

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION—1989

FIFTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 15, 1989

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

Prayer was offered by Father Timothy L. Hodapp of Queen of Angels Catholic Church, Austin, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Neuenschwander was excused.

Hugoson was excused until 2:35 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 391, 618, 633, 121, 235, 354, 408, 927, 1764, 66, 189, 535, 629, 878 and 1181 and S. F. Nos. 775, 784, 1435, 84, 764, 989, 54, 957 and 1221 have been placed in the members' files.

S. F. No. 54 and H. F. No. 7, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Forsythe moved that the rules be so far suspended that S. F. No. 54 be substituted for H. F. No. 7 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 764 and H. F. No. 988, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Gruenes moved that the rules be so far suspended that S. F. No. 764 be substituted for H. F. No. 988 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1435 and H. F. No. 1641, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Blatz moved that the rules be so far suspended that S. F. No. 1435 be substituted for H. F. No. 1641 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. 515, A bill for an act relating to judicial procedure; clarifying, modifying, and recodifying tax court powers and procedures; making technical corrections and eliminating redundant and unnecessary language and obsolete references; amending Minnesota Statutes 1988, sections 270.07, subdivision 1; 270.10, by adding a subdivision; 271.01, subdivisions 1 and 5; 271.02; 271.04; 271.06, subdivisions 1, 2, 3, and 7; 271.07; 271.13; 271.15; 271.17; 271.18; 271.21, subdivisions 2 and 10; 277.011, subdivision 7; 278.01, subdivision 1; 278.02; 278.05, subdivision 4; 278.08, subdivision 1; 297.43, subdivision 1; and 297C.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Minnesota Statutes 1988, sections 60A.151; 271.01, subdivision 6; 271.061; 271.21, subdivision 4; and 271.22.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [270.021] [EX-OFFICERS AND EX-EMPLOYEES NOT TO REPRESENT CLIENTS; PENALTY.]

An officer or employee of the department of revenue may not, for a period of one year after the term of office has ended or employment has terminated, act as counsel, attorney, or agent for a taxpayer in connection with a claim or proceeding pending in the department. An officer or employee of the department of revenue may not act as counsel, attorney, or agent for a taxpayer at any time after termination of the office or employment in connection with a claim or proceeding of which the person has knowledge that was acquired during the term of office or employment. A violation of this section is a gross misdemeanor.

Sec. 2. [270.022] [FILING OFFICERS.]

The commissioner of revenue is the filing officer and custodian of the books, files, and records of the department of revenue. The commissioner may certify copies of the books, files, and records in the custody of the commissioner for all purposes in the same manner as other custodians of public records. The commissioner may authorize other officers or employees of the department of revenue to certify books, files, and records in the custody of the commissioner. The authorization must be made by a written order stating the documents that may be certified and must be filed with the secretary of state.

Sec. 3. [270.0601] [TAX COURT APPEALS.]

The powers of examination, investigation, and subpoena, and the power to administer oaths and take testimony granted to the commissioner of revenue and officers and employees of the department of revenue in section 270.06 do not apply to a matter that has been appealed to the tax court.

Sec. 4. Minnesota Statutes 1988, section 270.07, subdivision 1, is amended to read:

Subdivision 1. (a) The commissioner of revenue shall prescribe the form of all blanks and books required under this chapter and shall hear and determine all matters of grievance relating to taxation. Except as otherwise provided by law, the commissioner shall have power to grant such reduction or abatement of gross tax capacities or taxes and of any costs, penalties or interest thereon as the commissioner may deem just and equitable, and to order the refundment, in whole or in part, of any taxes, costs, penalties or interest thereon which have been erroneously or unjustly paid. Application therefor shall be submitted with a statement of facts in the case and the favorable recommendation of the county board or of the board of abatement of any city where any such board exists, and the county auditor of the county wherein such tax was levied or paid. In the case of gross earnings taxes the application may be made directly to the commissioner without the favorable action of the county board and county auditor, and the commissioner shall direct that any gross earnings taxes which may have been erroneously or unjustly paid shall be applied against unpaid taxes due from the applicant for such refundment. In the case of taxes other than gross earnings taxes, the order may be made only on application and approval as provided in this paragraph. No reduction, abatement, or refundment of any special assessments made or levied by any municipality for local improvements shall be made unless it is also approved by the board of review or similar taxing authority of such municipality.

(b) The commissioner has the power to grant reductions or abatements of gross earnings tax. An application for reduction of gross earnings taxes may be made directly to the commissioner without the favorable action of the county board and county auditor. The commissioner shall direct that any gross earnings taxes that may have been erroneously or unjustly paid be applied against unpaid taxes due from the applicant.

(c) The commissioner shall forward to the county auditor a copy of the order made by the commissioner in all cases in which the approval of the county board is required.

(d) The commissioner may refer any question that may arise in reference to the true construction of this chapter to the attorney general, and the decision thereon shall be in force and effect until annulled by the judgment of a court of competent jurisdiction. The commissioner shall forward to the county auditor a copy of the order

by the commissioner made in all cases in which the approval of the county board is required.

(e) The commissioner may by written order abate, reduce, or refund any penalty or interest imposed by any law relating to taxation, if in the commissioner's opinion the failure to timely pay the tax or failure to timely file the return is due to reasonable cause. Such order shall, in the case of real and personal property taxes, be made only on application and approval as provided in this section; in the case of all other taxes, such The order shall be made on application of the taxpayer to the commissioner and,

(f) If the an order issued under this subdivision is for an abatement, reduction or refund of over \$5,000, it shall be valid only if approved in writing by the attorney general.

(g) An appeal may not be taken to the tax court from any order of the commissioner of revenue made in the exercise of the discretionary authority granted in this subdivision paragraph (a) with respect to the reduction or abatement of real or personal property taxes in response to a taxpayer's application for an abatement, reduction or refund of taxes, gross tax capacities, costs, penalties or interest.

Sec. 5. Minnesota Statutes 1988, section 270.10, is amended by adding a subdivision to read:

Subd. 1a. [NOTIFICATION TO TAXPAYER.] At the same time that notice of the assessment, determination, or order of the commissioner is given to a taxpayer, the taxpayer must be notified in writing of the right to appeal to the tax court, and if applicable, to the small claims division. In any notice of assessment, determination, or order dealing with property valuation or assessment for property tax purposes by the commissioner of revenue or a local unit of government, the taxpayer must be notified in writing that a taxpayer must appeal to the town or city board of equalization and to the county board of equalization before appealing to the small claims division of the tax court, except for those taxpayers whose original assessments are determined by the commissioner of revenue.

Sec. 6. Minnesota Statutes 1988, section 271.01, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP, APPOINTMENT, QUALIFICATIONS.] There is hereby created a tax court as an independent agency of the executive branch of the government. The tax court is a court of record. The tax court shall consist of three judges, each of whom shall be a citizen of the state, appointed by the governor, by and with the advice and consent of the senate, for a term of six years commencing at the expiration of the preceding term. Any vacancy shall be filled by the governor for the unexpired term, subject to

confirmation by the senate. The terms of the judges shall end on the first Monday in January. The terms of the judges shall be staggered. The initial three terms to be filled pursuant to Laws 1977, chapter 307 will expire on the first Monday in January in the following years: 1979, 1981, and 1983, the term of one judge expiring on the first Monday of each odd-numbered year. Judges may serve until their successors are appointed and qualify. They shall be selected on the basis of their experience with and knowledge of taxation and tax laws. The judges of the tax court shall be subject to the provisions of the Minnesota Constitution, article VI, section 6, the jurisdiction of the commission on judicial standards, as provided in sections 490.15 and 490.16, and the provisions of the code of judicial conduct.

Sec. 7. Minnesota Statutes 1988, section 271.01, subdivision 5, is amended to read:

Subd. 5. [JURISDICTION.] The tax court shall have statewide jurisdiction. Except for an appeal to the supreme court or any other appeal allowed under this subdivision, the tax court shall be the sole, exclusive, and final authority for the hearing and determination of all questions of law and fact arising under the tax laws of the state, as defined in this subdivision, in those cases that have been appealed to the tax court and in any case that has been transferred by the district court to the tax court. The tax court shall have no jurisdiction in any case that does not arise under the tax laws of the state or in any criminal case or in any case determining or granting title to real property or in any case that is under the jurisdiction of the probate court. The small claims division of the tax court shall have no jurisdiction in any case dealing with property valuation or assessment for property tax purposes until the taxpayer has appealed the valuation or assessment to the town or city board of equalization and to the county board of equalization, except for those taxpayers whose original assessments are determined by the commissioner of revenue. The tax court shall have no jurisdiction in any case involving an order of the state board of equalization unless a taxpayer contests the valuation of property. Only the Laws governing taxes, aids, and related matters contained in chapters 60A, 69, 124, 270, 272, 273, 274, 275, 276, 277, 278, 279, 285, 287, 288, 290, 290A, 291, 292, 293, 294, 295, 296, 297, 297A, 297B, 297C, 297D, 298, 299, 299F, 473, 473F, and 477A administered by the commissioner of revenue, laws dealing with property valuation, assessment or taxation of property for property tax purposes, and any other laws that contain provisions authorizing review of taxes, aids, and related matters by the tax court shall be considered tax laws of this state subject to the jurisdiction of the tax court. This subdivision shall not be construed to prevent an appeal, as provided by law, to an administrative agency, board of equalization, or to the commissioner of revenue. Wherever used in this chapter, the term commissioner shall mean the commissioner of revenue, unless otherwise specified.

Sec. 8. Minnesota Statutes 1988, section 271.02, is amended to read:

271.02 [OFFICERS.]

The judges of the tax court shall choose a chief judge of the tax court. The chief judge of the tax court shall appoint one of the judges to serve as the administrator, who shall be custodian of the court's files and records and shall coordinate and make hearing assignments. The administrator may, and appoint employees who shall be in the unclassified service. The chief judge who is appointed the administrator may delegate administrative duties to the employees appointed and may select one employee to act in the administrator's place as the assistant administrator. The court administrator of district court in each county shall be the court administrator of the tax court in that county. Filing fees and library fees deposited with the court administrator of district court in the capacity of court administrator of the tax court and in cases originally commenced in district court and transferred to the tax court shall be retained by the court administrator of district court. The court administrator of the tax court in each county shall be subject to the supervision of the administrator in tax court matters.

Sec. 9. Minnesota Statutes 1988, section 271.04, is amended to read:

271.04 [HEARINGS.]

The tax court shall hold hearings and meetings as may be prescribed by the rules of the tax court. The principal office of the tax court shall be at the capitol in Saint Paul, but it shall hold hearings at any other place within the state, so that taxpayers may appear before the court with as little inconvenience and expense to the taxpayer as is practicable. The tax court shall be allowed to use the district court and county court court room in all of the counties. The administrator of the tax court shall consult with the court administrator of the district and county court judges involved before a schedule of court room to be used by the tax court is established. Each tax court judge may hear and decide cases. Upon petition by a party to a case, or upon a motion by a tax court judge, and approval by a majority of the tax court, a case may be tried before the entire tax court. When an appeal is taken by a resident taxpayer from an order of the commissioner, not involving property taxes, venue for the case shall be, at the election of the taxpayer, in Ramsey county or in the district court judicial district in which the taxpayer resides. Venue shall be in Ramsey county for an appeal taken by a nonresident taxpayer from an order of the commissioner. Venue for all other cases arising under the tax laws of the state shall be in the same judicial district as if the case was being tried in district court.

Sec. 10. Minnesota Statutes 1988, section 271.06, subdivision 1, is amended to read:

Subdivision 1. [MANNER.] Except as otherwise provided by in

section 270.07, subdivision 1, paragraph (a), or any other law, an appeal to the tax court may be taken, in the manner herein provided, from any official order of the commissioner of revenue respecting any tax, fee, or assessment, or any matter pertaining thereto, including the imposition of interest and penalty, or any matter concerning the tax laws listed in over which the court is granted jurisdiction under section 271.01, subdivision 5, by any person directly interested therein or affected thereby, or by any political subdivision of the state, directly or indirectly, interested therein or affected thereby, or by the attorney general in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the attorney general, upon request, shall refuse to appeal. Notwithstanding subdivision 2, when an appeal is taken to the tax court in any case dealing with property valuation, assessment, or taxation for property tax purposes, the provisions of section 274.19, subdivisions 4 and 5, section 277.011, and chapter 278 shall apply as if the appeal had been taken to the district court.

Sec. 11. Minnesota Statutes 1988, section 271.06, subdivision 2, is amended to read:

Subd. 2. [TIME; NOTICE; INTERVENTION.] Except as otherwise provided by law, within 60 days after notice of the making and filing of an order of the commissioner of revenue, the appellant, or the appellant's attorney, shall serve a notice of appeal upon the commissioner and file the original, with proof of such service, with the tax court administrator or with the court administrator of district court acting as court administrator of the tax court; provided, that the tax court judge, for cause shown, may by written order extend the time for appealing for an additional period not exceeding 30 days. The notice of appeal shall be in the form prescribed by the tax court. Within five days after receipt, the commissioner shall transmit a copy of the notice of appeal to the attorney general in all cases where the amount at issue exceeds \$100. The attorney general shall represent the commissioner, if requested, upon all such appeals except in cases where the attorney general has appealed in behalf of the state, or in other cases where the attorney general deems it against the interests of the state to represent the commissioner, in which event the attorney general may intervene or be substituted as an appellant in behalf of the state at any stage of the proceedings.

Upon a final determination of any other matter concerning the tax laws listed in over which the court is granted jurisdiction under section 271.01, subdivision 5, the taxpayer or the taxpayer's attorney shall file a petition or notice of appeal as provided by law with the court administrator of district court, acting in the capacity of court administrator of the tax court, with proof of service of the petition or notice of appeal as required by law and within the time required by law. As used in this subdivision, "final determination" includes a notice of assessment and equalization for the year in question

received from the local assessor, an order of the local board of equalization, or an order of a county board of equalization.

The tax court shall prescribe a filing system so that the notice of appeal or petition filed with the district court administrator acting as court administrator of the tax court is forwarded to the tax court administrator. In the case of an appeal or a petition concerning property valuation for which the assessor, a local board of equalization, a county board of equalization or the commissioner of revenue has issued an order, the officer issuing the order shall be notified of the filing of the appeal. The notice of appeal or petition shall be in the form prescribed by the tax court.

Sec. 12. Minnesota Statutes 1988, section 271.06, subdivision 3, is amended to read:

Subd. 3. [PLEADINGS.] Within 20 30 days after the service and filing of the notice of appeal, unless the appeal be theretofore dismissed, the commissioner or the appropriate unit of government shall make, certify, and file with the tax court a return comprising composed of a copy of any application or petition by which the proceeding was instituted and of any other material paper preceding the order of the commissioner or the appropriate unit of government, a copy of the order appealed from, a statement of each finding of fact and ruling of law made by the commissioner or the appropriate unit of government in the matter, all relevant correspondence or other communication, and a denial, admission, or explanation with respect to each allegation of fact in the notice so far as not covered by the order or findings; provided, that any judge of the tax court, for cause shown, may extend the time for filing such return for an additional period not exceeding 30 days. Where the commissioner is required to transmit a copy of the notice of appeal to the attorney general, the commissioner shall, within ten days after service of the notice of appeal upon the commissioner, transmit to the attorney general a complete copy of all papers required for the return. Allegations of new matter in the return shall be deemed to be denied by the appellant.

Sec. 13. Minnesota Statutes 1988, section 271.06, subdivision 7, is amended to read:

Subd. 7. [RULES.] The rules of evidence and civil procedure for the district court of Minnesota shall govern the procedures in the tax court, where practicable. The rules of the tax court in effect on July 1, 1977 shall govern until superseded. The tax court may make additional rules when the law or special circumstances so require, provided that before any additional rule is adopted, the tax court first holds a public hearing thereon, affording all affected interests an opportunity to participate, and gives notice of its intention to hold a hearing at least 30 days prior to the date set for the hearing by United States mail, to representatives of associations or other

interested groups or persons who have registered their names with the court for that purpose and in the state register. The notice in the state register shall include the full text of the rule proposed for adoption. The tax court shall make available at least one free copy of the proposed rule to any person requesting it. At the public hearing the tax court shall make an affirmative presentation of facts establishing the need for and reasonableness of the rule proposed for adoption and fulfilling any relevant substantive or procedural requirements imposed on the tax court by law. After the hearing ends, 20 days shall be allowed for written material to be submitted and rerecorded in the hearing record. If the tax court approves the rule, the tax court shall promptly publish a notice of adoption in the state register. A rule is effective five working days after the notice of adoption is published in the state register unless a later date is specified in the rule. Any rule adopted after July 1, 1977, which is not published in the state register, shall be of no effect. The tax court is exempt from the administrative procedure act but, to the extent authorized by law to adopt rules, may use the provisions of section 14.38, subdivisions 5 to 9. The tax court may adopt rules under chapter 14. The rules in effect on January 1, 1989, apply until superseded.

