements of the job or that the selected person was demonstrably better able to perform the job.

Sec. 3. Minnesota Statutes 1988, section 363.01, subdivision 31, is amended to read:

Subd. 31. [FAMILIAL STATUS.] "Familial status" means the condition of one or more minors being domiciled with (a) their parent or parents or the minor's legal guardian or (b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

Sec. 4. Minnesota Statutes 1988, section 363.02, subdivision 1, is amended to read:

Subdivision 1. [EMPLOYMENT.] The provisions of section 363.03, subdivision 1, shall not apply to:

(1) The employment of any individual

(a) by the individual's parent, grandparent, spouse, child, or grandchild, or

(b) in the domestic service of any person;

(2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment;

(3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice;

(4) The operation of a bona fide seniority system which mandates differences in such things as wages, hiring priorities, layoff priorities, vacation credit, and job assignments based on seniority, so long

as the operation of the system is not a subterfuge to evade the provisions of this chapter;

(5) With respect to age discrimination, a practice by which a labor organization or employer offers or supplies varying insurance benefits or other fringe benefits to members or employees of differing ages, so long as the cost to the labor organization or employer for the benefits is reasonably equivalent for all members or employees;

(6) A restriction imposed by state statute, home rule charter, ordinance, or civil service rule, and applied uniformly and without exception to all individuals, which establishes a maximum age for entry into employment as a peace officer or firefighter.

(7) Nothing in this chapter concerning age discrimination shall be construed to validate or permit age requirements which have a disproportionate impact on persons of any class otherwise protected by section 363.03, subdivision 1 or 5.

(8) It is not an unfair employment practice for an employer, employment agency, or labor organization:

(i) to require or request a person to undergo physical examination, which may include a medical history, for the purpose of determining the person's capability to perform available employment, provided (a) that an offer of employment has been made on condition that the person meets the physical or mental requirements of the job; (b) that the examination tests only for essential job-related abilities; and (c) that the examination except for examinations authorized under chapter 176 is required of all persons conditionally offered employment for the same position regardless of disability; or

(ii) with the consent of the employee, to obtain additional medical information for the purposes of establishing an employee health record;

(iii) to administer preemployment tests, provided that the tests (a) measure only essential job-related abilities, (b) are required of all applicants for the same position regardless of disability except for tests authorized under chapter 176, and (c) accurately measure the applicant's aptitude, achievement level, or whatever factors they purport to measure rather than reflecting the applicant's impaired sensory, manual, or speaking skills except when those skills are the factors that the tests purport to measure; or

(iv) to limit receipt of benefits payable under a fringe benefit plan for disabilities to that period of time which a licensed physician reasonably determines a person is unable to work; or

(v) to provide special safety considerations for pregnant women

involved in tasks which are potentially hazardous to the health of the unborn child, as determined by medical criteria.

Sec. 5. Minnesota Statutes 1988, section 363.02, subdivision 2, is amended to read:

Subd. 2. [HOUSING.] (1) The provisions of section 363.03, subdivision 2, shall not apply to:

(a) rooms in a temporary or permanent residence home run by a nonprofit organization, if the discrimination is by sex; or

(b) the rental by a resident owner or occupier of a one-family accommodation of a room or rooms in the accommodation to another person or persons if the discrimination is by sex, marital status, status with regard to public assistance or disability. ~~Nothing in this chapter shall be construed to require any~~ Except as provided elsewhere in this chapter or other state or federal law, no person or group of persons selling, renting, or leasing property is required to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this chapter be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of the lease, agreement or contract.

(2) The provisions of section 363.03, subdivision 2, prohibiting discrimination because of familial status shall not be construed to defeat the applicability of any local, state or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling unit and shall not apply to:

(a) ~~any unoccupied dwelling unit in one building of a housing complex consisting of two buildings or, in a housing complex consisting of three or more buildings, any unoccupied dwelling unit in up to one-third of all buildings in the housing complex. For the purposes of this clause, "housing complex" means a group of buildings each containing five or more units on a contiguous parcel of land owned by the same person; a building shall not be exempt from section 363.03, subdivision 2, pursuant to this clause unless the owner has filed an election to designate the building as exempt with the commissioner; an election made by an owner pursuant to this clause may not be withdrawn for purposes of designating another building in the housing complex as exempt for a period of one year from the filing of the election; or~~

(b) ~~any unit in a condominium created prior to April 12, 1980, any unit in a condominium, other than a condominium converted from a residential building, created on or after April 12, 1980, and any unit~~

in an adults-only condominium created from an existing adults-only rental building on or after April 12, 1980; or

(e) an unoccupied dwelling unit in any building in which at least a majority of the dwelling units are occupied by elderly persons or are unoccupied and available for occupancy solely by households of which at least one member is an elderly person; or

(d) any owner occupied building containing four or fewer dwelling units; or

(e) an unoccupied dwelling unit in any building which is the subject of a valid certificate filed with the commissioner pursuant to the provisions of this clause. To be valid, a certificate must be on a form provided by the commissioner, be received by the commissioner, state that on the date that the certificate is received by the commissioner at least a majority of the dwelling units in the building are occupied by elderly persons or are unoccupied and available for occupancy solely by households of which at least one member is an elderly person, state that on the date that the certificate is received by the commissioner there is on file with the owner of the building or a specified duly authorized agent of the owner for each occupied unit relied upon in support of the certificate a signed statement by an elderly person occupying the unit on the date that the certificate is received by the commissioner that the person is an elderly person, state that for a period of 180 days following the receipt of the certificate by the commissioner the owner or duly authorized agent will preserve the signed statements of the elderly persons and will, upon request, make the statements available for inspection by the commissioner or by any local commission having jurisdiction over the building, be signed by the owner or the duly authorized agent, and be in all respects true and accurate. A valid certificate shall remain valid for a period of 180 days following the date on which it is received by the commissioner. Any owner or authorized agent who files a certificate containing statements or information that the owner or authorized agent knows or should reasonably know to be false shall be guilty of a misdemeanor;

(f) any unoccupied dwelling unit of up to one-third of the units in a building that is not part of a multibuilding complex; or

(g) any dwelling unit in a building owned by a cooperative apartment corporation, other than a building converted from a residential rental building to a cooperative apartment corporation building on or after April 12, 1980, unless that conversion was from an existing adults-only residential rental building.

(b) housing for elderly persons. "Housing for elderly persons" means housing:

(i) provided under any state or federal program that the commissioner determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program;

(ii) intended for, and solely occupied by, persons 62 years of age or older; or

(iii) intended and operated for occupancy by at least one person 55 years of age or older per unit, provided that:

(A) there are significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of these facilities and services is not practicable, that the housing is necessary to provide important housing opportunities for older persons;

(B) at least 80 percent of the units are occupied by at least one person 55 years of age or older per unit; and

(C) there is publication of, and adherence to, policies and procedures that demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

Housing does not fail to meet the requirements for housing for elderly persons by reason of persons residing in the housing as of the effective date of this act who do not meet the age requirements of clauses (b)(i) and (b)(iii) if new occupants of the housing meet the age requirements of clause (b)(ii) or (b)(iii). In addition, housing does not fail to meet the requirements by reason of unoccupied units if unoccupied units are reserved for occupancy by persons who meet the age requirements of clause (b)(ii) or (b)(iii).

Sec. 6. Minnesota Statutes 1988, section 363.02, subdivision 2a, is amended to read:

Subd. 2a. [MANUFACTURED HOME PARKS.] The provisions of subdivision 2, prohibiting discrimination because of familial status:

(1) do not apply to a manufactured home park the majority of whose lots are reserved by park rule to households containing at least one elderly person; and

(2) do not apply to a section or sections of a manufactured home park which are identified by park rule and do not comprise more than one-third of the lots in the park. In order to qualify for exemption under this subdivision, A park owner must comply with section 327C.02, subdivision 2, 327C.05, or 327C.07, subdivision 4, when adopting or amending a rule concerning the permitted familial status of residents or of buyers of homes offered for in park sale.

Sec. 7. Minnesota Statutes 1988, section 363.02, subdivision 2b, is amended to read:

Subd. 2b. [EVICTON DUE TO FAMILIAL STATUS.] The provisions of section 363.03, subdivision 2, prohibiting discrimination because of familial status, do not apply to eviction from, or denial of continuing tenancy in, dwelling units exempt through certification under this section, provided that (1) one year has elapsed from the commencement of the familial status and (2) six months prior written notice has been given to the tenant, unless the eviction or denial of continuing tenancy is for nonpayment of rent, damage to the premises, disturbance of other tenants, or other breach of the lease.

Sec. 8. Minnesota Statutes 1988, section 363.02, subdivision 6, is amended to read:

Subd. 6. [AGE.] By law or published retirement policy, a mandatory retirement age may be established without being a violation of this chapter if it is established consistent with section 181.81. Nothing in this chapter nor in section 181.81 shall prohibit employee pension and retirement plans from granting pension credit to employees over the age of 65 at a lesser rate than is granted to other employees, provided that in no event may an employee's accumulated pension credits be reduced by continued employment, and further provided that no other state or federal law is violated by the reduced rate of pension credit accrual. Nothing in this chapter shall be construed to prohibit the establishment of differential privileges, benefits, services or facilities for persons of designated ages if (a) such differential treatment is provided pursuant to statute, or (b) the designated age is greater than 59 years or less than 21 years. Clause (b) does not apply to hiring, tenure, compensation, upgrading, or conditions of employment.

Sec. 9. Minnesota Statutes 1988, section 363.03, subdivision 1, is amended to read:

Subdivision 1. [EMPLOYMENT.] Except when based on a bona fide occupational qualification, it is an unfair employment practice:

(1) For a labor organization, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to deny full and equal membership rights to a person seeking membership or to a member;

(b) to expel a member from membership;

(c) to discriminate against a person seeking membership or a

member with respect to hiring, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

(d) to fail to classify properly, or refer for employment or otherwise to discriminate against a person or member.

(2) For an employer, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, or age,

(a) to refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or

(b) to discharge an employee; or

(c) to discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.

(3) For an employment agency, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against a person; or

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter.