Sec. 14. Minnesota Statutes 1988, section 271.07, is amended to read:

271.07 [STENOGRAPHIC REPORT; TRANSCRIPT.]

Except in the small claims division, the tax court shall provide for a verbatim stenographic report of all proceedings had before it upon appeals, as required by the laws relating to proceedings in district court. In case of a review by the supreme court of an order of the tax court, transcripts of the proceedings before the tax court shall be furnished to the tax court, the commissioner, and the attorney general upon request, and the cost thereof shall be paid out of funds appropriated therefor upon such terms as the tax court may prescribe. Transcripts shall be furnished to other parties by the reporter at the same legal rates applicable at the time to the district court reporters of the county in which the case was tried, but no transcript shall be made for or delivered to such other party unless the party shall deposit the estimated cost thereof, in advance, with the court administrator, subject to payment of the actual cost therefrom as soon as determined.

Sec. 15. Minnesota Statutes 1988, section 271.13, is amended to read:

271.13 [MAY COMPEL ATTENDANCE OF WITNESSES.]

The commissioner of revenue, The tax court, and each judge of the tax court shall, respectively, have power to subpoena and compel the attendance of witnesses and the production of books, records, papers,

and documents at any hearing or investigation at any place within the state in any matter within the scope of their authority, and shall also have power to administer oaths to witnesses and to take testimony under oath. Disobedience of an order of the tax court or any subpoena or refusal by any witness to be sworn or to testify upon any material matter at any such hearing or investigation shall be punishable in like manner as a contempt of the district court, in proceedings instituted upon complaint of the authority issuing the order or subpoena in the district court of the county where the order was made or the subpoena was made returnable. Subpoenas for witnesses or the production of documentary evidence shall be issued at the request of any party to the proceeding. Subpoenas may be signed by the ~~commissioner~~ or by a judge of the tax court or by the administrator or the court administrator of the tax court in on behalf of the tax court, as the case may be. The ~~commissioner~~ of revenue shall no longer exercise this power in any matter that has been appealed to the tax court.

Sec. 16. Minnesota Statutes 1988, section 271.15, is amended to read:

271.15 [WHO MAY ADMINISTER OATHS.]

~~The commissioner of revenue, Each judge of the tax court, the administrator and court administrators of the tax court, and all other officers and employees of the department and of the tax court shall, respectively, have power to administer oaths and to take and certify acknowledgments so far as they may deem necessary to the proper discharge of their respective duties, and may authenticate the same with the seal of the department or the tax court, as the case may be. The commissioner of revenue and any officer and employee of the department shall no longer exercise this power in any matter that has been appealed to the tax court.~~

Sec. 17. Minnesota Statutes 1988, section 271.17, is amended to read:

271.17 [FILING OFFICERS.]

~~The commissioner of the department of revenue and The tax court administrator and the district court administrators of the tax court shall be the filing officers and custodians of the books, files, and records of their respective agencies the tax court. The commissioner, administrator, and clerks, and their deputies shall, respectively, have power to certify and authenticate copies of the books, files, and records in their custody for all purposes in like manner and with like effect as other custodians of public records. Any other officer or employee of the department thereto authorized by the commissioner by written order filed with the secretary of state shall have like power to certify and authenticate copies of any books, files, and records of the department specified in the order, other than those of~~

the tax court. A judge of the tax court and any other officer or employee of the tax court thereto authorized by the tax court by written order filed with the administrator of the tax court shall also have like power to certify and authenticate copies of any books, files, and records of the tax court specified in the order.

Sec. 18. Minnesota Statutes 1988, section 271.18, is amended to read:

**271.18 [EX-OFFICERS AND EX-EMPLOYEES EX-JUDGES
NOT TO REPRESENT CLIENTS; EXCEPTION; VIOLATION.]**

No officer, judge, or employee of the department of revenue, or the tax court, except referees appointed for the small claims division, shall, within one year after the office or employment has terminated, act as counsel, attorney, or agent for a taxpayer in connection with any claim or proceeding pending in the department of revenue or in the tax court at the time of termination. No officer, judge, referee, or employee shall, at any time after the termination of the office or employment, act as counsel, attorney, or agent in connection with any claim or proceeding of which the person terminated has knowledge which was acquired in the course of a term of office or employment in the department or in the tax court. Any violation of the provisions of this section shall be a gross misdemeanor.

Sec. 19. Minnesota Statutes 1988, section 271.21, subdivision 2, is amended to read:

Subd. 2. At the election of the taxpayer, the small claims division shall have jurisdiction only in the following matters:

(a) any case concerning the in cases involving valuation, assessment, or taxation of residential property homesteaded by the taxpayer real or personal property, if the taxpayer has satisfied the requirements of section 271.01, subdivision 5, and in the case of nonhomestead property, the assessor's estimated market value is less than \$100,000; or

(b) any other case concerning the tax laws as defined in section 271.01, subdivision 5, in which the amount in controversy does not exceed \$5,000, including penalty and interest.

Sec. 20. Minnesota Statutes 1988, section 271.21, subdivision 10, is amended to read:

Subd. 10. Whenever the small claims division trial docket becomes congested with appeals involving valuation, classification, and assessment of property for tax purposes, the judges of the tax court may appoint referees to hear the property tax cases appealed to the small claims division. Each referee shall have authority to hear and

decide the cases heard as small claims referee. Each referee shall be a citizen of Minnesota and shall have experience with and knowledge of tax law or property taxation and property values, depending on the case at issue. A referee shall be paid at a rate of 80 percent of the salary of the judges of the county district court in that county, prorated by the length of time served as a referee. Each referee shall receive actual and necessary expenses paid or incurred in the performance of duties.

Sec. 21. Minnesota Statutes 1988, section 277.011, subdivision 7, is amended to read:

Subd. 7. [PENALTIES AND INTEREST.] If the tax be sustained in full as levied, the judgment shall include any penalties or interest which have then accrued thereon for failure to pay the same, or any part thereof, at the time required by law. If the tax is increased, the judgment must include penalty and interest on the unpaid part of the original tax assessment, but not on the amount of the increase in tax. If the tax be reduced, no penalties and interest shall be included in the judgment because of the failure to pay such reduced tax prior to the entry thereof. The judgment shall be subject to such interest or penalties as would under the law attach to the tax embraced therein after the entry thereof.

Sec. 22. Minnesota Statutes 1988, section 278.01, subdivision 1, is amended to read:

Subdivision 1. [DETERMINATION OF VALIDITY.] Any person having any estate, right, title, or interest in or lien upon any parcel of land, who claims that such property has been partially, unfairly, or unequally assessed in comparison with other property in the city or county, or that the parcel has been assessed at a valuation greater than its real or actual value, or that the tax levied against the same is illegal, in whole or in part, or has been paid, or that the property is exempt from the tax so levied, may have the validity of the claim, defense, or objection determined by the district court of the county in which the tax is levied or by the tax court by serving two copies of a petition for such determination upon the county auditor and, one copy each on the county treasurer and the county attorney and filing the same, and one copy on the county treasurer. In counties where the office of county treasurer has been combined with the office of county auditor, the petitioner must serve the number of copies required by the county. The petitioner must file the copies with proof of service, in the office of the court administrator of the district court before the 16th day of May of the year in which the tax becomes payable. The county auditor shall immediately forward one copy of the petition to the appropriate governmental authority in a home rule charter or statutory city or town in which the property is located if that city or town employs its own certified assessor. A copy of the petition shall also be sent to the school board of the school district in which the property is located. A petition for determination under

this section may be transferred by the district court to the tax court. An appeal may also be taken to the tax court under chapter 271 at any time following receipt of the valuation notice required by section 273.121 but prior to May 16 of the year in which the taxes are payable.

Sec. 23. Minnesota Statutes 1988, section 278.02, is amended to read:

278.02 [PETITION MAY INCLUDE SEVERAL PARCELS.]

Such petition need not be in any particular form, but shall clearly identify the land involved and shall set forth in concise language the claim, defense, or objection asserted. Several parcels of land in or upon which the petitioner has an estate, right, title, interest, or lien may be included in the same petition, but only if they are in the same city or town, except that contiguous property overlapping city or town boundaries may be included in one petition.

Sec. 24. Minnesota Statutes 1988, section 278.03, is amended to read:

278.03 [PAYMENT OF TAX.]

If the proceedings instituted by the filing of the petition have not been completed before the 16th day of May next following the filing, the petitioner shall pay to the county treasurer 50 percent of the tax levied for such year against the property involved, unless permission to continue prosecution of the petition without such payment is obtained as herein provided. If the proceedings instituted by the filing of the petition have not been completed by the next October 16, or, in the case of class 1b agricultural homestead, class 2a agricultural homestead, and class 2c agricultural nonhomestead property, November 16, the petitioner shall pay to the county treasurer 50 percent of the unpaid balance of the taxes levied for the year against the property involved if the unpaid balance is \$2,000 or less and 80 percent of the unpaid balance if the unpaid balance is over \$2,000, unless permission to continue prosecution of the petition without payment is obtained as herein provided. The petitioner, upon ten days notice to the county attorney and to the county auditor, given at least ten days prior to the 16th day of May or the 16th day of October, or, in the case of class 1b agricultural homestead, class 2a agricultural homestead, and class 2c agricultural nonhomestead property, the 16th day of November, may apply to the court for permission to continue prosecution of the petition without payment; and, if it is made to appear

- (1) That the proposed review is to be taken in good faith;
- (2) That there is probable cause to believe that the property may

be held exempt from the tax levied or that the tax may be determined to be less than 50 percent of the amount levied; and

(3) That it would work a hardship upon petitioner to pay the taxes due,

the court may permit the petitioner to continue prosecution of the petition without payment, or may fix a lesser amount to be paid as a condition of continuing the prosecution of the petition.

Failure to make payment of the amount required when due before May 16 of the year the taxes at issue become due shall operate automatically to dismiss the petition and all proceedings thereunder unless the payment is waived by an order of the court permitting the petitioner to continue prosecution of the petition without payment. The county treasurer shall, upon request of the petitioner, issue duplicate receipts for the tax payment, one of which shall be filed by the petitioner in the proceeding.

Sec. 25. Minnesota Statutes 1988, section 278.05, subdivision 4, is amended to read:

Subd. 4. [SALES RATIO STUDIES AS EVIDENCE.] The sales ratio studies published by the department of revenue, or any part of the studies, or any copy of the studies or records accumulated to prepare the studies which is prepared by the commissioner of revenue for use in determining school aids shall be admissible in evidence as a public record without the laying of a foundation if the sales prices used in the study are adjusted for the terms of the sale to reflect market value and are adjusted to reflect the difference in the date of sale compared to the assessment date. In addition to the study published by the department of revenue, the tax court may use a study developed for a particular region of a county or counties. Additional evidence relevant to the sales ratio study is also admissible. No sales ratio study received into evidence shall be conclusive or binding on the court and evidence of its reliability or unreliability may be introduced by any party including, but not limited to, evidence of inadequate adjustment of sale prices for terms of financing, inadequate adjustment of sales prices to reflect the difference in the date of sale compared to the assessment date, and inadequate sample size.

No reduction in value on the grounds of discrimination shall be granted on the basis of a sales ratio study published by the department of revenue or another study used by the tax court unless

(a) the sales prices are adjusted for the terms of the sale to reflect market value,

(b) the sales prices are adjusted to reflect the difference in the date of sale compared to the assessment date, and

(c) there is an adequate sample size.

Sec. 26. Minnesota Statutes 1988, section 278.08, subdivision 1, is amended to read:

Subdivision 1. **[TAXES DUE INTEREST; PENALTY.]** Whether or not the tax is sustained in full as levied or increased and section 278.03 notwithstanding, the judgment shall include any interest which has accrued on the taxes for failure to pay the taxes or any part of the taxes as provided in sections 279.01 and 279.03. If the tax is reduced, no penalty shall be included in the judgment because of the failure to pay the reduced tax prior to entry of judgment. After the judgment is entered, it shall be subject to interest and penalty at the rates provided in chapter 279 for delinquent payment of property taxes. The judgment must include the following interest:

(1) if the tax is sustained in full, interest on the unpaid part of the tax computed under section 279.03;

(2) if the tax is increased, interest on the unpaid part of the tax as originally assessed computed under section 279.03;

(3) if the tax is reduced, interest on the difference between the tax as recomputed and the amount previously paid computed under section 279.03.

If the tax is sustained or increased, penalty on the unpaid part of the tax as originally assessed computed under section 279.01 must be included in the judgment.

Sec. 27. Minnesota Statutes 1988, section 297.43, subdivision 1, is amended to read:

Subdivision 1. **[PENALTY ON UNPAID TAX.]** If a tax imposed by this chapter, or any part of it, is not paid within the time required for the payment, or an extension of time, or within 30 days after final determination of an appeal to the tax court relating to it if the taxpayer is not required to pay the amount in dispute pending appeal under section 271.061, there shall be added to the tax a penalty equal to three percent of the amount remaining unpaid if the failure is for not more than 30 days, with an additional penalty of three percent of the amount of tax remaining unpaid during each additional 30 days or fraction thereof, not exceeding 24 percent in the aggregate.

Sec. 28. Minnesota Statutes 1988, section 297C.14, subdivision 1, is amended to read:

Subdivision 1. [PENALTY ON UNPAID TAX.] If a tax imposed by this chapter, or any part of it, is not paid within the time required for the payment, or an extension of time, or within 30 days after final determination of an appeal to the tax court relating to it if the taxpayer is not required to pay the amount in dispute pending appeal under section 271.061, there shall be added to the tax a penalty equal to three percent of the amount remaining unpaid if the failure is for not more than 30 days, with an additional penalty of three percent of the amount of tax remaining unpaid during each additional 30 days or fraction thereof, not exceeding 24 percent in the aggregate.

Sec. 29. [REPEALER.]

(a) Minnesota Statutes 1988, sections 271.01, subdivision 6; 271.21, subdivision 4; and 271.22, are repealed.

(b) Minnesota Statutes 1988, sections 60A.151 and 271.061, are repealed.

Sec. 30. [EFFECTIVE DATE.]

Section 24 is effective the day following final enactment and applies to petitions dismissed on or after that date.”

Delete the title and insert:

“A bill for an act relating to judicial procedure; clarifying, modifying, and recodifying tax court powers and procedures; making technical corrections and eliminating redundant and unnecessary language and obsolete references; amending Minnesota Statutes 1988, sections 270.07, subdivision 1; 270.10, by adding a subdivision; 271.01, subdivisions 1 and 5; 271.02; 271.04; 271.06, subdivisions 1, 2, 3, and 7; 271.07; 271.13; 271.15; 271.17; 271.18; 271.21, subdivisions 2 and 10; 277.011, subdivision 7; 278.01, subdivision 1; 278.02; 278.03; 278.05, subdivision 4; 278.08, subdivision 1; 297.43, subdivision 1; and 297C.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Minnesota Statutes 1988, sections 60A.151; 271.01, subdivision 6; 271.061; 271.21, subdivision 4; and 271.22.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Long from the Committee on Taxes to which was referred:

H. F. No. 1023, A bill for an act relating to agriculture; changing the agricultural land preservation law; amending Minnesota Stat-

utes 1988, sections 40A.02, subdivision 10; 40A.04, subdivision 1; 40A.10; 40A.11, subdivision 4; 40A.17; 273.119; and 473H.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 40A; repealing Minnesota Statutes 1988, section 40A.123, subdivision 3.

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

The report was adopted.

Long from the Committee on Taxes to which was referred:

H. F. No. 1709, A bill for an act relating to commerce; regulating divesting transactions involving a principal domestic subsidiary; authorizing the metropolitan airports commission to approve a change in control of a major tenant at the Minneapolis-St. Paul International Airport; modifying standards that may be considered by certain investment fiduciaries; providing for worker and consumer protections after a leveraged buyout; imposing a tax on golden parachute compensation agreements; providing assistance to employee-owned businesses; amending Minnesota Statutes 1988, sections 41A.02, subdivision 16; 41A.036, subdivisions 2 and 5; 80B.01, subdivisions 1, 10, and by adding subdivisions; 116J.873, subdivision 1; and 116N.08, by adding a subdivision; 268.07, subdivision 2; and 302A.011, subdivision 41, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 80B; 290; 300; 302A; and 325E; proposing coding for new law as Minnesota Statutes, chapters 268A; and 360A.

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

The report was adopted.