(4) For an employer, employment agency, or labor organization, before a person is employed by an employer or admitted to membership in a labor organization, to

(a) require the person to furnish information that pertains to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance or, disability, or age; or, subject to section 363.02, subdivision 1, to require or request a person to undergo physical examination; unless, for the sole and exclusive purpose of national security, information pertaining to national origin is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the sole and exclusive purpose of compliance with the public contracts act or any rule, regulation, or laws of the United States or of this state requiring the information pertaining to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance or disability is required by the United States or a political subdivision or agency of the United States or examination; or

(b) seek and obtain for purposes of making a job decision, information from any source that pertains to the person's race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age, unless for the sole and exclusive purpose of compliance with the public contracts act or any rule, regulation, or laws of the United States or of this state requiring the information; or

(c) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age.

Any individual who is required to provide information that is prohibited by this subdivision is an aggrieved party under section 363.06.

(5) For an employer, an employment agency or a labor organization, with respect to all employment related purposes, including receipt of benefits under fringe benefit programs, not to treat women affected by pregnancy, childbirth, or disabilities related to pregnancy or childbirth, the same as other persons who are not so affected but who are similar in their ability or inability to work.

(6) For an employer with 50 or more permanent, full-time employees, an employment agency or a labor organization, not to make reasonable accommodation to the known disability of a qualified disabled person or job applicant unless the employer, agency, or organization can demonstrate that the accommodation would impose an undue hardship on the business, agency, or organization. "Reasonable accommodation" means steps which must be taken to accommodate the known physical or mental limitations of a qualified disabled person. "Reasonable accommodation" may include but is not limited to, nor does it necessarily require: (a) making facilities readily accessible to and usable by disabled persons; and (b) job restructuring, modified work schedules that do not reduce the total number of hours normally worked, acquisition or modification of equipment or devices, and the provision of aides on a temporary or periodic basis.

In determining whether an accommodation would impose an undue hardship on the operation of a business or organization, factors to be considered include:

(a) the overall size of the business or organization with respect to number of employees or members and the number and type of facilities;

(b) the type of the operation, including the composition and

structure of the work force, and the number of employees at the location where the employment would occur;

(c) the nature and cost of the needed accommodation;

(d) the reasonable ability to finance the accommodation at each site of business; and

(e) documented good faith efforts to explore less restrictive or less expensive alternatives, including consultation with the disabled person or with knowledgeable disabled persons or organizations.

A prospective employer need not pay for an accommodation for a job applicant if it is available from an alternative source without cost to the employer or applicant.

Sec. 10. Minnesota Statutes 1988, section 363.03, is amended by adding a subdivision to read:

Subd. 1a. [DISCLOSURE OF MEDICAL INFORMATION.] If any health care records or medical information adversely affects any employment decision concerning an applicant or employee, the employer must notify the affected party of that information within ten days of the final decision.

Sec. 11. Minnesota Statutes 1988, section 363.03, subdivision 2, is amended to read:

Subd. 2. [REAL PROPERTY.] It is an unfair discriminatory practice:

(1) For an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these:

(a) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status; or

(b) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith, except that nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended to protect the safety of minors in their use of the real property or any facilities or services furnished in connection therewith; or

(c) in any transaction involving real property, to print, circulate or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental or lease of real property, or make any record or inquiry in connection with the prospective purchase, rental, or lease of real property which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status, or any intent to make any such limitation, specification, or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit.

(2) For a real estate broker, real estate salesperson, or employee, or agent thereof:

(a) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property to any person or group of persons or to negotiate for the sale, rental, or lease of any real property to any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status; or

(b) to discriminate against any person because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(c) to print, circulate, or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental, or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or any intent to make any such limitation, specification, or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of

this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit.

(3) For a person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property or any agent or employee thereof:

(a) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status of the person or group of persons or of the prospective occupants or tenants of the real property in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions, or privileges of the financial assistance or in the extension of services in connection therewith; or

(b) to use any form of application for the financial assistance or make any record or inquiry in connection with applications for the financial assistance which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or any intent to make any such limitation, specification, or discrimination; or

(c) to discriminate against any person or group of persons who desire to purchase, lease, acquire, construct, rehabilitate, repair, or maintain real property in a specific urban or rural area or any part thereof solely because of the social, economic, or environmental conditions of the area in the granting, withholding, extending, modifying, or renewing, or in the rates, terms, conditions, or privileges of the financial assistance or in the extension of services in connection therewith.

(4) For any real estate broker or real estate salesperson, for the purpose of inducing a real property transaction from which the person, the person's firm, or any of its members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, national origin, sex, marital status, status with regard to public assistance, or disability of the owners or occupants in the block, neighborhood, or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood, or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other public facilities.

(5) For a person to deny a totally or partially blind, physically handicapped, or deaf person with a service dog full and equal access

to real property provided for in this section. The person may not be required to pay extra compensation for the service dog but is liable for damage done to the premises by the service dog.

(6) For a home improvement, repair, or maintenance business to discriminate in terms, conditions, or extension of services against any person or group of persons who desire to rehabilitate, repair, or maintain real property in a specific urban or rural area or any part of the area because of the social or economic conditions of the area.

Notwithstanding the provisions of any law, ordinance, or home rule charter to the contrary, no person shall be deemed to have committed an unfair discriminatory practice based upon age if the unfair discriminatory practice alleged is attempted or accomplished for the purpose of obtaining or maintaining one of the exemptions provided for a dwelling unit provided for in section 363.02, subdivision 2.

Sec. 12. Minnesota Statutes 1988, section 363.03, is amended by adding a subdivision to read:

Subd. 2a. [REAL PROPERTY; DISABILITY DISCRIMINATION.]

(a) For purposes of subdivision 2, discrimination includes:

(1) a refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the disabled person if modifications may be necessary to afford the disabled person full enjoyment of the premises; a landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, excluding reasonable wear and tear;

(2) a refusal to make reasonable accommodations in rules, policies, practices, or services, when accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling; or

(3) in connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in a manner that:

(i) the public use and common use portions are readily accessible to and usable by a disabled person;

(ii) all the doors designed to allow passage into and within all premises are sufficiently wide to allow passage by disabled persons in wheelchairs; and

(iii) all premises contain the following features of adaptive design:

an accessible route into and through the dwelling; light switches, electrical outlets, thermostats, and other environmental controls in accessible locations; reinforcements in bathroom walls to allow later installation of grab bars; and usable kitchens and bathrooms so that an individual in a wheelchair can maneuver about the space.

(b) As used in this subdivision, the term "covered multifamily dwellings" means:

(1) a building consisting of four or more units if the building has one or more elevators; and

(2) ground floor units in other buildings consisting of four or more units.

(c) This subdivision does not invalidate or limit any law of the state or political subdivision of the state, or other jurisdiction in which this subdivision applies, that requires dwellings to be designed and constructed in a manner that affords disabled persons greater access than is required by this subdivision.

(d) This subdivision does not require that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

Sec. 13. Minnesota Statutes 1988, section 363.03, subdivision 3, is amended to read:

Subd. 3. [PUBLIC ACCOMMODATIONS.] It is an unfair discriminatory practice:

(1) To deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, disability, national origin or sex. It is an unfair discriminatory practice for a taxicab company to discriminate in the access to, full utilization of or benefit from service because of a person's disability. Nothing in this subdivision requires any person to exercise a higher degree of care for a person having a disability or to modify property in any way except as required by the accessibility provisions of the state building code.

(2) For a place of public accommodation not to make reasonable accommodation to the known physical disability of a disabled person. In determining whether an accommodation is reasonable, the factors to be considered may include:

(a) the frequency and predictability with which members of the public will be served by the accommodation at that location;

(b) the size of the business or organization at that location with respect to physical size, annual gross revenues, and the number of employees;

(c) the extent to which disabled persons will be further served from the accommodation;

(d) the type of operation;

(e) the nature and amount of both direct costs and legitimate indirect costs of making the accommodation and the reasonableness for that location to finance the accommodation;

(f) the extent to which any persons may be adversely affected by the accommodation.

State or local building codes control where applicable. Violations of state or local building codes are not violations of this chapter and must be enforced under normal building code procedures. Nothing in this subdivision requires structural changes to real property except as required by state or local building codes.

This subdivision does not create a different standard of care. It applies only to unfair discriminatory practice cases brought under this statute and to no other causes of action.

Sec. 14. Minnesota Statutes 1988, section 363.03, subdivision 7, is amended to read:

Subd. 7. [REPRISALS.] It is an unfair discriminatory practice for any employer, labor organization, employment agency, public accommodation, public service, educational institution, or owner, lessor, lessee, sublessee, assignee or managing agent of any real property, or any real estate broker, real estate salesperson or employee or agent thereof to intentionally engage in any reprisal against any person because that person:

(1) Opposed a practice forbidden under this chapter or has filed a charge, testified, assisted, or participated in any ~~matter~~ manner in an investigation, proceeding or hearing under this chapter; or

(2) Associated with a person or group of persons who are disabled or who are of different race, color, creed, religion, or national origin.

A reprisal includes, but is not limited to, any form of intimidation, retaliation, or harassment. It is a reprisal for an employer to do any of the following with respect to an individual because that individ-

ual has engaged in the activities listed in clause (1) or (2): refuse to hire the individual; depart from any customary employment practice; transfer or assign the individual to a lesser position in terms of wages, hours, job classification, job security, or other employment status; or inform another employer that the individual has engaged in the activities listed in clause (1) or (2).

Sec. 15. Minnesota Statutes 1988, section 363.03, subdivision 8, is amended to read:

Subd. 8. [CREDIT; ~~SEX~~ DISCRIMINATION.] It is an unfair discriminatory practice:

(1) to discriminate in the extension of personal or commercial credit to a person, or in the requirements for obtaining credit, because of race, color, creed, religion, disability, national origin, sex or marital status; or

(2) for a credit card issuer to refuse to issue a credit card to a woman under her current or former surname unless there is an intent to defraud or mislead, except that a credit card issuer may require that a woman requesting a card under a former surname open a separate account in that name. A credit card issuer may also require disclosure of any other names under which the credit card applicant may have a credit history.

Sec. 16. Minnesota Statutes 1988, section 363.05, subdivision 2, is amended to read:

Subd. 2. [SERVICE, ENFORCEMENT, AND EFFECT OF SUBPOENA.] (a) Disobedience of a subpoena issued by the commissioner pursuant to subdivision 1 shall be punishable in like manner as a contempt of the district court in proceedings instituted upon application of the commissioner made to the district court of the county where the alleged unfair discriminatory practice in connection with a charge made by a charging party or a complaint filed by the commissioner has occurred or where the respondent resides or has a principal place of business.