Long from the Committee on Taxes to which was referred:

H. F. No. 1726, A bill for an act relating to public finance; providing conditions and requirements for the issuance and use of public debt; amending Minnesota Statutes 1988, sections 298.2211, subdivision 4; 400.101; 430.06, by adding a subdivision; 469.015, subdivision 4; 469.152; 469.153, subdivision 2; 469.154, subdivisions 3 and 5; 469.155, subdivisions 2, 3, and 5; 471.56, subdivision 5; 473.541, subdivision 3, and by adding a subdivision; 473.811, subdivision 2; 475.51, by adding subdivisions; 475.54, subdivision 4, and by adding a subdivision; 475.55, subdivision 6, and by adding a subdivision; 475.60, subdivisions 1, 2, and 3; 475.66, subdivision 1; and 475.79; proposing coding for new law in Minnesota Statutes, chapters 469 and 473.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 298.2211, subdivision 4, is amended to read:

Subd. 4. [OBLIGATIONS NOT STATE DEBT.] Bonds and other obligations issued by the commissioner pursuant to this section, along with all related documents, are not general obligations of the state of Minnesota and are not subject to section 16B.06. The full faith and credit and taxing powers of the state are not and may not be pledged for the payment of these bonds or other obligations, and no person has the right to compel the levy of any state tax for their payment or to compel the appropriation of any moneys of the state for their payment except as specifically provided herein. These bonds and obligations shall be payable solely from the property and moneys derived by the commissioner pursuant to the authority granted in this section that the commissioner pledges to their payment. All these bonds or other obligations must contain the provisions of this subdivision or words to the same effect on their face.

Sec. 2. Minnesota Statutes 1988, section 400.101, is amended to read:

400.101 [BONDS.]

The county, by resolution, may authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities, related transmission facilities, or property or property rights for the facilities, for improvements of a capital nature to respond, as defined in section 115B.02, to releases from closed solid waste facilities, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of the bonds and the interest thereon, its full faith, credit, and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Except as otherwise provided in this section, the bonds must be issued and sold in accordance with the provisions of chapter 475. The proceeds of the bonds may be used in part to establish a reserve as further security for the payment of the principal and interest of the bonds when due. Revenue Bonds issued under this section may be sold at public or private sale upon conditions that the county board determines, but any bonds issued after May 22, 1991, to which the full faith and credit and taxing powers of the county are pledged must be sold in accordance with the provisions of chapter 475. No election is required to authorize the issuance of bonds under this section.

Sec. 3. Minnesota Statutes 1988, section 430.06, is amended by adding a subdivision to read:

Subd. 5. [ALTERNATIVE METHOD OF COMPUTING INSTALLMENTS.] In lieu of the determinations of assessment installments provided in subdivision 1, the council may by resolution provide for the payment of annual installments in any manner permitted under section 429.061, subdivision 2.

Sec. 4. Minnesota Statutes 1988, section 469.015, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION; CERTAIN PROJECTS.] An authority need not require either competitive bidding or performance bonds in the case of a contract for the acquisition of a low rent housing project for which financial assistance is provided by the federal government, and which does not require any direct loan or grant of money from the municipality as a condition of the federal financial assistance, and where the contract provides for the construction of such a project upon land not owned by the authority at the time of the contract, or owned by the authority for redevelopment purposes, and provides for the conveyance or lease to the authority of the project or improvements upon completion of construction. In exercising, pursuant to any general or special law, any power under this chapter, an authority need not require competitive bidding with respect to a structured parking facility constructed in conjunction with, and directly above or below, a development and financed with the proceeds of tax increment or parking ramp revenue bonds. An authority need not require competitive bidding in the case of a housing development project that if:

(1) the project is financed with the proceeds of bonds secured by the project and to which the full faith and credit of the authority is not pledged issued under section 469.034;

(2) the project is located on land that is not owned by the authority at the time the contract is entered into, or is owned by the authority only for development purposes, and provides for conveyance or lease to the authority of the project or improvements upon completion of construction; and

(3) is constructed or rehabilitated under agreements with a developer for the construction of the project, guarantee of the bonds, and management of the property; and (4) is found by the authority to require negotiation rather than use of a competitive bidding procedure the authority finds and determines that elimination of the public bidding requirements is necessary in order for the housing development project to be economical and feasible.

Sec. 5. Minnesota Statutes 1988, section 469.152, is amended to read:

469.152 [PURPOSES.]

The welfare of the state requires the active promotion, attraction, encouragement, and development of economically sound industry and commerce through governmental action for the purpose of preventing the emergence of blighted and marginal lands and areas of chronic unemployment. It is the policy of the state to facilitate and encourage action by local government units to prevent the economic deterioration of such areas to the point where the process can be reversed only by total redevelopment through the use of local, state, and federal funds derived from taxation, necessitating relocating displaced persons and duplicating public services in other areas. By the use of the powers and procedures described in sections 469.152 to 469.165, local government units and their agencies and authorities responsible for redevelopment and economic development may prevent occurrence of conditions requiring redevelopment, or aid in the redevelopment of existing areas of blight, marginal land, and avoidance of substantial and persistent unemployment.

The welfare of the state further requires the provision of necessary health care facilities, so that adequate health care services are available to residents of the state at reasonable cost. The welfare of the state further requires the provision of county jail facilities for the purpose of providing adequately for the care, control, and safeguarding of civil rights of prisoners. The welfare of the state requires that, whenever feasible, employment opportunities made available in part by sections 469.152 to 469.165 or other state law providing for similar financing mechanisms should be offered to individuals who are unemployed or who are economically disadvantaged.

The welfare of the state further requires that, whenever feasible, action should be taken to reduce the cost of borrowing by local governments for public purposes.

Sec. 6. Minnesota Statutes 1988, section 469.153, subdivision 2, is amended to read:

Subd. 2. [PROJECT.] (a) "Project" means (1) any properties, real or personal, used or useful in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in generating, transmitting, or distributing electricity, assembling, fabricating, manufacturing, mixing, processing, storing, warehousing, or distributing any products of agriculture, forestry, mining, or manufacture, or in research and development activity in this field; (2) any properties, real or personal, used or useful in the abatement or control of noise, air or water pollution, or in the disposal of solid wastes, in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in any business or industry; (3) any properties, real or personal, used or useful in

connection with the business of telephonic communications, conducted or to be conducted by a telephone company, including toll lines, poles, cables, switching and other electronic equipment and administrative, data processing, garage and research and development facilities; (4) any properties, real or personal, used or useful in connection with a district heating system, consisting of the use of one or more energy conversion facilities to produce hot water or steam for distribution to homes and businesses, including cogeneration facilities, distribution lines, service facilities and retrofit facilities for modifying the user's heating or water system to use the heat energy converted from the steam or hot water.

(b) "Project" also includes any properties, real or personal, used or useful in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged in any business.

(c) "Project" also includes any properties, real or personal, used or useful for the promotion of tourism in the state. Properties may include hotels, motels, lodges, resorts, recreational facilities of the type that may be acquired under section 471.191, and related facilities.

(d) "Project" also includes any properties, real or personal, used or useful in connection with a revenue producing enterprise, whether or not operated for profit, engaged in providing health care services, including hospitals, nursing homes, and related medical facilities.

(e) "Project" does not include any property to be sold or to be affixed to or consumed in the production of property for sale, and does not include any housing facility to be rented or used as a permanent residence.

(f) "Project" also means the activities of any revenue producing enterprise involving the construction, fabrication, sale, or leasing of equipment or products to be used in gathering, processing, generating, transmitting, or distributing solar, wind, geothermal, biomass, agricultural or forestry energy crops, or other alternative energy sources for use by any person or any residential, commercial, industrial, or governmental entity in heating, cooling, or otherwise providing energy for a facility owned or operated by that person or entity.

(g) "Project" also includes any properties, real or personal, used or useful in connection with a county jail or county regional jail, the plans for which are approved by the commissioner of corrections; provided that the provisions of section 469.155, subdivisions 7 and 13, do not apply to those projects.

(h) "Project" also includes any real properties used or useful in

furtherance of the purposes and policies of sections 469.135 to 469.141.

(i) "Project" also includes related facilities as defined by section 471A.02, subdivision 11.

(j) "Project" also includes an undertaking to purchase the obligations of local governments located in whole or in part within the boundaries of the municipality that are issued or to be issued for public purposes.

Sec. 7. Minnesota Statutes 1988, section 469.154, subdivision 3, is amended to read:

Subd. 3. [CONDITIONS; APPROVAL.] No municipality or redevelopment agency shall undertake any project authorized by sections 469.152 to 469.165, except a project referred to in section 469.153, subdivision 2, paragraph (g) or (j), unless its governing body finds that the project furthers the purposes stated in section 469.152, nor until the commissioner has approved the project, on the basis of preliminary information the commissioner requires, as tending to further the purposes and policies of sections 469.152 to 469.165. The commissioner may not approve any projects relating to health care facilities except as permitted under subdivision 6. Approval shall not be deemed to be an approval by the commissioner or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall state this in communicating approval.

Sec. 8. Minnesota Statutes 1988, section 469.154, subdivision 5, is amended to read:

Subd. 5. [INFORMATION TO ENERGY AND ECONOMIC DEVELOPMENT AUTHORITY.] Each municipality and redevelopment agency upon entering into a revenue agreement, except one pertaining to a project referred to in section 469.153, subdivision 2, paragraph (g) or (j), shall furnish the energy and economic development authority on forms the authority prescribes the following information concerning the project: The name of the contracting party, the nature of the enterprise, the location, approximate number of employees, the general terms and nature of the revenue agreement, the amount of bonds or notes issued, and other information the energy and economic development authority deems advisable. The energy and economic development authority shall keep a record of the information which shall be available to the public at times the authority prescribes.

Sec. 9. Minnesota Statutes 1988, section 469.155, subdivision 2, is amended to read:

Subd. 2. [PROJECT ACQUISITION.] It may acquire, construct, and hold any lands, buildings, easements, water and air rights, improvements to lands and buildings, and capital equipment to be located permanently or used exclusively on a designated site and solid waste disposal and pollution control equipment, and alternative energy equipment and inventory, regardless of where located, that are deemed necessary in connection with a project to be situated within the state, and construct, reconstruct, improve, better, and extend the project. It may also pay part or all of the cost of an acquisition and construction by a contracting party under a revenue agreement.

In the case of a project described in section 469.153, subdivision 2, paragraph (j), it may purchase obligations issued by a local unit of government that is located in whole or in part within the boundaries of the municipality at public sale, or at private sale if the obligations may be sold in that manner under the law authorizing their issuance. The obligations must be issued under a capital improvement plan or program of at least five years.

Sec. 10. Minnesota Statutes 1988, section 469.155, subdivision 3, is amended to read:

Subd. 3. [REVENUE BONDS.] It may issue revenue bonds, in anticipation of the collection of revenues of a project to be situated within the state, to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension thereof. It may issue revenue bonds to purchase the obligations of local government units located in whole or in part within the boundaries of the municipality.

Sec. 11. Minnesota Statutes 1988, section 469.155, subdivision 5, is amended to read:

Subd. 5. [REVENUE AGREEMENTS.] It may enter into a revenue agreement with any person, firm, or public or private corporation or federal or state governmental subdivision or agency so that payments required thereby to be made by the contracting party are fixed and revised as necessary to produce income and revenue sufficient to provide for the prompt payment of principal of and interest on all bonds issued hereunder when due. The revenue agreement must also provide that the contracting party is required to pay all expenses of the operation and maintenance of the project including adequate insurance thereon and insurance against all liability for injury to persons or property arising from its operation, and all taxes and special assessments levied upon or with respect to the project and payable during the term of the revenue agreement. During the term of the revenue agreement, except as provided in subdivision 17, a tax shall be imposed and collected upon the project or, pursuant to the provisions of section 272.01, subdivision 2, for the privilege of using and possessing the project, in the same amount

and to the same extent as though the contracting party were the owner of all real and personal property comprising the project. No revenue agreement is required in connection with a project described in section 469.153, subdivision 2, paragraph (j).

Sec. 12. Minnesota Statutes 1988, section 471.56, subdivision 5, is amended to read:

Subd. 5. In addition to other authority granted by this section, a county containing a city of the first class, a statutory or home rule charter city of the first or second class, and a metropolitan commission, as defined in section 473.121, may:

(1) sell futures contracts but only with respect to securities owned by it, including securities which are the subject of reverse repurchase agreements under section 475.76 which expire at or before the due date of the futures contract; and

(2) enter into option agreements to buy or sell securities described in section 475.66, subdivision 3, clause (a), including option agreements to sell securities owned by it which are the subject of reverse repurchase agreements under section 475.76 which expire at or before the due date of the option agreement.

Sec. 13. [473.132] [SHORT-TERM INDEBTEDNESS.]

The council may issue certificates of indebtedness or capital notes to purchase equipment to be owned and used by the council and having an expected useful life of at least as long as the terms of the certificates or notes. The certificates or notes shall be payable in not more than five years and shall be issued on such terms and in such manner as the council may determine, and for this purpose the council may secure payment of the certificates or notes by resolution or by trust indenture entered into by the council with a corporate trustee within or outside the state, and by a mortgage in the equipment financed. The total principal amount of the notes or certificates issued in a fiscal year should not exceed one-half of one percent of the tax capacity of the metropolitan area for that year. The full faith and credit of the council shall be pledged to the payment of the certificates or notes, and a tax levy shall be made for the payment of the principal and interest on the certificates or notes, in accordance with section 475.61, as in the case of bonds issued by a municipality. The tax levy authorized by this section must be deducted from the amount of taxes the council is otherwise authorized to levy under section 473.249.

Sec. 14. Minnesota Statutes 1988, section 473.541, is amended by adding a subdivision to read:

Subd. 4. [REVENUE BONDS.] (a) The council may, by resolution,

authorize the issuance of revenue bonds for any purpose for which general obligation bonds may be issued under subdivision 3. The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for bonds payable solely from revenues, except as otherwise provided in this subdivision, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The bonds shall be payable from and secured by a pledge of all or any part of revenues receivable under section 473.517, shall not, and shall state they do not, represent or constitute a general obligation or debt of the council, and shall not be included in the net debt of any city, county, or other subdivision of the state for the purpose of any net debt limitation. The proceeds of the bonds may be used to pay credit enhancement fees.

(b) The bonds may be secured by a bond resolution, or a trust indenture entered into by the council with a corporate trustee within or outside the state, which shall define the revenues and bond proceeds pledged for the payment and security of the bonds. The pledge shall be a valid charge on the revenues received under section 473.517. No mortgage of or security interest in any tangible real or personal property shall be granted to the bondholders or the trustee, but they shall have a valid security interest in the revenues and bond proceeds received by the council and pledged to the payment of the bonds as against the claims of all persons in tort, contract, or otherwise, irrespective of whether such parties have notice thereof and without possession or filing as provided in the uniform commercial code or any other law, subject, however, to the rights of the holders of any general obligation bonds issued under subdivision 3. In the bond resolution or trust indenture, the council may make such covenants as it determines to be reasonable for the protection of the bondholders, including a covenant to issue general obligation bonds to refund the revenue bonds if and to the extent required to pay principal and interest on the bonds and to certify a deficiency tax levy as provided in section 473.521, subdivision 4.

(c) Neither the council, nor any council member, officer, employee, or agent of the council, nor any person executing the bonds shall be liable personally on the bonds by reason of their issuance. The bonds shall not be payable from nor a charge upon any funds other than the revenues and bond proceeds pledged to the payment thereof, nor shall the council be subject to any liability thereon or have the power to obligate itself to pay or to pay the bonds from funds other than the revenues and bond proceeds pledged, and no holder or holders of bonds shall ever have the right to compel any exercise of the taxing power of the council (except any deficiency tax levy the council covenants to certify under section 473.521, subdivision 4) or any other public body, to the payment of principal of or interest on the bonds, nor to enforce payment thereof against any property of the council or other public body other than that expressly pledged for the payment thereof.

Sec. 15. Minnesota Statutes 1988, section 473.811, subdivision 2, is amended to read:

Subd. 2. [COUNTY FINANCING OF FACILITIES.] Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities, related transmission facilities, or property or property rights for the facilities, for improvements of a capital nature to respond, as defined in section 115B.02, to releases from closed solid waste facilities, or for refunding any outstanding bonds issued for any such purpose. The county may pledge to the payment of the bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Taxes levied for the payment of the bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. The proceeds of the bonds may be used in part to establish a reserve as further security for the payment of the principal and interest of the bonds when due. Revenue Bonds issued pursuant to this section may be sold at public or private sale upon such conditions as the county board shall determine, but any bonds issued after May 22, 1991, to which the full faith and credit and taxing powers of the county are pledged shall be sold in accordance with the provisions of chapter 475. No election shall be required to authorize the issuance of the bonds. Except as otherwise provided, the bonds shall be issued and sold in accordance with the provisions of chapter 475.