(b) It is not a violation of rights conferred by chapter 13 or any other statute related to the confidentiality of government data for an a state agency, statewide system, or political subdivision, as defined in section 13.02, subdivision 11, to provide data or information under a subpoena issued by the commissioner under this section.

(c) A subpoena issued under subdivision 1 must be served personally or by mailing a copy of the subpoena, by first class mail, postage prepaid, to the person to be served. The subpoena must include two copies of a notice and acknowledgment of service on a form to be provided by the commissioner, and a return envelope, postage

prepaid, addressed to the sender. If acknowledgment of service is not received by the commissioner within 20 days, service is not effective. Unless good cause is shown for not doing so, a court or administrative law judge shall order the payment of the costs of personal service by the person served if the person does not complete and return the notice and acknowledgment of receipt of the subpoena within the time allowed.

Sec. 17. Minnesota Statutes 1988, section 363.073, subdivision 1, is amended to read:

Subdivision 1. [SCOPE OF APPLICATION.] No department or agency of the state shall receive, enter into, or accept any bid or proposal for a contract nor execute any contract for goods, services, or the performance of any function, or any agreement to transfer funds for any reason in excess of \$50,000 with any person having more than 20 full-time employees in Minnesota at any time during the previous 12 months, unless the person has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance issued by the commissioner shall signify that a person has an affirmative action plan that has been approved by the commissioner. A certificate shall be valid for a period of two years.

Sec. 18. Minnesota Statutes 1988, section 363.117, is amended to read:

363.117 [WITHDRAWAL FROM A LOCAL COMMISSION.]

Notwithstanding the provisions of any law or ordinance to the contrary, a person who has filed a charge with a local commission may bring a civil action as provided in section 363.14 at the following times:

(a) Within 45 days after receipt of notice that the local commission has determined that there is no probable cause to credit the allegations contained in the charge; receipt of notice is presumed to be five days from the date of service by mail of the written notice; or

(b) After 45 days from the filing of the charge if a hearing has not been held or if the local commission has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the local commission of an intention to bring a civil action, which shall be commenced within 90 days of giving the notice.

A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the local commission and upon their receipt the local commission shall

terminate all proceedings before the local commission relating to the charge. No charge shall be filed or reinstated with the local commission after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

Sec. 19. Minnesota Statutes 1988, section 363.123, is amended to read:

363.123 [VIOLATION OF ACT.]

It shall be a violation of ~~Laws 1973, this chapter 729~~ for any person furnishing credit service to discriminate against any person who is the recipient of federal, state or local public assistance, including medical assistance, or who is a tenant receiving federal, state or local housing subsidies, including rental assistance or rent supplements, solely because the individual is such a recipient.

Sec. 20. Minnesota Statutes 1988, section 363.14, subdivision 1, is amended to read:

Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] (a) The commissioner or a person may bring a civil action seeking redress for an unfair discriminatory practice directly to district court. In addition, a person may bring a civil action:

(1) within 45 days after receipt of notice that the commissioner has dismissed a charge because it is frivolous or without merit, because the charging party has failed to provide required information, because the commissioner has determined that further use of department resources is not warranted, or because the commissioner has determined that there is no probable cause to credit the allegations contained in a charge filed with the commissioner;

(2) within 45 days after receipt of notice that the commissioner has reaffirmed a determination of no probable cause if the charging party requested a reconsideration of the no probable cause determination, or has decided not to reopen a dismissed case that the charging party has asked to be reopened; or

(3) after 45 days from the filing of a charge pursuant to section 363.06, subdivision 1, if a hearing has not been held pursuant to section 363.071 or if the commissioner has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner of an intention to bring a civil action, which shall be commenced within 90 days of giving the notice.

For purposes of clauses (1) and (2), receipt of notice is presumed to be five days from the date of service by mail of the written notice.

(b) If the commissioner has issued both probable cause and no probable cause determinations on separate issues in the same charge, the charging party may, if a hearing is held, require that all matters be heard at the hearing or may bring a civil action for the no probable cause charges at the same time as the probable cause charges under the rules and time frames that govern the probable cause charges.

(c) A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon their receipt the commissioner shall terminate all proceedings in the department relating to the charge. No charge shall be filed or reinstated with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

(d) Upon application by the complaining party to the district court at a special term and under circumstances the court deems just, the court may appoint an attorney for the person and may authorize the commencement of the action without payment of fees, costs, or security.

(e) Upon timely application, the court may permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Sec. 21. Minnesota Statutes 1988, section 363.15, is amended to read:

363.15 [NOTICE OF APPEAL TO THE COMMISSIONER.]

In any case that is appealed to the supreme court or the court of appeals in which an issue is raised under this chapter, the party raising the issue shall serve a copy of the notice of appeal on the commissioner. ~~The clerk of the appellate courts may not accept~~ At the time of filing a notice of appeal or other papers, documents, or briefs from any in the case, a party in an action involving this chapter without shall file proof of service of the papers, documents, or briefs upon the commissioner.

Sec. 22. [INSTRUCTION TO REVISOR.]

In the next edition of Minnesota Statutes the revisor of statutes shall renumber Minnesota Statutes, section 363.123, as section 363.03, subdivision 8b.

Sec. 23. [REPEALER.]

Minnesota Statutes 1988, section 363.01, subdivisions 30 and 32, are repealed."

Delete the title and insert:

"A bill for an act relating to human rights; adopting federal fair housing amendments; clarifying the definition of disability; limiting the use of psychological tests; limiting age-related questions in employment applications; clarifying who is an aggrieved party for certain violations; clarifying burden on the employer to show a person's impairment is disqualifying; providing for service of subpoenas personally or by mail; allowing the commissioner discretion on access to data in closed files; striking the requirement that a person's employees must be within Minnesota for purposes of affirmative action; clarifying the time period allowed for filing a private lawsuit; modifying notice requirements in certain human rights appeals; amending Minnesota Statutes 1988, sections 363.01, subdivisions 25, 25a, and 31; 363.02, subdivisions 1, 2, 2a, 2b, and 6; 363.03, subdivisions 1, 2, 3, 7, 8, and by adding subdivisions; 363.05, subdivision 2; 363.073, subdivision 1; 363.117; 363.123; 363.14, subdivision 1; and 363.15; repealing Minnesota Statutes 1988, section 363.01, subdivisions 30 and 32."

The motion prevailed and the amendment was adopted.

Solberg and McEachern moved to amend H. F. No. 950, the first engrossment, as amended, as follows:

Delete page 20, line 32 to page 21, line 9, and insert:

"Subdivision 1. [SCOPE OF APPLICATION.] No department or agency of the state shall receive, enter into, or accept any bid or proposal for a contract nor or execute any contract for goods, or services, or the performance of any function, or any agreement to transfer funds for any reason in excess of \$50,000 with any person business having more than 20 full-time employees in Minnesota at any time during the previous 12 months, unless the person firm or business has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance issued by the commissioner shall signify that a person firm or business has an affirmative action plan that has been approved by the commissioner. A certificate shall be valid for a period of two years. A municipality as defined in section 466.01, subdivision 1, which receives state funds for any reason should prepare and implement an affirmative action plan for the employment of minority persons, women, and the disabled and submit the plan to the commissioner of human rights.

Sec. 18. Minnesota Statutes 1988, section 363.073, subdivision 3, is amended to read:

Subd. 3. [REVOCAION OF CONTRACT.] A contract awarded by a department or agency of the state may be terminated or abridged by the department or agency because of suspension or revocation of a certificate based upon a contractor's failure to implement or make a good faith effort to implement an affirmative action plan approved by the commissioner under this section. If a contract is awarded to a person who does not have a contract compliance certificate required under subdivision 1, the ~~commissioner~~ department or agency may void the contract on behalf of the state."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 24, line 25, delete "striking the requirement that" and insert "changing contract compliance certification;"

Page 24, delete line 26

Page 24, line 27, delete everything before "clarifying"

Page 24, line 34, delete "subdivision 1" and insert "subdivisions 1 and 3"

A roll call was requested and properly seconded.

The question was taken on the Solberg and McEachern amendment and the roll was called. There were 107 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Himle	Lynch	Olson, K.
Anderson, R.	Dauner	Hugoson	Macklin	Omann
Battaglia	Dawkins	Jacobs	Marsh	Onnen
Bauerly	Dille	Janezich	McDonald	Osthoff
Beard	Dorn	Jennings	McEachern	Ostrom
Begich	Forsythe	Johnson, A.	McGuire	Ozment
Bennett	Frederick	Johnson, R.	McPherson	Pellow
Bertram	Frerichs	Johnson, V.	Milbert	Pelowski
Blatz	Girard	Kalis	Miller	Peterson
Boo	Gruenes	Kelso	Morrison	Poppenhagen
Brown	Gutknecht	Kinkel	Nelson, C.	Price
Burger	Hartle	Knickerbocker	Nelson, K.	Pugh
Carlson, D.	Hasskamp	Krueger	Neuenschwander	Quinn
Carlson, L.	Haukoos	Lasley	O'Connor	Redalen
Carruthers	Heap	Lieder	Ogren	Reding
Conway	Henry	Limmer	Olson, E.	Rice

Richter	Scheid	Stanius	Tunheim	Welle
Rodosovich	Schreiber	Steenasma	Uphus	Wenzel
Rukavina	Seaberg	Sviggum	Valento	Winter
Runbeck	Skoglund	Swenson	Wagenius	
Sarna	Solberg	Tjornhom	Waltman	
Schafer	Sparby	Tompkins	Weaver	

Those who voted in the negative were:

Clark	Kelly	Olsen, S.	Segal	Wynia
Greenfield	Kostohryz	Orenstein	Simoneau	
Jaros	Long	Pappas	Trimble	
Jefferson	McLaughlin	Pauly	Vellenga	
Kahn	Murphy	Rest	Williams	

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

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

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.