Sec. 16. Minnesota Statutes 1988, section 475.51, is amended by adding a subdivision to read:

Subd. 13. [OTHER GOVERNMENTAL UNIT.] "Other governmental unit" means any public corporation, authority, governmental unit, or other political subdivision of the state of Minnesota that is not a municipality.

Sec. 17. Minnesota Statutes 1988, section 475.54, subdivision 4, is amended to read:

Subd. 4. [REDEMPTION.] Any obligation may be issued reserving the right of redemption and payment thereof prior to maturity, at par and accrued interest or at such premium and at such time or times as shall be determined by the governing body. Notice of the call of any prepayable obligation shall be published in a daily or weekly periodical published in a Minnesota city of the first class, or its metropolitan area, which circulates throughout the state and furnishes financial news as a part of its service; provided that published notice of the call need not be given if the obligation is in registered form and notice has been mailed to the registered holder of the obligation. When any such obligation has been validly called for redemption in accordance with its terms, and the principal

thereof and all interest thereon to the date of redemption have been paid or deposited with the paying agent, interest thereon shall cease; provided that no obligation issued subsequent to July 1, 1967, shall be deemed validly called for redemption unless the notice herein required has been published or so mailed prior to the date fixed for its redemption. If actual notice of the call has been given through a different means of communication, the holder of an obligation may waive published or mailed notice.

Sec. 18. Minnesota Statutes 1988, section 475.60, subdivision 1, is amended to read:

Subdivision 1. [ADVERTISEMENT.] All obligations shall be negotiated and sold by the governing body, except when authority therefor is delegated by the governing body or by the charter of the municipality to a board, department, or officers of the municipality. Except as provided in section 475.56, obligations shall be sold at not less than par value plus accrued interest to date of delivery. Except as provided in subdivision 2 all obligations shall be sold at public sale after notice given at least ten days in advance by publication in a legal newspaper having general circulation in the municipality and ten days in advance by publication in a daily or weekly periodical, published in a Minnesota city of the first class, or its metropolitan area, which circulates throughout the state and furnishes financial news as a part of its service.

Sec. 19. Minnesota Statutes 1988, section 475.60, subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;

(2) obligations sold by an issuer in an amount not exceeding the total sum of \$1,200,000 in any 12-month period;

(3) obligations issued by a governing body other than a school board in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately;

(4) obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency;

(5) obligations issued to fund pension and retirement fund liabilities under section 475.52, subdivision 6, obligations issued with tender options under section 475.54, subdivision 5a, crossover re-funding obligations referred to in section 475.67, subdivision 13, and any issue of obligations comprised in whole or in part of obligations bearing interest at a rate or rates which vary periodically referred to in section 475.56; and

(6) obligations to be issued for a purpose, in a manner, and upon terms and conditions authorized by law, if the governing body of the municipality, on the advice of bond counsel or special tax counsel, determines that interest on the obligations cannot be represented to be excluded from gross income for purposes of federal income taxation; and

(7) obligations issued in the form of an installment purchase contract, lease purchase agreement, or other similar agreement.

Sec. 20. Minnesota Statutes 1988, section 475.60, subdivision 3, is amended to read:

Subd. 3. [PUBLISHED NOTICE.] Published notice, where required, shall specify the maximum principal amount of the obligations, the place of receipt and consideration of bids and such other details as to the obligations and terms of sale as the governing body deems suitable. The published notice shall either specify the date and time for receipt of bids or provide that the bids will be received at a date and time not less than ten nor more than 60 days after the date of publication. If the published notice does not state the specific date or amount for the sale, it shall specify the manner in which notice of the date or amount of the sale will be given to prospective bidders. Notification of prospective bidders shall be given by electronic data transmission or other form of communication common to the municipal bond trade at least four days (omitting Saturdays, Sundays, and legal holidays) before the date for receipt of bids. If within five days after the date of publication a prospective bidder requests in writing to be notified by mail, the municipality shall do so. Failure to give the notice as described in the preceding sentence to a bidder shall not affect the validity of the sale or of the obligations. The governing body may employ an agent to receive and open the bids at any place within or outside the corporate limits of the municipality, in the presence of an officer of the municipality or the officer's designee, but the obligations shall not be sold except by action of the governing body or authorized officers of the municipality after communication of the bids to them. Additional notice may be given for such time and in such manner as the governing body deems suitable. At the time and place so fixed, the bids shall be opened and the offer complying with the terms of sale and deemed most favorable shall be accepted, but the governing body may reject any and all such offers, in which event, or if no offers have been received, it may award the obligations to any person who within 30

days thereafter presents an offer complying with the terms of sale and deemed more favorable than any received previously, or upon like notice the governing body may invite other bids upon the same or different terms and conditions, except that if the original published notice does not state the specific date or amount for the sale and if the material terms and conditions of the sale remain the same, except for the date and amount, notice of the date or amount may be given in the manner provided above.

Sec. 21. Minnesota Statutes 1988, section 475.79, is amended to read:

475.79 [POWERS AVAILABLE TO OTHER POLITICAL SUBDIVISIONS.]

Any powers granted to a municipality under this chapter, other than the power to issue general obligation bonds and levy taxes, may be exercised by any other public corporation, authority, governmental unit, or other political subdivision of the state of Minnesota that is not a municipality. This grant of authority does not limit the powers granted to an entity under any other law.

Sec. 22. [APPLICATION.]

Sections 13, 14, and 16 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 23. [EFFECTIVE DATE.]

Sections 1 to 22 are effective the day following final enactment.”

Delete the title and insert:

“A bill for an act relating to public finance; providing conditions and requirements for the issuance of debt; amending Minnesota Statutes 1988, sections 298.2211, subdivision 4; 400.101; 430.06, by adding a subdivision; 469.015, subdivision 4; 469.152; 469.153, subdivision 2; 469.154, subdivisions 3 and 5; 469.155, subdivisions 2, 3, and 5; 471.56, subdivision 5; 473.541, by adding a subdivision; 473.811, subdivision 2; 475.51, by adding a subdivision; 475.54, subdivision 4; and 475.60, subdivisions 1, 2, and 3; proposing coding for new law in Minnesota Statutes, chapter 473.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Long from the Committee on Taxes to which was referred:

S. F. No. 46, A bill for an act relating to taxation; exempting leased hangars at airports in small cities from property taxation; amending Minnesota Statutes 1988, sections 272.01, subdivision 2; and 273.19, subdivision 1.

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

The report was adopted.

Long from the Committee on Taxes to which was referred:

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.

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

The report was adopted.

Long from the Committee on Taxes to which was referred:

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.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 515, 1023, 1709 and 1726 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 54, 764, 1435, 46, 1239 and 1278 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:

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 527, A bill for an act relating to state parks; requiring collection facilities for recycling containers in state parks; proposing coding for new law in Minnesota Statutes, chapter 85.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. 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. 333, A bill for an act relating to recreational vehicles; regulating all-terrain vehicles; setting fees; revising liability provisions regarding county administered lands, recreational areas and the Minnesota zoological garden; imposing a penalty; amending Minnesota Statutes 1988, sections 3.736, subdivision 3; 84.92, subdivision 1, and by adding subdivisions; 84.922, subdivisions 1 and 5, and by adding subdivisions; 84.924, subdivision 3; 84.9256, subdivisions 1, 2, and 3; 84.928, subdivisions 1, 2, and 6; 84.929; 169.02, subdivision 1; and 171.03; repealing Minnesota Statutes 1988, sections 84.922, subdivision 8; 84.925, subdivision 2; 84.928, subdivision 7; and 466.03, by adding a subdivision.

The Senate has appointed as such committee:

Messrs. Vickerman; Peterson, R. W., and Knaak.

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. 1454, A bill for an act relating to Itasca county; authorizing a petition to annex unorganized territory to the town of Spang to be signed by residents of the town.

The Senate has appointed as such committee:

Messrs. Lessard and Schmitz and Ms. Olson.

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. 245, A bill for an act relating to environment; exempting generators of small amounts of hazardous waste from administrative regulation; amending Minnesota Statutes 1988, section 116.07, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jennings moved that the House refuse to concur in the Senate amendments to H. F. No. 245, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following

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

H. F. No. 135, A bill for an act relating to juvenile court; limiting the court's authority to transfer legal custody of a child for the purpose of obtaining special treatment or care; clarifying the grounds for terminating parental rights to a child; clarifying the liability of persons who provide outreach services to runaways; amending Minnesota Statutes 1988, sections 260.015, subdivision 2a; 260.191, subdivision 1; 260.221, subdivisions 1 and 3; and 260.315.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pappas moved that the House concur in the Senate amendments to H. F. No. 135 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 135, A bill for an act relating to juvenile court; limiting the court's authority to transfer legal custody of a child for the purpose of obtaining special treatment or care; clarifying the grounds for terminating parental rights to a child; clarifying the liability of persons who provide outreach services to runaways; amending Minnesota Statutes 1988, sections 260.015, subdivision 2a; 260.191, subdivision 1; 260.221, subdivisions 1 and 3; and 260.315.

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

Olson, E.	Pelowski	Rukavina	Stanisius	Waltman
Olson, K.	Peterson	Runbeck	Steenisma	Weaver
Omann	Popenhagen	Sarna	Sviggum	Welle
Onnen	Price	Schafer	Swenson	Wenzel
Orenstein	Pugh	Scheid	Tjornhom	Williams
Osthoff	Quinn	Schreiber	Tompkins	Winter
Ostrom	Redalen	Seaberg	Trimble	Wynia
Otis	Reding	Segal	Tunheim	Spk. Vanasek
Ozment	Rest	Simoneau	Uphus	
Pappas	Rice	Skoglund	Valento	
Pauly	Richter	Solberg	Vellenga	
Pellow	Rodosovich	Sparby	Wagenius	

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. 761, A bill for an act relating to judgments; providing a reasonable exemption for employee benefits; amending Minnesota Statutes 1988, section 550.37, subdivision 24.

PATRICK E. FLAHAVEN, Secretary of the Senate

Simoneau moved that the House refuse to concur in the Senate amendments to H. F. No. 761, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

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 Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Moe, R. D.; Knutson and Brandl.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wynia moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1358. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 277, 1101, 1323 and 1541.

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. 262, 536, 150 and 522.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 277, A bill for an act relating to health; establishing a treatment program for compulsive gamblers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 245.

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

S. F. No. 1101, A bill for an act relating to St. Louis county; regulating budget procedures; providing for certain recorder's fees; allowing the county to assess the cost of maintenance of television relay service; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 1988, sections 383C.01,

383C.011, 383C.012, 383C.013, 383C.014, 383C.015, 383C.016, 383C.017, 383C.018, and 383C.019.

The bill was read for the first time.

Janezich moved that S. F. No. 1101 and H. F. No. 1222, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1323, A bill for an act relating to deprivation of parental rights; increasing penalties for parental kidnapping where weapon is used, child is abused, or ransom is demanded; prohibiting concealing a child abducted in another state; amending Minnesota Statutes 1988, section 609.26, subdivisions 1 and 6.

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

S. F. No. 1541, A bill for an act relating to local government; providing for a chief administrative deputy sheriff in the unclassified service in Hennepin county; authorizing certain county sheriffs to appoint a chief deputy or first assistant; amending Minnesota Statutes 1988, sections 383B.32, subdivision 2; and 387.145.

The bill was read for the first time.

Rest moved that S. F. No. 1541 and H. F. No. 1449, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 262, A bill for an act relating to protection of groundwater; protecting sensitive areas; promoting and requiring certain best management practices; providing financial assistance for certain groundwater protection activities; authorizing local government groundwater and resource protection programs; establishing a joint legislative committee on water; providing for determination of water research needs; developing a water education curriculum; regulating wells, borings, and underground drillings and uses; regulating water conservation, water appropriations, and setting fees; establishing regulations, enforcing violations, and establishing civil and criminal penalties for violations relating to pesticide, fertilizer, soil amendment, and plant amendment manufacture, storage, sale, use, and misuse; providing a mechanism to aid cleanup and response to incidents relating to agricultural chemicals; providing a task force relating to sustainable agriculture; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 18B.01, subdivisions 5, 12, 15, 19, 21, 26, 30, and by adding subdivisions; 18B.04; 18B.07, subdivisions 2, 3, 4, and 6; 18B.08, subdivisions 1, 3,

and 4; 18B.26, subdivisions 1, 3, 5, and by adding a subdivision; 18B.31, subdivisions 3 and 5; 18B.32, subdivision 2; 18B.33, subdivisions 1, 3 and 7; 18B.34, subdivisions 1, 2 and 5; 18B.36, subdivisions 1 and 2; 18B.37, subdivisions 1, 2, 3, and 4; 40.42, by adding a subdivision; 40.43, subdivisions 2 and 6; 43A.08, subdivision 1; 105.41, subdivisions 1, 1a, 1b, 5, and by adding a subdivision; 105.418; 110B.04, subdivision 6; 115B.20; 116C.41, subdivision 1; 144.381; 144.382, subdivision 1, and by adding a subdivision; and 473.877, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; 17; 18B; 40; and 144; proposing coding for new law as Minnesota Statutes, chapters 18C; 18D; 18E; 103A; 103B; 103H; and 103I; repealing Minnesota Statutes 1988, sections 17.711 to 17.73; 18A.49; 18B.15; 18B.16; 18B.18; 18B.19; 18B.20; 18B.21; 18B.22; 18B.23; 18B.25; 84.57 to 84.621; 105.51, subdivision 3; and 156A.01 to 156A.11.

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

S. F. No. 536, A bill for an act relating to consumer protection; providing for enhanced civil penalties for deceptive acts targeted at senior citizens or handicapped persons; providing factors a court may consider in determining to impose an enhanced civil penalty; providing that sums collected must be credited to the account of the state board on aging; amending Minnesota Statutes 1988, section 256.975, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

S. F. No. 150, A bill for an act relating to gambling; creating a division of gambling enforcement within the department of public safety; providing for its powers and duties; changing size and membership of gambling control board; making changes in the manner in which gambling is conducted; requiring audits; increasing license fees; changing the requirement relating to distributors and manufacturers of gambling equipment; increasing the penalty for paying off on video games of chance; authorizing the sale of lottery tickets; establishing a state lottery agency; providing for its powers and duties; authorizing transmission of races to sites on Indian lands and commingling of certain betting pools; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 10A.01, subdivision 18; 15.06, subdivision 1; 15A.081, subdivision 1; 16B.54, subdivision 2; 43A.08, subdivision 1a; 240.02, subdivision 1; 240.06, subdivision 3; 240.07, subdivision 2; 240.08, subdivision 3; 240.13, by adding a subdivision; 240.21; 260.015, subdivisions 5 and 21; 290.92, by adding a subdivision; 297A.25, by adding a subdivision; 340A.410, subdivision 5; 349.11; 349.12,

subdivisions 3, 11, 12, 13, 15, 16, 17, 20, and by adding subdivisions; 349.15; 349.151; 349.16, subdivisions 3 and 4; 349.161; 349.162; 349.163; 349.164; 349.17, subdivision 2a; 349.18, subdivision 1, and by adding a subdivision; 349.19, subdivisions 2, 3, 6, and by adding subdivisions; 349.20, 349.21, 349.212, subdivision 1, and by adding subdivisions; 349.2121, subdivisions 2, 3, and 10; 349.2122; 349.2125, subdivisions 1, 2, and 3; 349.2127, subdivision 2; 349.213, subdivision 2; 349.214, subdivision 2; 349.22, subdivisions 1 and 3; 541.20; 541.21; 609.75, subdivision 3; 609.76, subdivision 1; and 609.761; proposing coding for new law in Minnesota Statutes, chapters 349 and 609; proposing coding for new law as Minnesota Statutes, chapters 299K and 349A; repealing Minnesota Statutes 1988, sections 349.151, subdivisions 3 and 5; 349.212, subdivisions 2 and 4; and 349.2121, subdivision 4; and Minnesota Rules, part 7860.0030.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Quinn moved that the rule therein be suspended and an urgency be declared so that S. F. No. 150 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Quinn moved that the Rules of the House be so far suspended that S. F. No. 150 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 150 was read for the second time.

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.

FIRST READING OF SENATE BILLS, Continued**LAY ON THE TABLE**

Quinn moved that S. F. No. 150 be laid on the table. The motion prevailed.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Long requested immediate consideration of H. F. No. 66.

H. F. No. 66 was reported to the House.

Quinn moved to amend H. F. No. 66, the fifth engrossment, as follows:

Page 41, line 18, delete "commissioner" and insert "governor"

The motion prevailed and the amendment was adopted.

Wynia was excused while in conference.