Marsh, Seaberg, Bertram and Olson, E., moved to amend H. F. No. 950, the first engrossment, as amended, as follows:

Pages 12 to 16, delete section 11

Renumber the sections in order

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

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

There were 67 yeas and 66 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Greenfield	Lasley	Ostrom	Sarna
Battaglia	Hasskamp	Lieder	Otis	Scheid
Beard	Jacobs	Long	Pappas	Segal
Begich	Janezich	McGuire	Pelowski	Simoneau
Bishop	Jaros	McLaughlin	Peterson	Skoglund
Brown	Jefferson	Milbert	Price	Solberg
Carlson, L.	Johnson, A.	Munger	Pugh	Trimble
Carruthers	Johnson, R.	Murphy	Quinn	Vellenga
Clark	Kahn	Nelson, C.	Reding	Wagenius
Conway	Kelly	Nelson, K.	Rest	Welle
Cooper	Kinkel	O'Connor	Rice	Wenzel
Dawkins	Kostohryz	Ogren	Rodosovich	Williams
Dorn	Krueger	Orenstein	Rukavina	Wynia
				Spk. Vanasek

The motion prevailed and the amendment was adopted.

Orenstein moved to amend H. F. No. 950, the first engrossment, as amended, as follows:

Page 2, after line 19, insert:

"Sec. 4. Minnesota Statutes 1988, section 363.01, is amended by adding a subdivision to read:

Subd. 41. [BUSINESS.] The term "business" includes any partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, or receiver, but excludes the state and its department, agencies, and political subdivisions."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 24, line 31, delete the first "and" and before the first semicolon insert " , and by adding a subdivision"

The motion prevailed and the amendment was adopted.

H. F. No. 950, A bill for an act relating to human rights; adopting federal fair housing amendments; clarifying the definition of disability; limiting the use of psychological tests; limiting age-related questions in employment applications; clarifying who is an aggrieved party for certain violations; clarifying burden on the employer to show a person's impairment is disqualifying; providing for service of subpoenas personally or by mail; allowing the commissioner discretion on access to data in closed files; changing contract compliance certification; clarifying the time period allowed for filing a private lawsuit; modifying notice requirements in certain human rights appeals; amending Minnesota Statutes 1988, sections 363.01, subdivisions 25, 25a, 31, and by adding a subdivision; 363.02, subdivisions 1, 2, 2a, 2b, and 6; 363.03, subdivisions 1, 3, 7, 8, and by adding subdivisions; 363.05, subdivision 2; 363.073, subdivisions 1 and 3; 363.117; 363.123; 363.14, subdivision 1; and 363.15; repealing Minnesota Statutes 1988, section 363.01, subdivisions 30 and 32.

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

The question was taken on the passage of the bill and the roll was called.

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

There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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.

The Speaker resumed the Chair.

S. F. No. 1031 which was temporarily laid over earlier today was again reported to the House.

Trimble moved to amend S. F. No. 1031, as follows:

Page 2, line 10, after "guards" insert ", including security guards at the Minnesota security hospital,"

The motion prevailed and the amendment was adopted.

S. F. No. 1031, A bill for an act relating to health; establishing notice requirements for emergency medical services personnel who are first responders; providing safeguards for first responders against exposure to infectious diseases; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the 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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Wynia moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Himle and Bauerly were excused for the remainder of today's session.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Wynia, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bills

as Special Orders to be acted upon immediately following Special Orders pending for today, Tuesday, May 9, 1989:

S. F. Nos. 886, 1269, 184 and 281; H. F. No. 1689; and S. F. No. 297.

SPECIAL ORDERS

S. F. No. 886, A bill for an act relating to insurance; township mutuals; permitting the directors to choose a manager who need not be a member of the board; expanding the permissible duties of the treasurer and manager; permitting township mutual fire insurance companies to cover certain secondary property; permitting township mutual insurance companies to insure secondary property outside the companies' territory under certain circumstances; setting forth a director's personal liability; amending Minnesota Statutes 1988, sections 67A.09, subdivision 1; 67A.12, subdivision 1; 67A.14, subdivisions 1 and 5; and 67A.17, subdivisions 2 and 3.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

The Speaker called Quinn to the Chair.

S. F. No. 1269 was reported to the House.

Price moved to amend S. F. No. 1269, as follows:

Page 1, line 13, before the period insert "in violation of section 2"

Page 1, line 23, before "CASH" delete "RECEIVING"

Page 1, line 23, after "CASH" insert "AWARDS"

Page 1, line 24, after "who" insert "awards or"

Page 3, line 3, after "of" delete remainder of line

Page 3, delete line 4

Page 3, line 5, before "is" insert "a violation of section 2, subdivision 1,"

Page 4, line 16, after "poker" delete "and" and insert "or video"

Amend the title as follows:

Page 1, line 2, after the second semicolon insert "prohibiting cash awards;"

Page 1, line 4, after the semicolon insert "prescribing a penalty;"

The motion prevailed and the amendment was adopted.

S. F. No. 1269, A bill for an act relating to gambling; video games of chance; requiring notice to the public and to employees of the consequences of participating in cash awards; amending Minnesota Statutes 1988, sections 349.51, subdivision 2; 349.53; and 349.56; proposing coding for new law in Minnesota Statutes, chapter 349.

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 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R.	Beard	Bennett	Bishop
Anderson, G.	Battaglia	Begich	Bertram	Blatz

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

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

S. F. No. 184 was reported to the House.

Bertram moved that S. F. No. 184 be continued on Special Orders. The motion prevailed.

S. F. No. 281 was reported to the House.

Rodosovich moved that S. F. No. 281 be continued on Special Orders. The motion prevailed.

H. F. No. 1689, A resolution memorializing the President and Congress of the United States to take action to review and revise the statutory framework of the laws of the United States with respect to hostile takeovers and stock accumulations having certain adverse effects and to permit certain state regulation.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 297, A bill for an act relating to game and fish; authorizing party hunting for small game; authorizing party fishing by angling; proposing coding for new law in Minnesota Statutes, chapters 97B and 97C.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Vellenga
WageniusWaltman
WeaverWelle
WenzelWilliams
WinterWynia
Spk. Vanasek

The bill was passed and its title agreed to.

There being no objection, S. F. No. 281 which was continued earlier today was again reported to the House.

S. F. No. 281, A bill for an act relating to agriculture; allowing nuisance free, pollution free, aesthetic disposal of solid waste on agricultural land by a person engaged in farming; requiring planning and providing technical and financial assistance for land application of certain solid wastes; requiring the pollution control agency to notify the commissioner of agriculture and hold public hearings on rules affecting farming operations; amending Minnesota Statutes 1988, sections 14.115, subdivision 1; 115A.46, subdivision 2; 115A.48, subdivisions 1, 2, and by adding a subdivision; and 116.07, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 17.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 127, A bill for an act relating to corporations; providing for the simplification of certain filings made with the office of the secretary of state; changing the recipients of certain notices; modifying the definition of address to include zip codes; appropriating money; amending Minnesota Statutes 1988, sections 302A.011, subdivision 3; 302A.123, subdivision 1; 302A.821, subdivision 1; 303.02, subdivision 5; 303.10, subdivision 2; 303.13, subdivision 2; 303.14, subdivision 1; and 303.17, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 5.

Reported the same back with the following amendments:

Page 6, line 6, before the second period insert "through June 30, 1991"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 215, A bill for an act relating to game and fish; providing for restitution for wild animals that are illegally killed or injured; restricting expenditures from restitution to replacement and propagation of wild animals illegally killed or injured; amending Minnesota Statutes 1988, section 97A.065, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the following amendments:

Page 3, line 15, delete "to 3" and insert "and 2" and delete "August" and insert "November"

Page 3, line 16, after the period insert "Section 3 is effective the day after final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

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

Reported the same back with the following amendments:

Page 2, lines 20 and 21, delete "15" and insert "17"

Page 2, line 25, delete "community groups,"

Page 2, line 26, after the comma, insert "three representatives of community groups or the public,"

Page 2, after line 27, insert:

"(c) At least four of the appointed members must reside outside the metropolitan area, as defined in section 473.121, subdivision 2."

Page 2, line 28, delete "(c)" and insert "(d)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 785, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Reported the same back with the following amendments:

Page 1, after line 15, insert:

"Subd. 3. Jay Dorman, Minnesota correctional facility - Stillwater, Box 55, Stillwater, Minnesota 55082, for loss of the tip of his left index finger, a disability of two and one-half percent of his whole body, while performing assigned duties at the Minnesota correctional facility - Stillwater \$1,875.00."

Renumber the subdivisions in sequence

Page 5, after line 1, insert:

"Sec. 3. [DEPARTMENT OF TRANSPORTATION.]

Subdivision 1. The sum set forth in this section is appropriated from the trunk highway fund to the commissioner of transportation for payment to the person named in full and final payment of a claim against the state. The appropriation is available until June 30, 1990.

Subd. 2. Slayton Township, c/o Gail Johanson, Clerk, Rural Route 1, Slayton, Minnesota 56172, for gravel and grading of township roads that were used as an alternative to a state-established detour route \$2,491.60."

Page 5, line 2, delete "3" and insert "4"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

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

Reported the same back with the following amendments:

Page 2, delete section 3

Page 2, line 27, delete "4" and insert "3"

Page 2, line 28, delete "\$" and insert "\$114,000"

Page 2, line 30, delete "\$" and insert "\$60,000"

Page 2, line 31, delete "\$" and insert "\$54,000"

Page 2, line 34, delete "for" and insert a period

Page 2, delete line 35

Amend the title as follows:

Page 1, delete line 7, and insert "subdivisions 1 and 9."

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 907, A bill for an act relating to public safety; providing for authority to regulate pipelines; imposing penalties; amending Minnesota Statutes 1988, sections 116I.01, subdivision 3; 116I.05; 216D.01, subdivisions 9 and 10, and by adding a subdivision; 299F.56, subdivisions 5 and 6a; 299F.57; 299F.59, subdivision 1; 299F.60; 299F.61; 299F.62; 299F.63; 299F.631; 299F.641; 299J.01; 299J.03, subdivision 2; 299J.04; 299J.06, subdivision 2; 299J.08; 299J.10; 299J.11; 299J.12; and 299J.16; proposing coding for new law in Minnesota Statutes, chapter 216D; repealing Minnesota Statutes 1988, sections 299J.05 and 299J.09.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 116I.01, subdivision 3, is amended to read:

Subd. 3. "Pipeline" means pipe a pipeline located in this state which is used to transport natural or synthetic gas at a pressure of more than 90 pounds per square inch, or to transport crude petroleum or petroleum fuels or oil or their derivatives, coal, anhydrous ammonia or any mineral slurry to a distribution center or storage facility which is located within or outside of this state. "Pipeline" does not include a pipeline owned or operated by a natural gas public utility as defined in section 216B.02, subdivision 4.

Sec. 2. Minnesota Statutes 1988, section 116I.05, is amended to read:

116L.05 [INTERSTATE GAS PIPELINES; FEDERAL EMINENT DOMAIN; CONDITIONS NOT APPLICABLE.]

Any person that proposes to construct or operate an interstate natural gas pipeline and that has power to acquire an easement or right-of-way agreement for that pipeline by an action in eminent domain under the authority of the federal Natural Gas Act, United States Code, title 15, chapter 15B, shall not be required to comply with the provisions of sections ~~116L.02~~ 116L.015 to 116L.04 as a condition of acquiring the easement or, right-of-way pursuant to that action, or route.

Sec. 3. Minnesota Statutes 1988, section 216D.01, is amended by adding a subdivision to read:

Subd. 1a. [COMMISSIONER.] "Commissioner" means the commissioner of public safety.

Sec. 4. Minnesota Statutes 1988, section 216D.01, subdivision 9, is amended to read:

Subd. 9. [OPERATOR.] "Operator" means a person who owns or operates an underground facility. A person is not considered an operator solely because the person is an owner or tenant of real property where underground facilities are located if the underground facilities are used exclusively to furnish services or commodities on that property, unless the person is the state, a state agency, or a local governmental unit.

Sec. 5. Minnesota Statutes 1988, section 216D.01, subdivision 10, is amended to read:

Subd. 10. [PERSON.] "Person" means the state, a public agency, a local governmental unit, an individual, corporation, partnership, association, or other business or public entity or a trustee, receiver, assignee, or personal representative of any of them.

Sec. 6. [216D.08] [CIVIL PENALTIES.]

Subdivision 1. [PENALTY.] A person who is engaged in excavation for remuneration or an operator other than an operator subject to section 11 who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed by the commissioner not to exceed \$500 for each violation per day of violation. An operator subject to section 11 who violates sections 216D.01 to 216D.07 is subject to a civil penalty to be imposed under section 299F.60.

Subd. 2. [SETTLEMENT.] The commissioner may negotiate a compromise settlement of a civil penalty. In determining the amount of the penalty, or the amount of the compromise settlement,

the commissioner shall consider the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. The contested case and judicial review provisions of chapter 14 apply to the orders of the commissioner imposing a penalty under sections 216D.01 to 216D.07. The amount of the penalty, when finally determined, may be deducted from sums owing by the state of Minnesota to the person charged.

Subd. 3. [CREDITED TO PIPELINE SAFETY ACCOUNT.] Penalties collected under this section must be deposited in the state treasury and credited to the pipeline safety account to be applied to the reduction of expenses or costs assessed by the commissioner against persons regulated under this chapter.

Subd. 4. [RULES.] The commissioner shall adopt rules establishing reasonable guidelines for imposing penalties. The rules must provide for notice that a penalty is assessed and may exempt activities from penalties unless the excavator or operator as defined in this section has evidenced a course of action in disregard of this chapter.

Sec. 7. [216D.09] [INJUNCTIVE RELIEF.]

Subdivision 1. [JURISDICTION.] The district courts of the state of Minnesota have jurisdiction, subject to the provisions of the statutes and the rules of practice and procedure of the state of Minnesota relative to civil actions in the district courts, to restrain violations of sections 216D.01 to 216D.07, on petition by the attorney general on behalf of the state of Minnesota. When practicable, the commissioner shall give notice to a person against whom an action for injunctive relief is contemplated and afford the person an opportunity to present views and, except in the case of a knowing and willful violation, shall afford the person reasonable opportunity to achieve compliance. However, the failure to give the notice and afford an opportunity to present views does not preclude the granting of appropriate relief.

Subd. 2. [VENUE.] Actions under this section must be brought in district court in the district where the defendant's principal place of business in the state is located, and process in these cases may be served in any other district in the state of Minnesota where the defendant may be found or in which the defendant is an inhabitant or transacts business.

Sec. 8. Minnesota Statutes 1988, section 299F.56, subdivision 5, is amended to read:

Subd. 5. "Transportation of gas" means the gathering, transmission, or distribution of gas or hazardous liquid by pipeline or its

storage; except that it shall not include any such transportation of gas or hazardous liquid which is subject to the jurisdiction of the Federal Power Energy Regulatory Commission under the Natural Gas Act of the United States and the federal Hazardous Liquid Pipeline Safety Act, or the gathering of gas or hazardous liquid in those rural locations which lie outside the limits of any incorporated or unincorporated city, town, or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development or any similar populated area which the state fire marshal office of pipeline safety may define as a nonrural area.

Sec. 9. Minnesota Statutes 1988, section 299F.56, subdivision 6a, is amended to read:

Subd. 6a. "Hazardous liquid pipeline facilities" includes, without limitation, new and existing pipe, rights-of-way, and any equipment, facility, or building used or intended for use in the transportation of hazardous liquids including transportation by gravity or at a stress level of 20 percent or less of the specified minimum yield strength of the pipe.

Sec. 10. Minnesota Statutes 1988, section 299F.57, is amended to read:

299F.57 [MINIMUM SAFETY STANDARDS; GAS PIPELINES.]

Subdivision 1. The commissioner shall, by order, may by rule establish minimum additional or more stringent safety standards for the transportation of gas and gas pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of gas pipeline facilities. These standards may include a requirement that individuals responsible for the operation and maintenance of gas pipeline facilities be tested for qualifications and certified to perform these functions. The standards may not prescribe the location or routing of a pipeline facility. Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted. Such safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the commissioner shall consider:

- (a) relevant available pipeline safety data;
- (b) whether such standards are appropriate for the particular type of pipeline transportation;
- (c) the reasonableness of any proposed standards;

(d) the extent to which any such standards will contribute to public safety; and

(e) the existing standards established by the Secretary of Transportation of the United States pursuant to the federal Natural Gas Pipeline Safety Act.

Provided, however, that the commissioner shall not be empowered to adopt any such standards as to the transportation of gas or to pipeline facilities which are subject to the jurisdiction of the Federal Energy Regulatory Commission under the Natural Gas Act of the United States, except as provided in sections 299J.01 to 299J.17.

Subd. 1a. [ADOPTION OF FEDERAL STANDARDS.] The federal safety standards adopted as Code of Federal Regulations, title 49, parts 191, 192, and 193, and standards that may be adopted that amend parts 191, 192, and 193, are adopted as minimum safety standards.

Subd. 2. Any standards prescribed under this section, and amendments thereto, shall become effective 30 days after the date of issuance of such standards unless the commissioner, for good cause recited, determines an earlier or later effective date is required as the result of the period reasonably necessary for compliance.

Subd. 3. The rulemaking, contested case and judicial review provisions of chapter 14, shall apply to all rules and orders establishing, amending, revoking, or waiving compliance with, any standard established under sections 299F.56 to 299F.64 299F.641 or any penalty imposed under sections 299F.56 to 299F.64 299F.641. The commissioner shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views or arguments, with opportunity to present oral testimony and argument.

Subd. 4. The commissioner, on finding a particular facility to be hazardous to life or property, shall be empowered to require the person operating such facility to take such steps necessary to remove such hazards.

Subd. 5. Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the commissioner may, after notice and opportunity for hearing and under such terms and conditions and to such extent as the commissioner deems appropriate, waive in whole or in part compliance with any standards established under sections 299F.56 to 299F.64, on determining that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The commissioner shall state the reasons for any such waiver.

Sec. 11. Minnesota Statutes 1988, section 299F.59, subdivision 1, is amended to read:

Subdivision 1. Each person who engages in the transportation of gas or hazardous liquids or who owns or operates gas or hazardous liquid pipeline facilities shall:

(a) (1) at all times after the date any applicable safety standard established under sections 299F.56 to 299F.641 takes effect comply with the requirements of such standard;

(b) (2) file and comply with a plan of inspection for operation and maintenance required by sections 299F.56 to 299F.641; and

(c) (3) permit access to or copying of records, and make reports or provide information, and permit entry or inspection, as required by sections 299F.56 to 299F.641 and the standards adopted or orders issued under sections 299F.56 to 299F.641; and

(4) comply with sections 216D.01 to 216D.07, the one call excavation notice system.

Sec. 12. Minnesota Statutes 1988, section 299F.60, is amended to read:

299F.60 [CIVIL PENALTIES.]

Subdivision 1. Any person who violates any provision of sections 299F.56 to 299F.64 299F.641, or any rule issued thereunder, shall be subject to a civil penalty to be imposed by the commissioner not to exceed \$10,000 for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed ~~\$200,000~~ \$500,000 for any related series of violations.

Subd. 2. The commissioner may negotiate a compromise settlement of a civil penalty. In determining the amount of such penalty, or the amount of the compromise settlement, the commissioner shall consider the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. The contested case and judicial review provisions of chapter 14 shall apply to all orders of the commissioner imposing any penalty under for violations of sections 299F.56 to 299F.64 299F.641 or under any rule promulgated thereunder. The amount of such penalty, when finally determined, may be deducted from any sums owing by the state of Minnesota to the person charged.

Subd. 3. No person shall be subjected to civil penalties under both sections 299F.56 to 299F.64 299F.641 and under Public Law Num-

ber 90-481, Statutes at Large, volume 82, page 720, 90th Congress, S. 1166, approved August 12, 1968 the federal Natural Gas Pipeline Safety Act or the federal Hazardous Liquid Pipeline Safety Act, for conduct which may give rise to a violation of both acts.

Subd. 4. All penalties collected under sections 299F.56 to 299F.64 299F.641 shall be paid over to the state treasurer for deposit in the state treasury to the credit of the pipeline safety account.

Subd. 5. [RULES.] The commissioner shall adopt rules establishing reasonable guidelines for imposing penalties. The rules must treat separately and distinguish between violations that relate to hazardous liquid pipelines, gas pipelines, and other pipelines; must provide for notice that a penalty is assessed; and may exempt activities from penalties unless the person has evidenced a course of action in disregard of this chapter.

Sec. 13. Minnesota Statutes 1988, section 299F.61, is amended to read:

299F.61 [INJUNCTIVE RELIEF.]