Segal moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 57, after line 13, insert:

"Subd. 5. [DEPOSIT IN COMPULSIVE GAMBLING ACCOUNT.] Beginning July 1, 1990, the director shall pay to the state treasurer, at the same time and in the same manner as payments are made in subdivision 6, an amount equal to one percent of gross revenues from lottery ticket sales for the preceding month. The treasurer shall credit the amount paid under this subdivision to the compulsive gambling account in the general fund."

Page 57, line 14, delete "5" and insert "6"

Page 57, line 28, delete "and"

Page 57, after line 28, insert "(6) payments to the state treasurer for credit to the compulsive gambling fund under subdivision 5."

Page 57, line 29, delete "(6)" and insert "(7)"

Page 80, line 4, delete "the" and after "of" insert "and services to"

Page 80, line 5, after "gamblers" insert "and their families, and adolescents who are at risk of becoming compulsive gamblers"

Page 80, line 5, delete "a nonprofit entity" and insert "nonprofit entities"

Page 80, line 12, after the semicolon insert "counseling for families of compulsive gamblers and for adolescents at risk of becoming compulsive gamblers;"

Page 81, after line 2, insert a section to read:

"Sec. 2. [245.99] [COMPULSIVE GAMBLING ACCOUNT.]

Subdivision 1. [ACCOUNT CREATED.] A compulsive gambling account is created as a separate account in the general fund. The fund consists of all money credited to it under article 3, section 11, subdivision 5, and all other money appropriated by law for credit to the account.

Subd. 2. [APPROPRIATION.] All money in the compulsive gambling account is continually appropriated to the commissioner of human services for the purpose of operating the program established in section 1.

Renumber the remaining section

Page 81, line 4, after the period insert "Section 2 is effective July 1, 1991."

A roll call was requested and properly seconded.

The question was taken on the Segal amendment and the roll was called. There were 63 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abrams	Hartle	Limmer	Ozment	Skoglund
Boo	Hasskamp	Long	Pappas	Sviggum
Burger	Haukoos	Macklin	Pauly	Swenson
Carlson, D.	Heap	Marsh	Poppenhagen	Tjornhom
Carlson, L.	Henry	McDonald	Price	Tompkins
Dille	Himle	McGuire	Rest	Valento
Forsythe	Hugoson	McPherson	Rice	Vellenga
Frederick	Johnson, A.	Miller	Richter	Wagenius
Frerichs	Johnson, R.	Morrison	Runbeck	Waltman
Girard	Johnson, V.	Nelson, K.	Schafer	Weaver
Greenfield	Kahn	Olsen, S.	Schreiber	Williams
Gruenes	Kelly	Olson, K.	Seaberg	
Gutknecht	Krueger	Onnen	Segal	

Those who voted in the negative were:

Anderson, G.	Cooper	Lasley	Ostrom	Solberg
Anderson, R.	Dauner	Lieder	Otis	Sparby
Battaglia	Dempsey	Lynch	Pellow	Stanius
Bauerly	Dorn	McEachern	Pelowski	Steenisma
Beard	Jacobs	Milbert	Peterson	Trimble
Beginch	Janezich	Murphy	Pugh	Tunheim
Bennett	Jefferson	Nelson, C.	Quinn	Uphus
Bertram	Jennings	O'Connor	Reding	Welle
Bishop	Kalis	Ogren	Rodosovich	Wenzel
Blatz	Kelso	Olson, E.	Rukavina	Winter
Brown	Kinkel	Omann	Sarna	Spk. Vanasek
Carruthers	Knickerbocker	Orenstein	Scheid	
Conway	Kostohryz	Osthoff	Simoneau	

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

CALL OF THE HOUSE

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

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

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

Tompkins moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 40, after line 11, insert:

"Section 1. Minnesota Statutes 1988, section 116O.12, is amended to read:

1160.12 [GREATER MINNESOTA FUND.]

(a) The Greater Minnesota fund is created in the state treasury. The board may require the commissioner of finance to create separate accounts within the fund for use in accordance with the fund's purposes. Money in the fund not needed for the immediate purposes of the corporation may be invested by the corporation in any way authorized by section 11A.24. Money in the fund is appropriated to the corporation to be used as provided in this chapter.

(b) The fund consists of:

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes;
- (5) gifts, donations, and bequests made to the corporation; and
- (6) through the first five full fiscal years, during which proceeds from the lottery are received, one-half 45 percent of the net proceeds of the state-operated lottery must be credited to the greater Minnesota corporation fund. Thereafter, up to one-half 45 percent, as determined by law each biennium, of the net proceeds from the state-operated lottery must be credited to the greater Minnesota corporation fund."

Page 57, line 14, before "At" insert "(a)"

Page 57, after line 29, insert:

"(b) five percent of the net proceeds of the lottery are appropriated annually to the commissioner of health to be used for housing projects for the homeless, as determined by the commissioner."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

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

There were 53 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abrams	Gruenes	Macklin	Pellow	Steenisma
Blatz	Hartle	Marsh	Poppenhagen	Sviggum
Boo	Hasskamp	McDonald	Redalen	Swenson
Burger	Haukoos	McPherson	Rice	Tjornhom
Carlson, D.	Heap	Miller	Richter	Tompkins
Clark	Henry	Morrison	Runbeck	Valento
Dawkins	Himle	Olsen, S.	Schafer	Wagenius
Dempsey	Hugoson	Omann	Schreiber	Waltman
Forsythe	Johnson, V.	Onnen	Seaberg	Winter
Frederick	Limmer	Ozment	Skoglund	
Frerichs	Lynch	Pauly	Stanius	

Those who voted in the negative were:

Anderson, G.	Dorn	Knickerbocker	Olson, K.	Sarna
Anderson, R.	Girard	Kostohryz	Orenstein	Scheid
Battaglia	Greenfield	Krueger	Osthoff	Simoneau
Bauerly	Jacobs	Lasley	Ostrom	Solberg
Beard	Janezich	Lieder	Otis	Sparby
Begich	Jaros	McEachern	Pappas	Trimble
Bennett	Jefferson	McGuire	Pelowski	Tunheim
Bertram	Jennings	McLaughlin	Peterson	Uphus
Bishop	Johnson, A.	Milbert	Price	Vellenga
Brown	Johnson, R.	Murphy	Pugh	Weaver
Carlson, L.	Kahn	Nelson, C.	Quinn	Welle
Carruthers	Kalis	Nelson, K.	Reding	Wenzel
Conway	Kelly	O'Connor	Rest	Williams
Dauner	Kelso	Ogren	Rodosovich	Spk. Vanasek
Dille	Kinkel	Olson, E.	Rukavina	

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

McDonald, moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 55, after line 27, insert:

"Subd. 4. [TICKETS; REQUIRED INFORMATION.] All tickets the director sells for any game which requires the player to select more than four numbers from a larger field of numbers must contain a statement comparing the chances of winning the largest prize offered in the game with chances of other events occurring, including, but not limited to, chances of being attacked by a shark while on vacation."

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

Long was excused while in conference.

Runbeck, Wagenius and Himle moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 45, after line 7, insert "(9) restrictions on lottery advertising or promotion by retailers;"

Page 45, line 8, delete "(9)" and insert "(10)"

Page 45, line 10, delete "(10)" and insert "(11)"

Page 55, after line 27, insert:

"Subd. 4. [RETAILERS; ADVERTISING RESTRICTIONS.] (a) The director shall adopt rules governing on-premise and off-premise lottery advertising and promotion by lottery retailers. The rules must include as a minimum the restrictions in subdivision 2.

(b) Violation of a rule authorized by this subdivision is not a violation under section 13, subdivision 8, but is grounds for revocation, suspension or refusal to renew a lottery retailer contract.

Subd. 5. [PROMOTIONS; TIE-IN.] The director may not enter into any contract or other agreement with any person which involves (1) any cooperative or joint advertising with any other product or service, (2) the distribution of lottery tickets in connection with any other retail product, or the distribution of any other retail product in connection with a lottery ticket; or (3) any assumption by the director of any part of a retailer's advertising expenditures for the retailer's business."

A roll call was requested and properly seconded.

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

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

There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Girard	Haukoos	Johnson, V.
Blatz	Dille	Greenfield	Heap	Kelso
Boo	Forsythe	Gruenes	Henry	Knickerbocker
Burger	Frederick	Gutknecht	Himle	Limmer
Carlson, D.	Frerichs	Hasskamp	Hugoson	Lynch

Macklin	Nelson, K.	Poppenhagen	Seaberg	Uphus
Marsh	Olsen, S.	Rice	Skoglund	Valento
McDonald	Ostrom	Richter	Sviggum	Vellenga
McGuire	Ozment	Runbeck	Swenson	Wagenius
McPherson	Pauly	Schafer	Tjornhom	Waltman
Miller	Pellow	Schreiber	Tompkins	Weaver

Those who voted in the negative were:

Anderson, G.	Dauner	Kostohryz	Orenstein	Scheid
Anderson, R.	Dawkins	Krueger	Osthoff	Simoneau
Battaglia	Dorn	Lasley	Otis	Solberg
Bauerly	Hartle	Lieder	Pappas	Sparby
Beard	Jacobs	McEachern	Pelowski	Stanius
Begich	Janezich	McLaughlin	Peterson	Steenisma
Bennett	Jaros	Milbert	Price	Trimble
Bertram	Jefferson	Murphy	Pugh	Tunheim
Bishop	Jennings	Nelson, C.	Quinn	Welle
Brown	Johnson, A.	O'Connor	Redalen	Wenzel
Carlson, L.	Johnson, R.	Ogren	Reding	Williams
Carruthers	Kahn	Olson, E.	Rest	Winter
Clark	Kalis	Olson, K.	Rodosovich	Spk. Vanasek
Conway	Kelly	Omann	Rukavina	
Cooper	Kinkel	Onnen	Sarna	

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

Gutknecht moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 55, delete lines 2 to 23 and insert:

"Subd. 2. [CONTENT OF ADVERTISING.] (a) Advertising and promotional materials for the lottery adopted or published by the director may only present factual information on how lottery games are played, the prizes offered, where and how tickets may be purchased, the odds of winning a prize, and the winning numbers in a drawing or the identity of winners of lottery prizes.

(b) The director may not adopt or publish any advertising for the lottery which:

(1) presents directly or indirectly a lottery game as a potential means of relieving a person's financial or economic difficulties or improving a person's financial status;

(2) presents the purchase of a lottery ticket as a financial investment or a way to achieve financial security;

(3) is specifically targeted with the intent to exploit a person, a specific group, or an economic class of people; or

(4) presents the lottery as a form of entertainment or recreation."

Page 56, after line 29, insert:

"(c) The commissioner may not expend more than one percent of gross revenues in a biennium for advertising.

(d) Before using or publishing any advertisement, the commissioner must submit the advertisement to the Minnesota news council for its review and comment."

A roll call was requested and properly seconded.

McPherson moved to amend the Gutknecht amendment to H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 2, delete lines 1 to 3

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

The question recurred on the Gutknecht amendment, as amended, and the roll was called.

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

There were 50 yeas and 74 nays, as follows:

Those who voted in the affirmative were:

Abrams	Gruenes	Macklin	Otis	Steenisma
Blatz	Gutknecht	Marsh	Ozment	Sviggum
Boo	Hartle	McDonald	Pauly	Swenson
Burger	Hasskamp	McPherson	Poppenhagen	Tjornhom
Carlson, D.	Haukoos	Miller	Redalen	Tompkins
Clark	Heap	Morrison	Rice	Uphus
Dille	Henry	Nelson, K.	Richter	Valento
Forsythe	Himle	Olsen, S.	Schafer	Vellenga
Frerichs	Hugoson	Olson, K.	Schreiber	Waltman
Girard	Limmer	Ostrom	Seaberg	Weaver

Those who voted in the negative were:

Anderson, G.	Conway	Jennings	Krueger	Omann
Anderson, R.	Cooper	Johnson, A.	Lasley	Onnen
Battaglia	Dauner	Johnson, R.	Lieder	Orenstein
Bauerly	Dawkins	Johnson, V.	McEachern	Osthoff
Beard	Dempsey	Kahn	McGuire	Pappas
Begich	Dorn	Kalis	McLaughlin	Pellow
Bennett	Frederick	Kelly	Milbert	Pelowski
Bertram	Jacobs	Kelso	Nelson, C.	Peterson
Brown	Janezich	Kinkel	O'Connor	Price
Carlson, L.	Jaros	Knickerbocker	Ogren	Pugh
Carruthers	Jefferson	Kostohryz	Olson, E.	Quinn

Reding	Runbeck	Solberg	Tunheim	Williams
Rest	Sarna	Sparby	Wagenius	Winter
Rodosovich	Scheid	Stanisus	Welle	Spk. Vanasek
Rukavina	Simoneau	Trimble	Wenzel	

The motion did not prevail and the amendment, as amended, was not adopted.

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

Tjornhom and Swenson moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 40, after line 11, insert:

"Section 1. Minnesota Statutes 1988, section 116O.12, is amended to read:

116O.12 [GREATER MINNESOTA FUND.]

(a) The Greater Minnesota fund is created in the state treasury. The board may require the commissioner of finance to create separate accounts within the fund for use in accordance with the fund's purposes. Money in the fund not needed for the immediate purposes of the corporation may be invested by the corporation in any way authorized by section 11A.24. Money in the fund is appropriated to the corporation to be used as provided in this chapter.

(b) The fund consists of:

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes;
- (5) gifts, donations, and bequests made to the corporation; and
- (6) through the first five full fiscal years, during which proceeds from the lottery are received, one-half of the net proceeds of the state-operated lottery must be credited to the greater Minnesota corporation fund deposited in the general fund and annually appropriated to the department of education for general education aid. This amount shall not reduce the amount otherwise appropriated under section 124A.032 for general education aid. Thereafter, up to one-half, as determined by law each biennium, of the net proceeds

from the state-operated lottery must be credited to the greater Minnesota corporation fund deposited in the general fund and annually appropriated to the department of education for general education aid. This amount shall not reduce the amount otherwise appropriated under section 124A.032 for general education aid."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Tjornhom and Swenson amendment and the roll was called.

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

There were 50 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Marsh	Pauly	Skoglund
Anderson, R.	Haukoos	McDonald	Pellow	Stanius
Blatz	Heap	McGuire	Poppenhagen	Sviggum
Boo	Henry	McPherson	Redalen	Swenson
Burger	Himle	Miller	Rice	Tjornhom
Carlson, D.	Johnson, V.	Morrison	Richter	Tompkins
Carruthers	Knickerbocker	Olsen, S.	Runbeck	Valento
Dempsey	Limmer	Omann	Schafer	Wagenius
Forsythe	Lynch	Onnen	Schreiber	Waltman
Frederick	Macklin	Ozment	Seaberg	Weaver

Those who voted in the negative were:

Anderson, G.	Dorn	Kelly	Olson, E.	Rukavina
Battaglia	Greenfield	Kinkel	Olson, K.	Sarna
Bauerly	Gruenes	Kostohryz	Orenstein	Scheid
Beard	Hartle	Krueger	Osthoff	Simoneau
Beginch	Hasskamp	Lasley	Ostrom	Solberg
Bertram	Hugoson	Lieder	Otis	Sparby
Bishop	Jacobs	McEachern	Pappas	Steenisma
Brown	Janezich	McLaughlin	Pelowski	Trimble
Carlson, L.	Jaros	Milbert	Peterson	Tunheim
Clark	Jefferson	Munger	Price	Uphus
Conway	Jennings	Murphy	Pugh	Vellenga
Cooper	Johnson, A.	Nelson, C.	Quinn	Welle
Dauner	Johnson, R.	Nelson, K.	Reding	Wenzel
Dawkins	Kahn	O'Connor	Rest	Williams
Dille	Kalis	Ogren	Rodosovich	Winter
				Spk. Vanasek

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

Sviggum and Gutknecht moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 60, after line 35, insert:

"Sec. 17. [REVISOR INSTRUCTION.]

The revisor of statutes shall make appropriate changes in Minnesota Statutes to implement section 18.

Sec. 18. [REPEALER.]

Sections 1 to 16 are repealed effective July 1, 1994."

Page 60, line 36, delete "17" and insert "19"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

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

There were 35 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Burger	Gruenes	Johnson, V.	Miller	Richter
Dawkins	Gutknecht	Kelly	Nelson, K.	Schafer
Dempsey	Haukoos	Limmer	Onnen	Schreiber
Dille	Heap	Marsh	Pauly	Sviggum
Forsythe	Henry	McDonald	Poppenhagen	Tjornhom
Frerichs	Himle	McGuire	Redalen	Tompkins
Girard	Hugoson	McPherson	Rice	Waltman

Those who voted in the negative were:

Abrams	Bertram	Clark	Hasskamp	Kahn
Anderson, G.	Bishop	Conway	Jacobs	Kalis
Anderson, R.	Blatz	Cooper	Janezich	Kinkel
Battaglia	Boo	Dauner	Jaros	Knickerbocker
Bauerly	Brown	Dorn	Jefferson	Kostohryz
Beard	Carlson, D.	Frederick	Jennings	Krueger
Beighle	Carlson, L.	Greenfield	Johnson, A.	Lasley
Bennett	Carruthers	Hartle	Johnson, R.	Lieder

Macklin	Olson, K.	Price	Segal	Valento
McEachern	Omann	Pugh	Simoneau	Vellenga
McLaughlin	Orenstein	Quinn	Skoglund	Wagenius
Milbert	Osthoff	Reding	Solberg	Welle
Munger	Ostrom	Rest	Sparby	Wenzel
Murphy	Otis	Rodosovich	Stanius	Williams
Nelson, C.	Ozment	Rukavina	Steenisma	Winter
O'Connor	Pappas	Runbeck	Swenson	Spk. Vanasek
Ogren	Pellow	Sarna	Trimble	
Olsen, S.	Pelowski	Scheid	Tunheim	
Olson, E.	Peterson	Seaberg	Uphus	

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

Nelson, K., moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 44, after line 28, insert:

"The board may not approve a procedure for any game that would allow a person to win a prize greater than \$10,000,000."

A roll call was requested and properly seconded.

The question was taken on the Nelson, K., amendment and the roll was called.

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

There were 61 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Knickerbocker	Ostrom	Skoglund
Blatz	Gruenes	Limmer	Otis	Steenisma
Boo	Gutknecht	Lynch	Ozment	Sviggum
Burger	Hartle	Macklin	Pauly	Swenson
Carlson, D.	Haukoos	Marsh	Poppenhagen	Tjornhom
Clark	Heap	McDonald	Redalen	Tompkins
Dauner	Henry	McPherson	Rice	Uphus
Dawkins	Himle	Miller	Richter	Valento
Dille	Hugoson	Morrison	Runbeck	Vellenga
Forsythe	Johnson, V.	Nelson, K.	Schafer	Wagenius
Frederick	Kahn	Olsen, S.	Schreiber	Waltman
Frerichs	Kalis	Orenstein	Seaberg	Weaver

Those who voted in the negative were:

Anderson, G.	Bennett	Conway	Jaros	Kinkel
Anderson, R.	Bertram	Cooper	Jefferson	Kostohryz
Battaglia	Bishop	Dempsey	Jennings	Krueger
Bauerly	Brown	Dorn	Johnson, A.	Lasley
Beard	Carlson, L.	Jacobs	Johnson, R.	Lieder
Begich	Carruthers	Janezich	Kelly	McEachern

McGuire	Olson, E.	Pełowski	Rodosovich	Stanius
Milbert	Olson, K.	Peterson	Rukavina	Tunheim
Munger	Omarr	Price	Sarna	Welle
Murphy	Onnen	Pugh	Scheid	Wenzel
Nelson, C.	Osthoff	Quinn	Simoneau	Williams
O'Connor	Pappas	Reding	Solberg	
Ogren	Pellow	Rest	Sparby	

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

Schreiber, Scheid, McDonald, Sviggum, Gutknecht, Krueger, McEachern, Begich, Kostohryz, Lynch and Runbeck moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 28, after line 14, add a section to read:

"Sec. 41. Minnesota Statutes 1988, section 349.213, subdivision 1, is amended to read:

Subdivision 1. [LOCAL REGULATION.] A statutory or home rule city or county has the authority to adopt more stringent regulation of any form of lawful gambling within its jurisdiction, including the prohibition of any form of lawful gambling, and may require a permit for the conduct of gambling exempt from licensing under section 349.214. The fee for a permit issued under this subdivision may not exceed \$100. The authority granted by this subdivision does not include the authority to require a license or permit to conduct gambling by organizations or sales by distributors licensed by the board. The authority granted by this subdivision does not include the authority to require an organization to make specific expenditures of more than ten percent from its net profits derived from lawful gambling. For the purposes of this subdivision, net profits are profits less amounts expended for allowable expenses. A statutory or home rule charter city or a county may not require an organization conducting lawful gambling within its jurisdiction to make an expenditure to the city or county as a condition to operate within that city or county, except as authorized under section 349.16, subdivision 4, or section 349.212.

A statutory or home rule city or county may by ordinance require that an organization conducting lawful gambling within its jurisdiction expend all or a portion of its expenditures for lawful purposes on lawful purposes conducted or located within the city's or county's trade area. Such an ordinance must define the city's or county's trade area and must specify the percentage of lawful purpose expenditures which must be expended within the trade area."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Vellenga, Greenfield and Kelly moved to amend H. F. No. 66, the fifth engrossment, as amended, as follows:

Page 3, line 16, after "commission" insert ", other than the commissioner,"

The motion prevailed and the amendment was adopted.

H. F. No. 66, A bill for an act relating to gambling; creating a department of gaming; authorizing a state lottery to be conducted by a department of state lottery; creating a division of inspection and enforcement in the department of public safety and providing for its duties; prescribing penalties; appropriating money; amending Minnesota Statutes 1988, sections 10A.01, subdivision 18; 10A.09, subdivision 1; 15.06, subdivision 1; 15A.081, subdivision 1; 43A.08, subdivision 1a; 240.01, by adding subdivisions; 240.02, subdivisions 1 and 2; 240.04, subdivisions 1, 3, and 7; 240.06, subdivisions 3 and 8; 240.07, subdivision 2; 240.08, subdivision 3; 240.21; 240.28; 340A.410, subdivision 5; 349.12, subdivisions 11, 17, 20, and by adding subdivisions; 349.151, subdivisions 1, 2, 4, and 5; 349.16, subdivisions 3 and 4; 349.161, subdivision 4; 349.162, subdivisions 1, 2, 4, and 5; 349.163; 349.18, subdivision 1; 349.19, subdivisions 5 and 6; 349.212; 349.2121, subdivisions 2, 3, 4, 4a, 6, 7, 8, and 10; 349.2122; 349.2125, subdivisions 1, 2, and 3; 349.2127, subdivision 2; 349.213, subdivision 1; 349.214, subdivision 2; 349.22, subdivisions 1 and 3; 541.20; 541.21; 609.75, subdivision 3; 609.76, subdivision 1; 609.761; 626.05, subdivision 2; 626.13; and 626.84, subdivision 1; proposing coding for new law as Minnesota Statutes, chapters 299K; 349A; and 349B; proposing coding for new law in Minnesota Statutes, chapters 240; 245; and 349; repealing Minnesota Statutes 1988, sections 240.02, subdivision 7; 349.151, subdivisions 3 and 5; 349.161, subdivision 7; 349.164, subdivision 5; 349.171; and 349.22, subdivision 4.

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.

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

There were 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Abrams	Begin	Boo	Conway	Frederick
Anderson, G.	Bennett	Brown	Cooper	Frerichs
Battaglia	Bertram	Carlson, D.	Dauner	Girard
Bauerly	Bishop	Carlson, L.	Dawkins	Greenfield
Beard	Blatz	Carruthers	Dorn	Gruenes

Hartle	Kinkel	Murphy	Pugh	Sviggum
Hasskamp	Knickerbocker	O'Connor	Quinn	Swenson
Haukoos	Kostohryz	Ogren	Redalen	Tjornhom
Heap	Krueger	Olsen, S.	Reding	Trimble
Henry	Lasley	Omann	Rest	Tunheim
Jacobs	Lieder	Orenstein	Rodosovich	Uphus
Janezich	Limmer	Osthoff	Rukavina	Valento
Jaros	Lynch	Ostrom	Runbeck	Waltman
Jefferson	Macklin	Ozment	Sarna	Weaver
Jennings	McEachern	Pappas	Scheid	Welle
Johnson, A.	McLaughlin	Pauly	Schreiber	Williams
Johnson, R.	McPherson	Pellow	Simoneau	Winter
Johnson, V.	Milbert	Pelowski	Solberg	Spk. Vanasek
Kahn	Morrison	Peterson	Sparby	
Kelly	Munger	Price	Stanus	

Those who voted in the negative were:

Anderson, R.	Himle	Miller	Poppenhagen	Steenisma
Burger	Hugoson	Nelson, C.	Rice	Tompkins
Clark	Kalis	Nelson, K.	Richter	Vellenga
Dempsey	Long	Olson, E.	Schafer	Wagenius
Dille	Marsh	Olson, K.	Seaberg	Wenzel
Forsythe	McDonald	Onnen	Segal	
Gutknecht	McGuire	Otis	Skoglund	

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

FIRST READING OF SENATE BILLS, Continued

S. F. No. 522, A bill for an act relating to housing; authorizing the establishment of affordable housing programs under the administration of the Minnesota housing finance agency; establishing a neighborhood preservation program; revising certain tenant damage provisions in landlord-tenant actions; regulating tenant screening services; establishing a rent escrow system; providing mandatory building repair fines; authorizing a housing calendar consolidation pilot project in Hennepin and Ramsey counties; requiring housing impact statements; revising certain housing receivership provisions; providing a limited right of entry to secure vacant or unoccupied buildings; providing for city housing rehabilitation loan programs; establishing the community and neighborhood development organization program; establishing a child development program; authorizing a neighborhood revitalization program; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 4.071; 282.01, subdivision 1; 462A.03, by adding a subdivision; 462A.05, subdivision 27, and by adding subdivisions; 462A.21, subdivisions 4k, 12, and by adding subdivisions; 462C.02, by adding subdivisions; 462C.05, by adding a subdivision; 463.15, subdivisions 3 and 4; 463.16; 463.161; 463.17; 463.20; 463.21; 463.22; 469.012, subdivision 1; 504.255; 504.26; 566.17; 566.175, subdivision 1; 566.29, subdivisions 1, 4, and by adding subdivisions; 582.03, Laws 1971, chapter 333, as amended, by adding a section; Laws 1974, chapters 285, sections 2, 3, 4, and by adding a section; and 475, by adding a section; proposing coding for new law in

Minnesota Statutes, chapters 116J; 129A; 145; 268; 363; 412; 462A; 469; 471; 504; 566; and 582; repealing Laws 1974, chapter 351, sections 1 to 4, as amended; Laws 1975, chapter 260, sections 1 to 5; and Laws 1987, chapters 384, article 3, section 22; and 386, article 6, sections 4 to 11.

The bill was read for the first time.

O'Connor moved that S. F. No. 522 and H. F. No. 535, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CALL OF THE HOUSE LIFTED

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

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. 42, A bill for an act relating to economic development; permitting state agencies and local jurisdictions to invest in a working capital fund; proposing coding for new law in Minnesota Statutes, chapters 16B, 161, 471, and 473.

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

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 7, delete section 7

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete everything after "subdivision"

Page 1, line 7, delete everything before the period

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. 661, A bill for an act relating to pollution; regulating the disposal of infectious and pathological wastes; providing for penalties for violation; appropriating money; amending Minnesota Statutes 1988, section 609.671, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 5, line 35, delete "\$150" and insert "\$225"

Page 5, line 36, delete "\$25" and insert "\$40"

Page 6, line 17, after "FOR" insert "TRANSPORTERS AND"

Page 6, line 21, after "incinerates" insert ", transports,"

Page 6, line 23, delete "\$150" and insert "\$225. A person who incinerates on-site at a hospital must submit a fee of \$100"

Page 6, line 23, delete the second "fee" and insert "fees"

Page 6, line 26, delete "90" and insert "180"

Page 7, line 21, delete "90" and insert "180"

Page 9, delete section 15 and insert:

"Sec. 15. [APPROPRIATIONS.]

Subdivision 1. [POLLUTION CONTROL AGENCY.] \$270,000 is appropriated from the infectious waste account to the commissioner of the pollution control agency for the biennium ending June 30, 1991, to carry out the requirements of sections 1 to 13. The approved complement of the pollution control agency is increased by two positions in fiscal year 1990 and one additional position in fiscal year 1991.

Subd. 2. [DEPARTMENT OF HEALTH.] \$200,000 is appropriated from the infectious waste account to the commissioner of health for the biennium ending June 30, 1991, to carry out the requirements of sections 1 to 13. The approved complement of the department of health is increased by 2½ positions.

Subd. 3. [HEALTH DEPARTMENT.] \$10,000 is appropriated from the infectious waste account to the commissioner of health for the biennium ending June 30, 1991, to prepare educational material for distribution to infectious and pathological waste generators and transporters; treatment, storage, and disposal facility operators; households that generate infectious waste; and to the general public.

Subd. 4. [LOAN.] \$460,000 is appropriated from the general fund for transfer to the infectious waste account. This amount must be repaid to the general fund by 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. 1146, A bill for an act relating to traffic regulations; dedicating seat belt violation fines to emergency medical services relief account; amending Minnesota Statutes 1988, section 169.686, subdivision 3.

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. 1203, A bill for an act relating to nonprofit corporations; providing for the organization, operation, and dissolution of non-

profit corporations; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 8.31, subdivision 1; 79A.09, subdivision 1; 257.03; 309.67; 319A.20; 354A.021, subdivision 2; and 469.144, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 317A; repealing Minnesota Statutes 1988, sections 317.01 to 317.69.

Reported the same back with the following amendments:

Page 98, delete section 137

Page 99, line 18, delete "138" and insert "137"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "appropriating money,"

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. 1418, A bill for an act relating to appropriations; appropriating money to evaluate the St. Paul national indoor sports training center.

Reported the same back with the following amendments:

Page 1, lines 9 and 10, delete "for a study grant for the evaluation of the" and insert "to evaluate the feasibility of a"

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:

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

Reported the same back with the following amendments:

Page 3, after line 9, insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following 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:

S. F. No. 139, A bill for an act relating to liquor; increasing age for provisional driver's license to 21 years; changing provisional licenses to "under-21" licenses; prohibiting the issuance of both a Minnesota identification card and a driver's license, other than an instruction permit, to the same person; providing for fees; providing for license suspension for minors misrepresenting their age for purposes of purchasing alcoholic beverages; providing penalty for misuse of Minnesota identification card; increasing the period for suspension of a drivers license for use of a license to illegally purchase alcohol; including other forms of identification and persons who lend identification; increasing the penalty for counterfeiting a drivers license or Minnesota identification card; prohibiting lending any form of identification for use by an underage person to purchase alcohol; clarifying the application of the carding defense for illegal sales; providing for transfer of confiscated identification; amending Minnesota Statutes 1988, sections 171.02, subdivisions 1 and 3; 171.06, subdivision 2; 171.07, subdivisions 1 and 3; 171.171; 171.22; 171.27; 260.195, subdivision 3; 340A.503, subdivisions 2 and 6; and 340A.801, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 168.123, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS; FEES.] The registrar shall issue special license plates to an applicant who served in the active military service in a branch of the armed forces of the United States, was discharged under honorable conditions, and is an owner or joint owner of a motor vehicle included within the definition of a passenger automobile or which is self-propelled recreational equipment, on payment of a fee of \$10 for each set of two plates, payment of the registration tax required by law, and compli-

ance with other laws relating to registration and licensing of motor vehicles and drivers. The additional fee of \$10 is payable for each set of plates, is payable only when the plates are issued, and is not payable in a year in which tabs or stickers are issued instead of number plates. An applicant must not be issued more than two sets of plates for vehicles owned or jointly owned by the applicant.

The veteran shall have a certified copy of the veteran's discharge papers, indicating character of discharge, at the time of application.

Sec. 2. Minnesota Statutes 1988, section 168.125, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE AND DESIGN.] The registrar shall issue special license plates bearing the inscription "EX-POW" to any applicant who is both a former prisoner of war and an owner or joint owner of a motor vehicle upon the applicant's compliance with all the laws of this state relating to the registration and licensing of motor vehicles and drivers. The special license plates shall be of a design and size to be determined by the commissioner. Plates bearing the "EX-POW" inscription may be issued for only one motor vehicle per applicant.

Application for issuance of these plates shall be made at the time of renewal or first application for registration. The application shall include a certification by the commissioner of veterans affairs that the applicant was a member of the military forces of the United States who was captured, separated, and incarcerated by an enemy of the United States during a period of armed conflict.

The applicant shall pay, in addition to the registration tax required by law, a fee for the special license plates issued under this section, in an amount calculated by the commissioner to cover the cost of the license plates. The additional fee is payable only when the plates are issued and no additional fee is payable in any year in which tabs or stickers are issued in lieu of number plates. All fees from the sale of the special license plates shall be paid into the state treasury and credited to the highway user tax distribution fund.

Notwithstanding the provisions of section 168.12, subdivision 1, the special license plates issued under this section may be transferred to another motor vehicle owned or jointly owned by the former prisoner of war upon the payment of a fee of \$5. This fee shall be paid into the state treasury and credited to the highway user tax distribution fund.

Upon the death of a former prisoner of war, the registrar shall continue to issue, upon renewal, the special license plates to a vehicle owned by the surviving spouse of the former prisoner of war. Special license plates issued to a surviving spouse may be trans-

ferred to another vehicle owned by the surviving spouse as provided in this subdivision.

For purposes of this section, "motor vehicle" means a passenger automobile, station wagon, pickup truck, motorcycle, or recreational vehicle.

Sec. 3. Minnesota Statutes 1988, section 169.345, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purpose of this section, "physically handicapped person" means a person who:

- (1) because of disability cannot walk without significant risk of falling;
- (2) because of disability cannot walk 200 feet without stopping to rest;
- (3) because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;
- (4) is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one meter;
- (5) has an arterial oxygen tension (PAO₂) of less than 60 mm/hg on room air at rest;
- (6) uses portable oxygen; or
- (7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or
- (8) has an affliction that would be aggravated to such an extent that walking 200 feet under normal environmental conditions would be life threatening.

Sec. 4. Minnesota Statutes 1988, section 171.02, subdivision 3, is amended to read:

Subd. 3. [MOTORIZED BICYCLES.] No motorized bicycle shall be operated on any public roadway by any person who does not possess a valid driver's license, unless the person has obtained a motorized bicycle operator's permit or motorized bicycle instruction permit from the commissioner of public safety. The operator's permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The

instruction permit may be issued to any person who has attained the age of 15 years and who has successfully completed an approved safety course and passed the written portion of the examination prescribed by the commissioner.

This course must consist of, but is not limited to, a basic understanding of:

- (1) motorized bicycles and their limitations;
- (2) motorized bicycle laws and rules;
- (3) safe operating practices and basic operating techniques;
- (4) helmets and protective clothing;
- (5) motorized bicycle traffic strategies; and
- (6) effects of alcohol and drugs on motorized bicycle operators.

The commissioner may promulgate rules prescribing the content of the safety course, examination, and the information to be contained on the permits. A person operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

The fees for motorized bicycle operator's permits are as follows:

(a) Examination and operator's permit, valid for one year	\$ 6
(b) Duplicate	\$ 3
(c) Renewal permit before age <u>19</u> <u>21</u> and valid until age <u>19</u> <u>21</u>	\$ 9
(d) Renewal permit after age <u>19</u> <u>21</u> and valid for four years	\$15
(e) Duplicate of any renewal permit	\$ 4.50
(f) Written examination and instruction permit, valid for 30 days	\$ 6

Sec. 5. Minnesota Statutes 1988, section 171.06, subdivision 2, is amended to read:

Subd. 2. [FEES.] (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver License	C-\$15	B-\$22.50	A-\$30
Classified Provisional D.L.	C-\$ 9	B-\$15	A-\$10
	<u>C-\$15</u>	<u>B-\$22.50</u>	
Instruction Permit			\$ 6
Duplicate Driver or Provisional License			\$ 4.50
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a			\$.9

Sec. 6. Minnesota Statutes 1988, section 171.07, subdivision 1, is amended to read:

Subdivision 1. [LICENSE; CONTENTS.] The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles the applicant is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address and permanent mailing address if different, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write the usual signature and the date of birth of the licensee with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 19 21 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection. A license issued to an applicant of age 65 or over shall be plainly marked "senior" if requested by the applicant.

Sec. 7. Minnesota Statutes 1988, section 171.171, is amended to read:

171.171 [SUSPENSIONS; ILLEGAL PURCHASE OF ALCOHOLIC BEVERAGES.]

The commissioner shall suspend for a period of 30 days the license of a person under the age of 19 21 years who is convicted of purchasing or attempting to purchase an alcoholic beverage in violation of section 340A.503 if the person used a drivers license or permit to purchase or attempt to purchase the alcoholic beverage.

Sec. 8. Minnesota Statutes 1988, section 171.22, is amended to read:

171.22 [UNLAWFUL ACTS.]

Subdivision 1. [ACTS.] It shall be unlawful for any person:

- (1) to display, or cause or permit to be displayed, or have in possession, any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license or Minnesota identification card;
- (2) to lend the person's driver's license or Minnesota identification card to any other person or knowingly permit the use thereof by another;
- (3) to display or represent as one's own any driver's license or Minnesota identification card not issued to that person;
- (4) to fail or refuse to surrender to the department, upon its lawful demand, any driver's license or Minnesota identification card which has been suspended, revoked, or canceled;
- (5) to use a fictitious name or date of birth to any police officer or in any application for a driver's license or Minnesota identification card, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application;
- (6) to alter any driver's license or Minnesota identification card, or to counterfeit or make any fictitious license;
- (7) to take any part of the driver's license examination for another or to permit another to take the examination for that person; or
- (8) to use the name and date of birth of another person to any police officer for the purpose of falsely identifying oneself to the police officer.

Subd. 2. [PENALTIES.] Any person who violates subdivision 1, clause (8), is guilty of a gross misdemeanor. Any person who violates any other provision of subdivision 1 is guilty of a misdemeanor.

Sec. 9. Minnesota Statutes 1988, section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSES.]

The expiration date for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on the application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and

passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the 19th 21st birthday of the licensee. Upon the provisional licensee attaining the age of 19 21 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license issued before August 1, 1989, is the 19th birthday of the licensee. When a holder of a provisional license attains the age of 19, requires a duplicate provisional license, or wants to obtain an updated provisional license, and upon the payment of a \$5 application fee and passing the examination required for renewal, a provisional driver's license must be issued unless the commissioner believes that the licensee is no longer qualified as a driver. The expiration date of the provisional license is the person's 21st birthday.

Any valid Minnesota driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States, or the person's spouse, shall continue in full force and effect without requirement for renewal until 90 days after the date of the person's discharge from such service, provided that a spouse's license must be renewed if the spouse is residing within the state at the time the license expires or within 90 days after the spouse returns to Minnesota and resides within the state.

Sec. 10. Minnesota Statutes 1988, section 340A.503, subdivision 6, is amended to read:

Subd. 6. [PROOF OF AGE; DEFENSE.] (a) Proof of age for purchasing or consuming alcoholic beverages may be established only by a valid drivers license or Minnesota identification card, or in the case of a foreign national by a valid passport.

(b) In a prosecution under subdivision 2, clause (1), it is a defense for the defendant to prove by a preponderance of the evidence that the defendant relied upon representations of proof of age authorized in paragraph (a) in selling, bartering, furnishing, or giving the alcoholic beverage and that such reliance was justified, undertaken prudently and carefully, and was in good faith.

Sec. 11. Minnesota Statutes 1988, section 340A.801, is amended by adding a subdivision to read:

Subd. 3a. [DEFENSE.] The defense described in section 340A.503, subdivision 6, applies to actions under this section."

Delete the title and insert:

"A bill for an act relating to public safety; providing for special license plates for veterans who are owners of self-propelled recreational equipment; providing for disposition of POW plates to surviving spouses of former prisoners of war; increasing age for provisional driver's license to 21 years; providing for fees; providing for license suspension for minors misrepresenting their age for purposes of purchasing alcoholic beverages; providing penalty for misuse of Minnesota identification card; amending Minnesota Statutes 1988, sections 168.123, subdivision 1; 168.125, subdivision 1; 169.345, subdivision 2; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivision 1; 171.171; 171.22; 171.27; 340A.503, subdivision 6; and 340A.801, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 42, 584, 661, 1146, 1203 and 1418 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 126 and 139 were read for the second time.

Anderson, R., was excused while in conference.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 943

A bill for an act relating to health; requiring post-secondary students to submit a statement of immunization; providing exemptions; amending Minnesota Statutes 1988, sections 120.102, subdivision 1; and 123.70, subdivisions 1, 2, 4, 9, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 135A.

May 11, 1989

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

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H. F. No. 943, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment and that H. F. No. 943, the unofficial engrossment, be further amended as follows:

Page 6, line 13, after "institutions" insert "having an enrollment of more than 100 persons during any quarter, term, or semester during the preceding year"

Page 6, line 15, after "four-year" insert ", professional"

Page 6, line 17, before "chapter" insert "either" and delete "and" and insert "or"

Page 6, line 18, before the period insert ", and which offer educational programs within the state for an academic year greater than six consecutive months. An institution's report to the Minnesota higher education coordinating board or the Minnesota department of education may be considered when determining enrollment"

We request adoption of this report and repassage of the bill.

House Conferees: HOWARD R. ORENSTEIN, GLORIA M. SEGAL AND DOUGLAS G. SWENSON.

Senate Conferees: JIM M. VICKERMAN, JAMES C. PEHLER AND HOWARD A. KNUTSON.

Orenstein moved that the report of the Conference Committee on H. F. No. 943 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 943, A bill for an act relating to health; requiring post-secondary students to submit a statement of immunization; providing exemptions; amending Minnesota Statutes 1988, sections 120.102, subdivision 1; and 123.70, subdivisions 1, 2, 4, 9, and by

adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

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

CONFERENCE COMMITTEE REPORT ON 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.

May 10, 1989

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

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H. F. No. 956, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 956 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 65B.49, subdivision 3a, is amended to read:

Subd. 3a. [UNINSURED AND UNDERINSURED MOTORIST COVERAGES.] (1) No plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless separate uninsured and underinsured motorist coverages are provided therein. The coverages combined Each coverage, at a minimum, must provide limits of \$25,000 because of injury to or the death of one person in any accident and \$50,000 because of injury to or the death of two or more persons in any accident. In the case of injury to, or the death of, two or more persons in any accident, the amount available to any one person must not exceed the coverage limit provided for injury to, or the death of, one person in any accident. For purposes of this subdivision, uninsured motorist coverage and underinsured motorist coverage shall be a single coverage.

(2) Every owner of a motor vehicle registered or principally garaged in this state shall maintain uninsured and underinsured motorist coverages as provided in this subdivision.

(3) No reparation obligor is required to provide limits of uninsured and underinsured motorist coverages in excess of the bodily injury liability limit provided by the applicable plan of reparation security.

(4) No recovery shall be permitted under the uninsured and underinsured motorist coverages of this section for basic economic loss benefits paid or payable, or which would be payable but for any applicable deductible.

(5) If at the time of the accident the injured person is occupying a motor vehicle, the limit of liability for uninsured and underinsured motorist coverages available to the injured person is the limit specified for that motor vehicle. However, if the injured person is occupying a motor vehicle of which the injured person is not an insured, the injured person may be entitled to excess insurance protection afforded by a policy in which the injured party is otherwise insured. The excess insurance protection is limited to the extent of covered damages sustained, and further is available only to the extent by which the limit of liability for like coverage applicable to any one motor vehicle listed on the automobile insurance policy of which the injured person is an insured exceeds the limit of liability of the coverage available to the injured person from the occupied motor vehicle.

If at the time of the accident the injured person is not occupying a motor vehicle, the injured person is entitled to select any one limit of liability for any one vehicle afforded by a policy under which the injured person is insured.

(6) Regardless of the number of policies involved, vehicles involved, persons covered, claims made, vehicles or premiums shown on the policy, or premiums paid, in no event shall the limit of liability for uninsured and underinsured motorist coverages for two or more motor vehicles be added together to determine the limit of insurance coverage available to an injured person for any one accident.

(7) The uninsured and underinsured motorist coverages required by this subdivision do not apply to bodily injury of the insured while occupying a motor vehicle owned by the insured, unless the occupied vehicle is an insured motor vehicle.

Sec. 2. Minnesota Statutes 1988, section 65B.49, subdivision 4a, is amended to read:

Subd. 4a. [LIABILITY ON UNDERINSURED MOTOR VEHICLES.] With respect to underinsured motor vehicles coverage, the maximum liability of an insurer is the lesser of the difference between the limit of underinsured motorist coverage and the amount paid to the insured by or for any person or organization who may be held legally liable for the bodily injury, or the amount of damages sustained but not recovered: from the insurance policy of the driver or owner of any underinsured at fault vehicle. If a person is injured by two or more vehicles, underinsured motorist coverage is payable whenever any one of those vehicles meets the definition of underinsured motorist vehicle in Minnesota Statutes, section 65B.43, subdivision 17. However, in no event shall the underinsured motorist carrier have to pay more than the amount of its underinsured motorist limits.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective for all contracts issued or renewed on or after August 1, 1989, or for all injuries occurring on or after August 1, 1989, or for deaths occurring as the result of injuries sustained on or after August 1, 1989."

Delete the title and insert:

"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."

We request adoption of this report and repassage of the bill.

House Conferees: PHIL CARRUTHERS, RANDY C. KELLY, TERRY DEMPSEY, WAYNE SIMONEAU AND DAVE BISHOP.

Senate Conferees: DONNA C. PETERSON, WILLIAM P. LUTHER, SAM G. SOLON, FRITZ KNAAK AND GEN OLSON.

Carruthers moved that the report of the Conference Committee on H. F. No. 956 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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

The question was taken on the repassage of the bill and the roll was called. There were 109 yeas and 18 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	Gutknecht	Onnen	Richter	Sviggum
Forsythe	Hugoson	Poppenhagen	Schafer	Tompkins
Frerichs	Johnson, V.	Redalen	Simoneau	
Girard	McDonald	Reding	Stanius	

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 949

A bill for an act relating to traffic safety; increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation or for another impaired driving crime; amending Minnesota Statutes 1988, section 169.121, subdivision 3.

May 10, 1989

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

The Honorable Jerome M. Hughes
President of the Senate

We, the undersigned conferees for H. F. No. 949, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment and that H. F. No. 949 be further amended as follows:

Page 2, line 4, after the first "1" insert ", paragraph (a)"

Page 2, line 6, after the semicolon insert "609.21, subdivision 4, clause (2) or (3);"

We request adoption of this report and repassage of the bill.

House Conferees: MARCEL "SAL" FREDERICK, RANDY C. KELLY AND PHIL CARRUTHERS.

Senate Conferees: GLEN TAYLOR, ALLAN H. SPEAR AND LAWRENCE J. POGEMILLER.

Frederick moved that the report of the Conference Committee on H. F. No. 949 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 949, A bill for an act relating to traffic safety; increasing penalties for persons convicted of DWI after a previous conviction for criminal vehicular operation or for another impaired driving crime; amending Minnesota Statutes 1988, section 169.121, subdivision 3.

The bill was read for the third time, as amended by Conference, 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 0 nays as follows:

Those who voted in the affirmative were:

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

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

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. 1197, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1988, sections 10A.01, subdivisions 5 and 18; 10A.32, subdivision 3a; 13.46, subdivision 2; 13.75, subdivision 2; 16A.26; 16B.28, subdivision 3;

18B.25, subdivision 4; 45.028, subdivision 1; 69.32; 105.81; 115A.195; 115C.08, subdivision 3; 116.44, subdivision 1; 122.23, subdivision 18; 122.96, subdivision 3; 124.646, subdivision 1; 124A.24; 124A.27, subdivision 1; 127.35; 136C.61, subdivision 1; 136D.27, subdivision 3; 136D.71; 136D.74, subdivision 2b; 136D.741, subdivision 4; 136D.87, subdivision 3; 141.35; 144.122; 144.335, subdivision 2; 145A.07, subdivision 1; 145A.13; 157.03; 168.33, subdivision 2; 168A.24, subdivision 2; 168A.29, subdivision 3; 169.345, subdivision 2; 176.081, subdivision 1; 176.101, subdivision 3e; 176.131, subdivision 1; 176.421, subdivision 7; 205.065, subdivision 1; 205.18, subdivision 2; 211B.15, subdivision 4; 214.01, subdivision 2; 245.77; 256.01, subdivision 2; 256.991; 256B.69, subdivision 16; 256D.03, subdivision 4; 256G.02, subdivision 4; 256G.06; 257.354, subdivision 4; 268.04, subdivision 32; 268.10, subdivision 1; 272.02, subdivision 1; 273.124, subdivision 6; 290.05, subdivision 3; 290.92, subdivision 23; 297.07, subdivision 3; 297.35, subdivision 3; 298.2211, subdivision 1; 308.11; 340A.414, subdivision 6; 349.213, subdivision 2; 352.01, subdivision 2b; 353.01, subdivision 2a; 363.06, subdivision 4; 383B.229; 383B.77; 383C.331; 383C.334; 469.0721; 469.121, subdivision 1; 469.129, subdivision 1; 471.562, subdivision 4; 471.563; 473.605, subdivision 2; 473.845, subdivision 1; 474A.02, subdivision 18; 480A.02, subdivision 7; 485.018, subdivision 2; 515A.3-115; 525.94, subdivision 3; 548.09, subdivision 2; 604.02, subdivision 1; 609.506, subdivision 1; and 611A.53, subdivision 1; reenacting Minnesota Statutes 1988, section 80A.14, subdivision 18; repealing Minnesota Statutes 1988, sections 260.125, subdivision 6; 326.01, subdivision 21; and 362A.08; amending Laws 1976, chapter 134, section 79; Laws 1988, chapter 640, section 5; and chapter 719, article 12, section 29; repealing Laws 1965, chapter 267, section 1; Laws 1971, chapter 830, section 7; Laws 1976, chapter 2, section 62; chapter 134, section 2; chapter 163, section 10; and chapter 173, section 53; Laws 1977, chapter 35, section 8; Laws 1978, chapter 496, section 1; and chapter 706, section 31; Laws 1979, chapter 48, section 2; and chapter 184, section 3; Laws 1981, chapter 271, section 1; Laws 1982, chapter 514, section 15; Laws 1983, chapter 242, section 1; chapter 247, section 38; chapter 289, section 4; chapter 290, sections 2 and 3; chapter 299, section 26; and chapter 303, sections 21 and 22; Laws 1984, chapter 654, article 2, section 117; Laws 1986, chapter 312, section 1; chapter 400, section 43; and chapter 452, section 17; Laws 1986, First Special Session chapter 3, article 1, sections 74 and 79; and Laws 1987, chapter 268, article 5, section 5; chapter 384, article 2, section 25; chapter 385, section 7; chapter 403, article 5, section 1; and chapter 404, section 138.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Bishop moved that the House concur in the Senate amendments to

H. F. No. 1197 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1197, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1988, sections 10A.01, subdivisions 5 and 18; 10A.32, subdivision 3a; 13.46, subdivision 2; 13.75, subdivision 2; 16A.26; 16B.28, subdivision 3; 18B.25, subdivision 4; 45.028, subdivision 1; 69.32; 105.81; 115A.195; 115C.08, subdivision 3; 116.44, subdivision 1; 122.23, subdivision 18; 122.96, subdivision 3; 124.646, subdivision 1; 124A.24; 124A.27, subdivision 1; 127.35; 136C.61, subdivision 1; 136D.27, subdivision 3; 136D.71; 136D.74, subdivision 2b; 136D.741, subdivision 4; 136D.87, subdivision 3; 141.35; 144.122; 144.335, subdivision 2; 145A.07, subdivision 1; 145A.13; 157.03; 168.33, subdivision 2; 168A.24, subdivision 2; 168A.29, subdivision 3; 169.345, subdivision 2; 176.081, subdivision 1; 176.101, subdivision 3e; 176.131, subdivision 1; 176.421, subdivision 7; 205.065, subdivision 1; 205.18, subdivision 2; 211B.15, subdivision 4; 214.01, subdivision 2; 245.77; 256.01, subdivision 2; 256.991; 256B.69, subdivision 16; 256D.03, subdivision 4; 256G.02, subdivision 4; 256G.06; 257.354, subdivision 4; 268.04, subdivision 32; 268.10, subdivision 1; 272.02, subdivision 1; 273.124, subdivision 6; 290.05, subdivision 3; 297.07, subdivision 3; 297.35, subdivision 3; 298.2211, subdivision 1; 308.11; 340A.414, subdivision 6; 349.213, subdivision 2; 352.01, subdivision 2b; 353.01, subdivision 2a; 363.06, subdivision 4; 383B.229; 383B.77; 383C.331; 383C.334; 469.0721; 469.121, subdivision 1; 469.129, subdivision 1; 471.562, subdivision 4; 471.563; 473.605, subdivision 2; 473.845, subdivision 1; 474A.02, subdivision 18; 480A.02, subdivision 7; 485.018, subdivision 2; 515A.3-115; 525.94, subdivision 3; 548.09, subdivision 2; 604.02, subdivision 1; 609.506, subdivision 1; and 611A.53, subdivision 1; reenacting Minnesota Statutes 1988, section 80A.14, subdivision 18; repealing Minnesota Statutes 1988, sections 260.125, subdivision 6; 326.01, subdivision 21; and 362A.08; amending Laws 1976, chapter 134, section 79; Laws 1988, chapter 640, section 5; and chapter 719, article 12, section 29; repealing Laws 1965, chapter 267, section 1; Laws 1971, chapter 830, section 7; Laws 1976, chapter 2, section 62; chapter 134, section 2; chapter 163, section 10; and chapter 173, section 53; Laws 1977, chapter 35, section 8; Laws 1978, chapter 496, section 1; and chapter 706, section 31; Laws 1979, chapter 48, section 2; and chapter 184, section 3; Laws 1981, chapter 271, section 1; Laws 1982, chapter 514, section 15; Laws 1983, chapter 242, section 1; chapter 247, section 38; chapter 289, section 4; chapter 290, sections 2 and 3; chapter 299, section 26; and chapter 303, sections 21 and 22; Laws 1984, chapter 654, article 2, section 117; Laws 1986, chapter 312, section 1; chapter 400, section 43; and chapter 452, section 17; Laws 1986, First Special Session chapter 3, article 1, sections 74 and 79; and Laws 1987, chapter 268, article 5, section 5;

chapter 384, article 2, section 25; chapter 385, section 7; chapter 403, article 5, section 1; and chapter 404, section 138.

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	Onnen	Schreiber
Anderson, G.	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	Steenisma
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	O'Connor	Rodosovich	Weaver
Dempsey	Kalis	Ogren	Rukavina	Welle
Dille	Kelly	Olsen, S.	Runbeck	Wenzel
Dorn	Kinkel	Olson, E.	Sarna	Williams
Forsythe	Knickerbocker	Olson, K.	Schafer	Winter
Frederick	Kostohryz	Ormann	Scheid	Wynia
				Spk. Vanasek

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 245:

Jennings, Neuenschwander and Ozment.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 761:

Simoneau, Orenstein and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1016:

Morrison, Kelly and Pugh.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 180:

Hugoson, Sarna and Heap.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1358:

Wynia, Lieder and Boo.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Anderson, G., requested immediate consideration of H. F. No. 629.

The Speaker called Quinn to the Chair.

H. F. No. 629 was reported to the House.

Scheid, Boo, Osthoff, Steensma, Knickerbocker, Svingum, McEachern and Abrams moved to amend H. F. No. 629, the third engrossment, as follows:

Page 11, after line 6, insert:

"Sec. 9. Minnesota Statutes 1988, section 10A.32, is amended by adding a subdivision to read:

Subd. 2a. [MATCHING FUNDS.] In addition to the requirements of subdivision 3, to be eligible to receive any money from the state elections campaign fund, a candidate shall file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions, including unexpended balances from the prior year, or has made contributions to self, in an amount equal to or greater than 50 percent of the minimum amount that the board estimates, on August 15 of the general election year, would be received by the candidate from the state campaign fund. The candidate shall submit the affidavit required by this subdivision to

the board in writing on or before October 1 of the general election year."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 27, delete "a subdivision" and insert "subdivisions"

A roll call was requested and properly seconded.

The question was taken on the Scheid et al amendment and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Olsen, S.	Sarna
Anderson, G.	Frerichs	Kostohryz	Olson, E.	Schafer
Anderson, R.	Girard	Lieder	Omann	Scheid
Beard	Gruenes	Limmer	Onnen	Schreiber
Bennett	Gutknecht	Lynch	Orenstein	Stanius
Bishop	Hartle	Macklin	Osthoff	Steenisma
Blatz	Haukoos	Marsh	Ozment	Sviggum
Boo	Heap	McDonald	Pauly	Swenson
Burger	Henry	McEachern	Pellow	Tjornhom
Carlson, D.	Himle	McPherson	Poppenhagen	Tompkins
Carruthers	Hugoson	Milbert	Pugh	Uphus
Dempsey	Jacobs	Miller	Redalen	Valento
Dille	Jennings	Morrison	Richter	Waltman
Dorn	Johnson, V.	O'Connor	Runbeck	Weaver

Those who voted in the negative were:

Battaglia	Janezich	McGuire	Peterson	Solberg
Bauerly	Jaros	McLaughlin	Price	Sparby
Begich	Jefferson	Munger	Quinn	Trimble
Bertram	Johnson, A.	Murphy	Reding	Tunheim
Carlson, L.	Johnson, R.	Nelson, C.	Rest	Vellenga
Clark	Kahn	Nelson, K.	Rice	Wagenius
Conway	Kalis	Ogren	Rodosovich	Welle
Cooper	Kelly	Olson, K.	Rukavina	Wenzel
Dauner	Kinkel	Ostrom	Seaberg	Williams
Dawkins	Krueger	Otis	Segal	Winter
Greenfield	Lasley	Pappas	Simoneau	Wynia
Hasskamp	Long	Felowski	Skoglund	Spk. Vanasek

The motion prevailed and the amendment was adopted.

Johnson, A., offered an amendment to H. F. No. 629, the third engrossment, as amended.

Scheid requested a division of the Johnson, A., amendment to H. F. No. 629, the third engrossment, as amended.

The first portion of the Johnson, A., amendment to H. F. No. 629, the third engrossment, as amended, reads as follows:

Page 1, line 24 of the Scheid amendment, delete "50" and insert "25"

The motion did not prevail and the first portion of the Johnson, A., amendment to H. F. No. 629, the third engrossment, as amended, was not adopted.

Johnson, A., withdrew the second portion of her amendment to H. F. No. 629, the third engrossment, as amended.

Osthoff moved to amend H. F. No. 629, the third engrossment, as amended, as follows:

Page 5, line 19, delete "Subdivision 1. [METHOD OF CALCULATION.]"

Page 5, line 20, delete "1990" and insert "1989"

Page 5, line 25, after "made" insert ", or December 1987, for the adjustment made in 1989"

Page 5, delete lines 35 and 36

Page 6, delete lines 1 to 7

The motion prevailed and the amendment was adopted.

Sviggum moved to amend H. F. No. 629, the third engrossment, as amended, as follows:

Page 3, after line 2, insert:

"Sec. 3. Minnesota Statutes 1988, section 10A.19, subdivision 1, is amended to read:

Subdivision 1. No candidate shall accept contributions from any source, other than self, in aggregate in excess of \$100 or any money from the state elections campaign fund unless the candidate designates and causes to be formed a single principal campaign committee. No candidate may give express or implied consent to, or expressly or impliedly authorize or cooperate with, the formation or activities of any political committee or political fund with the candidate's name or title, other than the candidate's principal campaign committee."

Renumber subsequent sections

Correct internal cross-references

Amend the title as follows:

Page 1, line 6, after the semi-colon, insert "prohibiting certain cooperation with certain political committees or funds;"

Page 1, line 24, after the semi-colon, insert "10A.19, subdivision 1;"

A roll call was requested and properly seconded.

The question was taken on the Svinggum amendment and the roll was called. There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Battaglia	Hasskamp	Lieder	Pappas	Solberg
Bauerly	Janezich	Long	Pelowski	Sparby
Beard	Jaros	McGuire	Peterson	Steenisma
Begich	Jefferson	McLaughlin	Price	Trimble
Bertram	Jennings	Milbert	Pugh	Tunheim
Brown	Johnson, A.	Munger	Quinn	Vellenga
Carlson, L.	Johnson, R.	Murphy	Reding	Wagenius
Carruthers	Kahn	Nelson, C.	Rest	Welle
Clark	Kalis	Nelson, K.	Rice	Wenzel
Conway	Kelly	Ogren	Rodosovich	Williams
Cooper	Kinkel	Olson, E.	Rukavina	Winter
Dauner	Knickerbocker	Olson, K.	Scheid	Wynia
Dawkins	Kostohryz	Orenstein	Segal	Spk. Vanasek
Dorn	Krueger	Osthoff	Simoneau	
Greenfield	Lasley	Ostrom	Skoglund	

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

Miller, Svinggum and Weaver moved to amend H. F. No. 629, the third engrossment, as amended, as follows:

Pages 11 to 13, delete section 9

Page 16, line 36, delete "section" and insert "sections 10A.25, subdivision 10; and" and delete "is" and insert "are"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Miller et al amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Dempsey was excused while in conference.

Carlson, D.; Ozment; Schafer; McDonald; Richter; Stanius; Olsen, S.; Seaberg; Dempsey; Waltman; Onnen; Boo; Morrison; Runbeck; Tjornhom; Frerichs; Tompkins; Sviggum; Burger; Lynch; Swenson; Himle; Abrams; Blatz; Dille; Macklin; Omann; Schreiber; Limmer; Henry; Weaver; Haukoos; Frederick; Hartle; Gutknecht; Pauly; Girard; McPherson; Marsh; Knickerbocker; Gruenes and Pellow

moved to amend H. F. No. 629, the third engrossment, as amended, as follows:

Page 2, line 10, after "solicit" insert "or accept"

A roll call was requested and properly seconded.

Scheid moved to amend the Carlson, D., et al amendment to H. F. No. 629, the third engrossment, as amended, as follows:

In the Carlson, D., et al amendment, after line 3, insert:

"Page 2, line 23, after the comma insert "registered lobbyist,"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The question recurred on the Carlson, D., et al amendment, as amended, and the roll was called. There were 121 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bauerly	Ogren	Rodosovich
Jaros	Osthoff	Rukavina

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

Long moved to amend H. F. No. 629, the third engrossment, as amended, as follows:

Page 1, line 24, of the Scheid amendment, delete "50" and insert "20"

A roll call was requested and properly seconded.

The question was taken on the Long amendment and the roll was called. There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Battaglia	Cooper	Jaros	Krueger	Nelson, K.
Beard	Dauner	Jefferson	Lasley	Ogren
Beginch	Dawkins	Johnson, A.	Long	Olson, K.
Bertram	Dorn	Johnson, R.	McGuire	Omann
Brown	Forsythe	Kalis	McLaughlin	Onnen
Carlson, L.	Greenfield	Kelly	Milbert	Orenstein
Carruthers	Hasskamp	Kinkel	Murphy	Ostrom
Clark	Janézich	Kostohryz	Nelson, C.	Otis

Pappas	Rice	Simoneau	Trimble	Wenzel
Pelowski	Richter	Skoglund	Tunheim	Williams
Peterson	Rodosovich	Solberg	Vellenga	Winter
Quinn	Rukavina	Sparby	Wagenius	Wynia
Reding	Seaberg	Steenisma	Weaver	Spk. Vanasek
Rest	Segal	Tompkins	Welle	

Those who voted in the negative were:

Abrams	Girard	Kahn	O'Connor	Schafer
Anderson, R.	Gruenes	Knickerbocker	Olsen, S.	Scheid
Bennett	Gutknecht	Lieder	Olson, E.	Schreiber
Bishop	Hartle	Limmer	Osthoff	Stanius
Blatz	Haukoos	Lynch	Ozment	Sviggum
Boo	Heap	Macklin	Pauly	Swenson
Burger	Henry	Marsh	Fellow	Tjornhom
Carlson, D.	Himle	McDonald	Poppenhagen	Uphus
Conway	Hugoson	McEachern	Pugh	Valento
Dille	Jacobs	McPherson	Redalen	Waltman
Frederick	Jennings	Miller	Runbeck	
Frerichs	Johnson, V.	Morrison	Sarna	

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

H. F. No. 629, A bill for an act relating to elections; ethics in government; clarifying and modifying certain exceptions to multi-candidate political party expenditure limitations; modifying lobbyist reporting requirements; expanding certain reports by certain political committees and political funds; discontinuing the state ethical practices board responsibility for developing and furnishing certain forms; limiting contributions and solicitations during a regular legislative session; providing a public subsidy for legislative candidates in special elections; providing an income tax credit for contributions to state candidates and political parties; requiring candidates to match funds received from the state elections campaign fund; providing a schedule for distribution of political campaign checkoff money to political parties; requiring deer licenses to include an application for absentee ballots; requiring county auditors to provide a sample ballot for classroom use; specifying a time period for preparing a candidate's affidavit; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 10A.04, subdivision 2; 10A.20, subdivision 3; 10A.27, subdivision 4; 10A.275; 10A.31, subdivision 5, and by adding a subdivision; 10A.32, subdivision 3, and by adding subdivisions; 10A.33; 97A.485, by adding a subdivision; 204B.09, subdivision 1; 290.06, by adding a subdivision; and 383B.055, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 10A and 204D; repealing Minnesota Statutes, section 211B.11, subdivision 2.

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 121 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Jacobs	Lasley	O'Connor	Rukavina	Simoneau
Janezich	Murphy	Olson, K.	Sarna	

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

CONSENT CALENDAR

Wynia moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

SPECIAL ORDERS

Wynia moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Wynia moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Morrison moved that her name be stricken as an author on H. F. No. 1709. The motion prevailed.

Bishop moved that H. F. No. 1299 be returned to its author. The motion prevailed.

ADJOURNMENT

Wynia moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, May 16, 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, Tuesday, May 16, 1989.

EDWARD A. BURDICK, Chief Clerk, House of Representatives