Subdivision 1. The district courts of the state of Minnesota shall have jurisdiction, subject to the provisions of the statutes and the rules of practice and procedure of the state of Minnesota relative to civil actions in the district courts, to restrain violations of sections 299F.56 to 299F.64 299F.641, including the restraint of transportation of gas or hazardous liquid or the operation of a pipeline facility, or to enforce standards established hereunder under sections 299F.56 to 299F.641 upon petition by the attorney general on behalf of the state of Minnesota. Whenever practicable, the commissioner shall give notice to any person against whom an action for injunctive relief is contemplated and afford the person an opportunity to present views, and, except in the case of a knowing and willful violation, shall afford the person reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

Subd. 2. Actions under sections 299F.56 to 299F.64 299F.641 shall be brought in the district in the state of Minnesota wherein the defendant's principal place of business is located, and process in such cases may be served in any other district in the state of Minnesota where the defendant may be found or of which the defendant is an inhabitant or transacts business.

Sec. 14. Minnesota Statutes 1988, section 299F.62, is amended to read:

299F.62 [PLAN FOR INSPECTION OPERATION AND MAINTENANCE; GAS PIPELINES.]

Each person who engages in the transportation of gas or who owns or operates gas pipeline facilities subject to sections 299F.56 to 299F.64 299F.641 shall prepare, maintain, carry out, and file with the commissioner a plan for inspection operation and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with the rules prescribed by the commissioner. On finding that such plan is inadequate to achieve safe operation, the commissioner shall, after notice and opportunity for a hearing, require such plan to be revised. The plan required by the commissioner shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, the commissioner shall consider the following:

(a) relevant available pipeline safety data;

(b) whether the plan is appropriate for the particular type of pipeline transportation;

(c) the reasonableness of the plan; and

(d) the extent to which such plan will contribute to public safety.

Sec. 15. Minnesota Statutes 1988, section 299F.63, is amended to read:

299F.63 [RECORDS AND REPORTS; INSPECTIONS; TRADE SECRETS.]

Subdivision 1. (a) The commissioner may, to the extent necessary to carry out the enforcement responsibilities of sections 299F.56 to 299F.641, conduct investigations, make reports, issue subpoenas, require the production of relevant documents and records, take depositions, and conduct research, testing, development, demonstration, and training activities.

(b) The commissioner may require each person who engages in the transportation of gas or hazardous liquid or who owns or operates gas pipeline facilities shall to establish and maintain such records, and to make such reports, and provide such information as to the commissioner may reasonably require. The records and other information must be made available as the commissioner orders to enable the commissioner to determine whether such the person has acted or is acting in compliance with sections 299F.56 to 299F.64 299F.641 and the standards established adopted or orders issued under sections 299F.56 to 299F.64 299F.641. Each such person shall, upon request of an officer, employee, or agent authorized by the commissioner, permit such officer, employee, or agent to inspect books, papers, records and documents relevant to determining

(c) Officers, employees, and agents authorized by the commis-

tioner, on presenting appropriate credentials to the person in charge, may enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of a person subject to regulation under sections 299F.56 to 299F.641 to the extent the records and properties are relevant to determine whether such the person has acted or is acting in compliance with those sections 299F.56 to 299F.64 and the standards established pursuant to adopted under those sections 299F.56 to 299F.64. For purposes of enforcement of sections 299F.56 to 299F.64, officers, employees, or agents authorized by the commissioner, upon presenting appropriate credentials to the individual in charge, are authorized to enter upon, at reasonable times, gas pipeline facilities, and to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

(d) An accident report made by an officer, employee, or agent of the office of pipeline safety is available for use in a civil, criminal, or other judicial proceeding arising out of the accident. The officer, employee, or agent may be required to testify in the proceedings as to the facts developed in the investigation. A report made available to the public need not identify individuals. Reports on research projects, demonstration projects, and other related activities are public information.

(e) All information reported to or otherwise obtained by the commissioner under sections 299F.56 to 299F.641 that contains or relates to a trade secret referred to in United States Code, title 18, section 1905, is confidential for the purpose of that section, and is private or nonpublic data as defined in section 13.02. However, the information may be disclosed to other officers or employees authorized to enforce sections 299F.56 to 299F.641. Nothing in this section authorizes the withholding of information by the commissioner from a duly authorized committee of the legislature or the United States Congress.

Subd. 2. The commissioner must establish and implement an inspection program to enforce the standards adopted under section 299F.57. The program must be established and implemented in a manner that complies with requirements for state certification under United States Code, title 49, section 1674. In the course of the exercise of duties and responsibilities under sections 299F.56 to 299F.64 299F.641, the commissioner shall wherever practicable employ a practice of spot checking and issuance of certificates of compliance, with respect to persons subject to sections 299F.56 to 299F.64, to limit costs of enforcement of the safety standards established pursuant to sections 299F.56 to 299F.64 299F.641.

Subd. 3. All information reported to or otherwise obtained by the commissioner or a representative, which contains or relates to a trade secret, as referred to in section 1905 of title 18 of the United

States Code, or otherwise constitutes a trade secret under law, shall be considered confidential for the purpose of such laws, and is private or nonpublic data as defined in section 13.02. This data may be disclosed to other officers or employees concerned with carrying out sections 299F.56 to 299F.64 or when relevant in any proceeding under sections 299F.56 to 299F.64.

Sec. 16. Minnesota Statutes 1988, section 299F.631, is amended to read:

299F.631 [INSPECTION FEE.]

Subdivision 1. [ASSESSMENT AND DEPOSIT OF FEE.] From each pipeline operator subject to the intrastate pipeline inspection authority under sections 299F.56 to 299F.641, the commissioner shall assess and collect an inspection fee in an amount calculated under subdivisions 2 and 4. The assessment of the inspection fee must be made no fewer than 30 days after the end of the quarter. If an operator does not pay the fee within 60 days after the assessment was mailed, the commissioner may impose a delinquency fee of ten percent of the quarterly inspection fee and interest at the rate of 15 percent per year on the portion of the fee not paid. Fees collected under this section must be credited to the pipeline safety account.

Subd. 2. [CALCULATION OF FEE.] (a) For each quarter that an inspection fee is to be assessed, the commissioner shall calculate the total actual expenses and obligations incurred by the office of pipeline safety in implementing sections 299F.56 to 299F.641. The calculation must not include:

- (1) expenses that will be reimbursed by the federal government;
- (2) expenses attributable to follow-up inspections necessitated by the failure of a pipeline facility to comply with safety standards;
- (3) expenses attributable to investigations of specific pipeline facilities;
- (4) expenses attributable to inspections of newly constructed pipelines over 2,000 feet in length;
- (5) expenses attributable to the inspection of facilities carrying liquefied natural gas, and hazardous liquids; and
- (6) expenses attributable to the inspection of facilities carrying liquefied petroleum gas, until the commissioner adopts a rule providing for metered billing of these facilities; and
- (7) expenses attributable to seeking and maintaining federal interstate agent status.

(b) The commissioner shall assess each pipeline operator for a pro rata share of the expenses and obligations calculated under paragraph (a), based on the number of meters in service on the preceding December 31.

(c) The expenses and obligations described in paragraph (a), clauses (2), (3), (4), and (5) must be directly charged to the appropriate pipeline operators on a quarterly basis. The expenses and obligations described in paragraph (a), clause (6), must be directly charged to the appropriate pipeline operators on a quarterly basis until the commissioner adopts a rule providing for metered billing of facilities carrying liquefied petroleum gas.

Subd. 3. [EMERGENCY RULES.] The commissioner ~~may~~ shall adopt ~~emergency~~ rules to implement this section.

Subd. 4. [SUPPORT COSTS.] The commissioner shall calculate the general support costs of the office of pipeline safety for the preceding quarter, and add to the inspection fee calculated under subdivision 2 the share of those costs that is proportionate to the amount of time spent by the office in implementing sections 299F.56 to 299F.641 with respect to that type of pipeline operator facility.

Sec. 17. Minnesota Statutes 1988, section 299F.641, is amended to read:

299F.641 [INTRASTATE HAZARDOUS LIQUID PIPELINES.]

Subdivision 1. [JURISDICTION.] The commissioner has regulatory jurisdiction over the safety standards and practices of intrastate hazardous liquid pipeline facilities and the transportation of hazardous liquids associated with those facilities.

Subd. 2. [FEDERAL STANDARDS ADOPTED.] The federal safety standards adopted as Code of Federal Regulations, title 49, part 195, and standards that may be adopted that amend part 195, are adopted as minimum safety standards. The commissioner ~~may~~ by rule adopt additional or more stringent safety standards for intrastate hazardous liquid pipeline facilities and the transportation of hazardous liquids associated with those facilities, if the state standards are compatible with the federal standards. The standards may not prescribe the location or routing of a pipeline facility.

Subd. 3. [ENFORCEMENT.] The commissioner must establish and implement an inspection program to enforce the standards adopted under subdivision 2. The program must be established and implemented in a manner that ~~fully~~ complies with requirements for state certification under United States Code, title 49, section 2004.

Subd. 4. [PROTECTION OF PIPELINE FACILITIES.] The com-

missioner must encourage and promote programs designed to prevent damage to hazardous liquid pipeline facilities as a consequence of demolition, excavation, tunneling, or construction activity.

Subd. 5. [INVESTIGATIONS; RECORD KEEPING.] (a) The commissioner may, to the extent necessary to carry out the enforcement responsibilities of this section, conduct investigations, make reports, issue subpoenas, conduct hearings, require the production of relevant documents and records, take depositions, and conduct research, testing, development, demonstration, and training activities.

(b) The commissioner may require each person who engages in the transportation of hazardous liquids or who owns or operates pipeline facilities to establish and maintain records, and to make reports and provide information to the commissioner. The records and other information must be made available as the commissioner orders to enable the commissioner to determine whether the person has acted or is acting in compliance with this section and the standards or orders adopted under this section.

(c) Officers, employees, or agents authorized by the commissioner, on presenting appropriate credentials to the person in charge, may enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent the records and properties are relevant to determine whether the persons have acted or are acting in compliance with this section and the standards adopted under this section.

(d) An accident report made by an officer, employee, or agent of the office of pipeline safety is available for use in any civil, criminal, or other judicial proceeding arising out of the accident. The officer, employee, or agent may be required to testify in the proceedings as to the facts developed in the investigation. A report made available to the public need not identify individuals. All reports on research projects, demonstration projects, and other related activities are public information.

(e) All information reported to or obtained by the commissioner under this subdivision that contains or relates to a trade secret referred to in United States Code, title 18, section 1905, is confidential for the purpose of that section, except that the information may be disclosed to other officers or employees concerned with enforcing this section. Nothing in this section authorizes the withholding of information by the commissioner from a duly authorized committee of the legislature.

Subd. 5a. [WAIVER.] On application of a person engaged in the transportation of hazardous liquid or the operation of hazardous liquid pipeline facilities, the commissioner may, after notice and opportunity for hearing and under terms and conditions and to the

extent the commissioner considers appropriate, waive in whole or in part compliance with standards established under this section, on determining that a waiver of compliance with a standard is consistent with hazardous liquid pipeline safety. The commissioner shall state the reason for a waiver.

Subd. 6. [INSPECTION OPERATION AND MAINTENANCE PLAN.] (a) Each person who engages in the transportation of hazardous liquids or who owns or operates hazardous liquid pipeline facilities must prepare, maintain, and carry out a current written plan for inspection operation and maintenance of each facility used in that transportation and owned or operated by that person as prescribed by the commissioner. The commissioner may, by regulation, also require persons who engage in the transportation of hazardous liquids or who own or operate pipeline facilities subject to this section to file the plans for approval. A plan required by this subdivision must be practicable, designed to meet the need for pipeline safety, and available to the commissioner on request. The plan must enhance the commissioner's ability to discover a condition that causes a significant change or restriction in the operation of the pipeline facilities or constitutes a hazard to life or property.

(b) If the commissioner finds that a plan required under this subdivision is inadequate to achieve safe operation of pipeline facilities, the commissioner may, after notice and opportunity for a hearing, require the plan to be revised. In determining the adequacy of a plan filed under this section, the commissioner shall consider:

- (1) relevant available pipeline safety data;
- (2) whether the plan is appropriate for the particular type of pipeline transportation or facility;
- (3) the reasonableness of the plan; and
- (4) the extent to which the plan will contribute to public safety.

Subd. 7. [ANNUAL CERTIFICATION REPORT.] The commissioner must file an annual certification report with the secretary of the federal Department of Transportation. The report must include:

- (1) the name and address of each person subject to the safety jurisdiction of the commissioner under this section;
- (2) all accidents or incidents reported during the preceding 12 months by each person that involved personal injury requiring hospitalization, fatality, or property damage exceeding \$5,000 (whether or not sustained by a person subject to the safety jurisdiction of the office), and all other significant accidents, together with

a summary of the commissioner's investigation as to the cause and circumstances surrounding the accident or incident;

(3) the record maintenance, reporting, and inspection program carried out by the commissioner to enforce compliance with the federal safety standards, including a detailed description of the number of inspections made of pipeline facilities during the preceding 12 months; and

(4) other information as the commissioner or federal law or rule may require.

The report included with the first annual certification need not show information unavailable at that time. is authorized to make certifications and reports to the United States Secretary of Transportation as may be required from time to time under the federal Hazardous Liquid Pipeline Safety Act.

Subd. 8. [CIVIL RELIEF.] The safety standards adopted under this section may be enforced as is provided for gas pipeline facilities under sections 299F.60 and 299F.61, and penalties collected must be paid to the commissioner for deposit in the state treasury and credit to the pipeline safety account.

Sec. 18. Minnesota Statutes 1988, section 299J.01, is amended to read:

299J.01 [AUTHORITY OF OFFICE OF PIPELINE SAFETY.]

The commissioner of public safety shall, to the extent authorized by agreement with the United States Secretary of Transportation, act as agent for the United States Secretary of Transportation to implement the federal Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and federal pipeline safety regulations with respect to interstate pipelines located within this state, ~~as necessary to obtain annual federal certification.~~ The commissioner shall, to the extent authorized by federal law, regulate pipelines in the state as authorized by sections 299J.01 to 299J.17 and 299F.56 to ~~299F.64~~ 299F.641.

Sec. 19. Minnesota Statutes 1988, section 299J.03, subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS.] (a) The director of the office must be knowledgeable in the operation and safety aspects of pipelines.

(b) Inspectors must have scientific or technical training or expe-

rience that demonstrates in-depth knowledge of pipeline engineering technology and pipeline safety.

(c) Inspectors shall complete courses at the transportation safety institute and be certified by the institute as soon as possible following appointment.

(d) Inspectors shall meet the qualifications established by the federal government in order for the state to participate in the pipeline safety grant programs under the federal Natural Gas Pipeline Safety Act and the federal Hazardous Liquid Pipeline Safety Act.

Sec. 20. Minnesota Statutes 1988, section 299J.04, is amended to read:

299J.04 [DUTIES OF THE OFFICE OF PIPELINE SAFETY.]

Subdivision 1. [GENERAL DUTIES.] The commissioner shall:

(1) promote the use of the 911 emergency telephone system as an appropriate method for the public to notify emergency responders of an emergency release;

(2) provide training on a regular basis to all potentially affected local governmental units in pipeline incident contingency planning and emergency response by itself or in cooperation with pipeline operators, other state offices, or local governmental units;

(3) require local governmental units to work with pipeline owners to provide a program of continuing public education on the subject of pipeline operation and safety;

(4) monitor and gather information on the development of reliable pipeline technologies capable of detecting and geographically locating pipeline releases, use the information gathered in the development of rules as provided in this section, and report to the legislature every two years in the manner provided by section 3.195 on the activities of the office under this clause;

(5) enforce sections 216D.01 to 216D.09, as provided in sections 216D.08 and 216D.09;

(2) maintain a data base of all pipeline emergency releases, which must be based on annual reports from all pipeline operators;

(6) (3) inspect, as necessary, any record, map, or written procedure required by sections 299J.01 to 299J.17 to be kept by a pipeline operator concerning the reporting of emergency releases, and the

design, construction, testing, or operation and maintenance of pipelines; and

(7) (4) adopt rules to implement sections 299J.01 to 299J.17.

The rules adopted under clause (7) (4) must treat separately and distinguish between hazardous liquid and gas pipelines and must be compatible with federal laws and regulations.

Subd. 2. [DELEGATED DUTIES.] The commissioner shall seek and accept federal designation of the office's pipeline inspectors as federal agents for the purposes of enforcement of the federal Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and federal rules adopted to implement those acts. The commissioner shall establish and submit to the United States Secretary of Transportation an inspection program that complies with requirements for delegated interstate agent inspection authority. To the extent that federal delegation of interstate agent inspection authority permits, the inspection program for interstate pipelines must be the same as the inspection program for intrastate pipelines. If the United States Secretary of Transportation delegates inspection authority to the state as provided in this subdivision, the commissioner, at a minimum, shall do the following to carry out the delegated federal authority:

(1) inspect pipelines periodically at times determined by rules of the commissioner as specified in the inspection program;

(2) collect inspection fees; and

(3) order and oversee the testing of pipelines as provided in rules adopted under this section authorized by federal law and regulations; and

(4) file reports with the United States Secretary of Transportation as required to maintain the delegated inspection authority.

Subd. 3. [RULEMAKING CONTINGENT ON FEDERAL AUTHORITY.] (a) The commissioner shall consider adoption of rules on subjects in this subdivision if federal law authorizes the state regulation. The rules must treat separately and distinguish between hazardous liquid and gas pipelines.

(b) The commissioner shall consider higher safety margin requirements for operating pressures on pipelines located in populated or environmentally sensitive areas.

(c) The commissioner shall consider having pipeline operators

periodically submit comprehensive reports to the office on the condition of their pipelines, and requiring appropriate pipeline testing based on concerns identified in these reports. The testing requirements must apply more strictly to pipelines in populated or environmentally sensitive areas.

(d) The commissioner shall consider methods for pipeline operators to improve their ability to rapidly locate and isolate releases. The methods must include:

(1) remote control shutoff valves on all new pipelines, with the distance between the valves dependent on the type and density of development, the presence of environmentally sensitive areas; and the application of appropriate engineering standards;

(2) remotely monitored pressure gauges and flow meters installed at each pump station and remote valve location;

(3) specific emergency response procedures and training requirements for shutting down pumps; and

(4) use of reliable technology for detecting and geographically locating releases, and for shutting appropriate valves as rapidly as possible.

(e) The commissioner shall consider standards for the manufacture of pipe used in pipelines, pipeline construction, and pipeline operation. Best available technology in pipe manufacture, pipeline construction, and pipeline reconstruction must be required and developed in consultation with the commissioner of labor and industry.

Subd. 4. [RELATION TO OTHER LAW.] Rules adopted to implement sections 299J.01 to 299J.17 must be consistent with sections 299F.56 to 299F.64 to the extent that the rules deal with pipelines governed by those sections.

Sec. 21. Minnesota Statutes 1988, section 299J.05, is amended to read:

299J.05 [PIPELINE SETBACK ORDINANCE.]

(a) The commissioner shall adopt, by December 31, 1990, a model ordinance under chapter 14 requiring a setback from pipelines in areas where residential or other development is allowed. The model ordinance must apply only to new development and not to development that has occurred, or for which development permits have been issued, before the effective date of the ordinance.

(b) By August 1, 1989 1991, each statutory or home rule charter

city, town, or county that has planning and zoning authority under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.365, and in which a pipeline is located, shall adopt a pipeline setback ordinance that meets or exceeds the minimum standards of the model ordinance and is approved by the commissioner. The model ordinance applies in a jurisdiction where the local governmental unit does not adopt a setback ordinance that is approved by the commissioner by August 1, ~~1989~~ 1991.

Sec. 22. Minnesota Statutes 1988, section 299J.06, subdivision 2, is amended to read:

Subd. 2. [POWERS AND DUTIES.] The council shall advise the commissioner, director, and other appropriate federal, state, and local government agencies and officials on matters relating to pipeline safety and operation. The council shall advise the environmental quality board on implementation of sections 116I.015 and 116I.02, subdivisions 2 and 3, and the director and commissioner on the implementation of sections 216D.01 to 216D.07, 299F.56 to ~~299F.64~~ 299F.641, and 299J.01 to 299J.17, and shall review and comment on proposed rules and on the operation of the office of pipeline safety.

Sec. 23. Minnesota Statutes 1988, section 299J.08, is amended to read:

299J.08 [COMMISSIONER TO REPORT RELEASE; ADVICE AND COORDINATION.]

Upon receiving notice of an emergency release, the commissioner or a designee shall immediately report the emergency release to the emergency responder of the appropriate local government governmental unit, to the pollution control agency if the notice of the release is required by section 115.061, and to any other person or office, as provided by the rules or procedures of the office of pipeline safety. A pipeline operator's report of an emergency release to the commissioner satisfies the notification requirements of section 115.061. The commissioner shall advise the emergency responder concerning appropriate emergency procedures and coordinate the procedures. The commissioner shall also coordinate responses to pipeline accidents with the federal government according to procedures established by the United States Secretary of Transportation.

Sec. 24. Minnesota Statutes 1988, section 299J.10, is amended to read:

299J.10 [LOCAL GOVERNMENT EMERGENCY RESPONSE OPERATIONS PLAN.]

(a) A local governmental unit county or statutory or home rule

charter city having a pipeline within its jurisdiction shall prepare a pipeline release an emergency response operations plan and supporting documents that will include appropriate pipeline safety information. The format and content of the plan and supporting documents must be in agreement with the guidance and prototype planning documents provided by the department of public safety, division of emergency management. The local governmental unit county or statutory or home rule charter city must consult with the pipeline owner or operator when preparing the plan. Preparation of the plan must be coordinated by the county traversed by the pipeline for the other local governmental units within that county. The commissioner shall prescribe rules for the content of the plan. The plan must be completed and adopted by local governmental units within six months after the effective date of the rules prescribing the contents of the plan.

(b) A local governmental unit county or statutory or home rule charter city shall review and update its plan and supporting documents annually and amend it to reflect changes in the operation of the local governmental unit its operations, in the operation of the pipeline, or other matters relating to pipeline public safety. The annual review, update, and approval of the plan and supporting documents must be in accord with the guidance provided by the department of public safety, division of emergency management. The director may at any reasonable time examine a response an emergency operations plan required by this section.

Sec. 25. Minnesota Statutes 1988, section 299J.11, is amended to read:

299J.11 [ADOPTION OF FEDERAL PIPELINE INSPECTION RULES.]

To enable the state to act as an agent of the United States Secretary of Transportation and to qualify for annual federal certification to enforce the federal pipeline inspection program authorized by the Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and the rules implementing those acts, the federal pipeline inspection rules and safety standards, and regulations and standards that may be adopted that amend them, are adopted.

Sec. 26. Minnesota Statutes 1988, section 299J.12, is amended to read:

299J.12 [INTERSTATE PIPELINE INSPECTION FEE.]

Subdivision 1. [ASSESSMENT AND DEPOSIT OF FEE.] For each year quarter following the delegation to the state of the inspection authority described in section 299J.04, the commissioner

shall assess and collect from every interstate pipeline operator an inspection fee in an amount calculated under ~~subdivision~~ subdivisions 2 and 3. If an operator does not pay the fee within 60 days after the assessment was mailed, the commissioner may impose a delinquency fee of ten percent of the ~~annual~~ quarterly inspection fee and interest at the rate of 15 percent per year on the portion of the ~~annual~~ fee not paid. Fees collected by the commissioner under this section must be deposited in the pipeline safety account.

Subd. 2. [CALCULATION OF INSPECTION FEE.] For interstate pipelines subject to the inspection authority granted under sections 299J.01 to 299J.11, ~~for each calendar year that an inspection fee is to be assessed, the commissioner shall calculate the total number of miles of pipeline to be inspected, the total cost of inspection, and the percentage of the total miles to be inspected that are or will be operated by each pipeline operator. Each pipeline operator must be assessed a portion of the total inspection costs equal to the percentage of the total miles of pipeline to be operated by the pipeline operator, but the total fee may not exceed \$5 for each mile of the operator's pipeline the expenses attributable to the inspection of each pipeline facility must be directly charged to the appropriate pipeline operators on a quarterly basis. The expenses must not include expenses that will be reimbursed by the federal government.~~

Subd. 3. [SUPPORT COSTS.] The commissioner shall calculate the amount of the general support costs of the office of pipeline safety for the preceding quarter that is proportionate to the amount of time spent by the office in implementing sections 299J.01 to 299J.18 and maintaining interstate agent status, including the costs incurred in seeking federal interstate agent status in the first quarter's calculations. The costs incurred in seeking federal interstate agent status must include the costs directly attributable to salaries, training, and other activities and costs related to obtaining interstate agent status, from the time that the request for interstate agent status is submitted by the commissioner to the United States Department of Transportation, to the time that approval of interstate agent status is granted. The calculated support cost must not include expenses that will be reimbursed by the federal government. Each interstate pipeline operator must be assessed on a quarterly basis a portion of the calculated support costs equal to the percentage of the total miles of pipeline operated by the pipeline operator in Minnesota.

Sec. 27. Minnesota Statutes 1988, section 299J.16, is amended to read:

299J.16 [CIVIL PENALTY; INJUNCTIVE RELIEF.]

Subdivision 1. [CIVIL PENALTY.] (a) A pipeline operator who violates section 299J.07, subdivision 1, ~~299J.09~~, or 299J.15, or the rules of the commissioner implementing those sections, shall forfeit

and pay to the state a civil penalty in an amount to be determined by the court as follows:

(1) for a violation of section 299J.09, up to \$10,000 for each day that the operator remains in violation; and

(2) for a violation of section 299J.07, subdivision 1, or 299J.15, up to \$100,000, subject to a maximum of \$500,000 for each violation a related series of violations.

(b) The penalty provided under this subdivision may be recovered by an action brought by the attorney general at the request of the commissioner, in the name of the state, in connection with an action to recover expenses of the director under section 299J.13, subdivision 4, or by a separate action:

(1) in the district court of Ramsey county; or

(2) in the county of the defendant's residence.

Subd. 2. [ACTION TO COMPEL PERFORMANCE; INJUNCTIVE RELIEF.] A person who fails to perform an act required by section 299J.09, 299J.13, or 299J.15, or the rules of the commissioner implementing those sections, may be compelled to do so by an action in district court brought by the attorney general at the request of the commissioner, in the name of the state.

Sec. 28. [REPEALER.]

Minnesota Statutes 1988, section 299J.09, is repealed."

Delete the title and insert:

"A bill for an act relating to public safety; providing for authority to regulate pipelines; imposing penalties; amending Minnesota Statutes 1988, sections 116I.01, subdivision 3; 116I.05; 216D.01, subdivisions 9, 10, and by adding a subdivision; 299F.56, subdivisions 5 and 6a; 299F.57; 299F.59, subdivision 1; 299F.60; 299F.61; 299F.62; 299F.63; 299F.631; 299F.641; 299J.01; 299J.03, subdivision 2; 299J.04; 299J.05; 299J.06, subdivision 2; 299J.08; 299J.10; 299J.11; 299J.12; and 299J.16; proposing coding for new law in Minnesota Statutes, chapter 216D; repealing Minnesota Statutes 1988, section 299J.09."

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

H. F. No. 1046, A bill for an act relating to motor vehicles; setting fee for inspection of certain motor vehicles for which salvage certificate of title has been issued; amending Minnesota Statutes 1988, section 168A.152.

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

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

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

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

The report was adopted.

Anderson, G., from the Committee on Appropriations to which was referred:

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

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 127, 215, 341, 785, 892, 907, 1046, 1280 and 1461 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 931, A bill for an act relating to motor vehicles; requiring owner to retain certificate of title, rather than secured party; requiring buyer to deliver certificate of title to department of public safety; allowing commissioner of public safety to suspend or revoke certificate of title if owner does not surrender it and vehicle is involuntarily transferred; amending Minnesota Statutes 1988, sections 168A.02, subdivision 1; 168A.04, subdivision 2; 168A.05, subdivision 5; 168A.06; 168A.09; 168A.10; 168A.11, subdivision 1; 168A.12, subdivision 2; 168A.14; 168A.18; 168A.20, subdivision 1, and by adding subdivisions; 168A.23, subdivision 1; repealing Minnesota Statutes 1988, sections 168A.26; 168A.27; and 168A.28.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kalis moved that the House concur in the Senate amendments to H. F. No. 931 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 931, A bill for an act relating to motor vehicles; requiring owner to retain certificate of title, rather than secured party; requiring buyer to deliver certificate of title to department of public safety; requiring a form for disclosure of the condition of a vehicle's pollution control equipment on the certificate of title; allowing commissioner of public safety to suspend or revoke certificate of title if owner does not surrender it and vehicle is involuntarily transferred; amending Minnesota Statutes 1988, sections 168A.02, subdivision 1; 168A.04, subdivision 2; 168A.05, subdivision 5, and by adding a subdivision; 168A.06; 168A.09; 168A.10; 168A.11, subdivision 1; 168A.12, subdivision 2; 168A.14; 168A.18; 168A.20, subdivision 1, and by adding subdivisions; 168A.23, subdivision 1; repealing Minnesota Statutes 1988, sections 168A.26; 168A.27; and 168A.28.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 472, A bill for an act relating to transportation; motor carriers; increasing maximum length of certain semitrailers; defining mobile cranes and providing for their maximum length; requiring a highway cost allocation study; amending Minnesota Statutes 1988, sections 169.01, by adding a subdivision; 169.81, subdivision 2; and 169.86, subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kalis moved that the House refuse to concur in the Senate amendments to H. F. No. 472, 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.

The Speaker resumed the Chair.

GENERAL ORDERS

Wynia moved that the bills on General Orders for today be continued. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 372:

Kahn; Battaglia; Solberg; Carlson, D., and Osthoff.

MOTIONS AND RESOLUTIONS

Sviggum moved that the name of Swenson be added as an author on H. F. No. 1710. The motion prevailed.

Anderson, G., moved that S. F. No. 1105 be recalled from the Committee on Appropriations and together with H. F. No. 1280, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Anderson, G., moved that S. F. No. 299 be recalled from the Committee on Appropriations and together with H. F. No. 215, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Skoglund moved that H. F. No. 151 be returned to its author. The motion prevailed.

Olsen, S., moved that H. F. No. 325 be returned to its author. The motion prevailed.

Simoneau moved that S. F. No. 783, now on General Orders, be re-referred to the Committee on Governmental Operations. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

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, subdivi-

sions 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, and 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.

PATRICK E. FLAHAVER, Secretary of the Senate

Anderson, G., moved that the House refuse to concur in the Senate amendments to H. F. No. 1759, 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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1759:

Greenfield, Rodosovich, Murphy, Jennings and Anderson, R.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, May 10, 1989. The motion prevailed.

Wynia moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, May 10, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives