

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION—1990

SIXTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 12, 1990

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

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

A quorum was present.

Miller and Seaberg were excused.

The Chief Clerk proceeded to read the Journal of the preceding

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1927, 1991, 2011, 2042, 2058, 2078, 2084, 2087, 2132, 2149, 2184, 2187, 2188, 2250, 2305, 2311, 2381, 2487, 2508, 367, 1816, 1897, 1948, 1984, 2038, 2045, 2081, 2086, 2103, 2248, 2299, 2343, 2353, 2365, 2380, 2398 and 2481 and S. F. Nos. 443, 1852 and 1730 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 232, A bill for an act relating to game and fish; setting conditions under which a hunter may take two deer; amending Minnesota Statutes 1988, section 97B.301, subdivision 4.

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

The report was adopted.

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

H. F. No. 1617, A bill for an act relating to the environment; providing for mitigation of the greenhouse effect by imposing a surcharge on motor vehicles and on facilities permitted by the pollution control agency; establishing a carbon dioxide tree planting account; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 1, line 9, delete "116.75" and insert "116.86"

Page 1, line 20, delete "4" and insert "5"

Page 1, line 25, delete "116.76" and insert "116.87"

Page 1, line 26, delete everything before "A"

Page 2, line 1, delete "the initial registration" and insert "each application for a new certificate of title under section 168A.02"

Page 2, line 5, delete "registrar of"

Page 2, delete lines 6 and 7 and insert "department of public safety. A certificate of title may not be issued or transferred by the department for a"

Page 2, delete lines 18 and 19

Page 2, line 20, delete "116.77" and insert "116.88"

Page 2, line 23, delete "\$1" and insert "ten cents"

Page 2, delete lines 28 to 30 and insert:

"(c) In lieu of paying any part of the surcharge in paragraph (a), a permitted facility may certify to the agency that it has engaged in tree planting or activities that result in tree planting that has a value worth that part of the surcharge amount the facility would have to pay in paragraph (a).

(d) The agency must devise procedures to certify permitted facilities that utilize paragraph (c)."

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

Page 2, line 32, before the period insert "in paragraph (a) or (c)"

Page 2, line 33, delete everything after "Sec. 4." and insert "[116.89] [DEPOSIT OF REVENUE.]"

Page 2, delete lines 34 to 36 and insert:

"(a) Revenue collected by the surcharges in sections 2 and 3, paragraph (a), must be deposited in the natural resources fund in the state treasury.

(b) The amount collected by the surcharges is intended to be used to plant trees in order to absorb carbon dioxide."

Page 3, delete line 1

Page 3, line 2, delete "(b)" and insert "(c)" and delete "this account" and insert "the natural resources fund"

Page 3, line 5, delete "(c) By March 1, 1990" and insert:

"Sec. 5. [TREE PLANTING PLAN; CONSULTATION.]

Subdivision 1. [TREE PLANTING PLAN.] By March 1, 1991"

Page 3, delete lines 17 to 19 and insert:

"Subd. 2. [CONSULTATION.] The commissioner of the pollution control agency must consult with representatives of industry affected by sections 2 and 3, and the forestry and environmental communities to review and make recommendations (i) to the legislature on the surcharge amounts in sections 2 and 3, paragraph (a); and (ii) to the commissioner of natural resources for the tree planting plan in subdivision 1."

Page 3, line 20, delete "5" and insert "6"

Page 3, line 21, delete "4" and insert "5" and delete "June 1, 1989" and insert "the day following final enactment"

Page 3, line 22, delete "1990" and insert "1991"

Correct internal references

Amend the title accordingly

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1712, A bill for an act relating to traffic regulations; authorizing recreational vehicle combinations and restricting their use; amending Minnesota Statutes 1988, sections 169.01, by adding a subdivision; and 169.81, subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Page 4, line 10, before "A" insert "(a)"

Page 4, after line 14, insert:

“(b) A recreational vehicle combination may not be operated within the seven-county metropolitan area.”

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

The report was adopted.

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

H. F. No. 1784, A bill for an act relating to real property; providing for filing and recording of maps or plats for proposed rights-of-way by local governing bodies; proposing coding for new law in Minnesota Statutes, chapter 505.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1788, A bill for an act relating to metropolitan transit; providing assistance for the acquisition and betterment of certain light rail transit facilities in the metropolitan area; appropriating money; authorizing the issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 174.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [473.3998] [LIGHT RAIL TRANSIT; CAPITAL ASSISTANCE.]

Subdivision 1. [DEMONSTRATION FACILITY.] The board shall provide financial assistance to regional railroad authorities under this section to help pay the cost of acquisition and betterment by regional railroad authorities of a demonstration light rail transit line in the midway corridor between the downtown areas of Minneapolis and St. Paul, together with associated common facilities like vehicles, yards, shops, power, and communications systems and any necessary connector line between yards and shops and the midway line.

Subd. 2. [REQUIREMENTS.] (a) The board may not provide assistance under this section until the board has adopted a regional light rail transit development, financial, and coordination plan, as required by section 473.399, and the metropolitan council has approved the development, financial, and coordination plan for consistency with the council's transportation plan.

(b) As to assistance under this section, the board may not distribute more than 60 percent of the available funds to a single recipient.

(c) As to assistance under this section, the board may not provide funds for more than 90 percent of the cost of the activities for which a grant is made, but may fund 100 percent of the cost of associated common facilities as described in subdivision 1.

Subd. 3. [INTERGOVERNMENTAL COORDINATION.] Railroad authorities applying for grants may enter into joint powers agreements with other agencies of government for the purpose of coordinating the light rail transit project.

Subd. 4. [SERVICE DISTRICTS.] To pay all or part of the capital and operating costs of light rail transit facilities that receive assistance under this section, a county acting under chapter 375B, or a city acting under chapter 428A, may establish one or more transit service districts in major commercial, retail, or industrial centers served by the light rail transit facilities.

Sec. 2. [APPROPRIATION.]

Subdivision 1. [PURPOSE.] The amounts provided in this section are appropriated from the bond proceeds fund to the commissioner of transportation for transfer to the regional transit board for purposes of the assistance to be provided by the board under section 1.

Subd. 2. [DESIGN ASSISTANCE.] \$10,000,000 is appropriated for the fiscal year ending June 30, 1991, for preliminary and final design plans and right-of-way acquisition. The unencumbered balance remaining at the end of the fiscal year does not cancel.

Sec. 3. [BOND SALE.]

To provide the money appropriated by section 2 from the bond proceeds fund, the commissioner of finance on request of the governor shall sell and issue bonds of the state in an amount up to \$10,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Delete the title and insert:

"A bill for an act relating to metropolitan transit; providing assistance for the acquisition and betterment of certain light rail transit facilities in the metropolitan area; appropriating money; authorizing the issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 473."

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

The report was adopted.

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

H. F. No. 1870, A bill for an act relating to elections; making various changes in laws applicable to school district elections; amending Minnesota Statutes 1988, sections 201.071, subdivision 3; 203B.08, subdivision 3; 204B.08, subdivision 3; 204B.14, subdivision 5; 204B.17; 204B.44; 204C.22, subdivisions 9, 10, 15, and by adding a subdivision; 204D.04, subdivision 2; 205A.05, subdivision 1; 205A.07, by adding a subdivision; 205A.09, subdivision 2; 205A.11; 209.02, subdivision 1; 209.03; 209.09, subdivision 1; and 211A.01, subdivision 6; and Minnesota Statutes 1989 Supplement, sections 205A.10, subdivisions 2 and 3; and 209.021, subdivision 1.

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

The report was adopted.

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

H. F. No. 1879, A bill for an act relating to natural resources; establishing Lake of the Woods state forest; amending Minnesota Statutes 1988, section 89.021, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1989 Supplement, section 40.46, subdivision 2, is amended to read:

Subd. 2. [DELINEATION OF WETLAND OR MARGINAL

LAND.] (a) Before state land is sold, the land must be submitted to the board of water and soil resources to authority selling the land, or, if requested, the board of water and soil resources, may determine and delineate the marginal land and wetlands to be reserved or restricted by a conservation easement. The delineation of the reservation or conservation easement need not be by legal description and may be a description in general terms that identifies the marginal land or wetlands. For tax-forfeited land the soil and water conservation board of the district where the land is located must review marginal land and wetlands and delineate the reservation or conservation easement.

(b) Marginal land and wetlands may not be sold unless restricted by a conservation easement with the restrictions provided in section 40.43, subdivision 4, paragraphs (a) and (c), and other restrictions determined necessary by the board of water and soil resources.

Sec. 2. Minnesota Statutes 1989 Supplement, section 40.46, is amended by adding a subdivision to read:

Subd. 5. Lands sold pursuant to the land classification agreement between the commissioner of natural resources and Lake of the Woods county dated August 1989 are exempt from the provisions of this section."

Page 1, line 6, delete "Section 1." and insert "Sec. 3."

Page 17, line 25, delete "2" and insert "4"

Amend the title as follows:

Page 1, line 4, after "subdivision" insert "; Minnesota Statutes 1989 Supplement, section 40.46, subdivision 2, and by adding a subdivision"

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

The report was adopted.

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

H. F. No. 1889, A bill for an act relating to health; providing programs and incentives for persons to volunteer as bone marrow donors; requiring the commissioner of health to educate residents about the need for volunteer bone marrow donors; requiring paid leave for employees to donate bone marrow; allowing a tax credit to

employers who develop tissue typing programs for employees; providing that certain contributions qualify as a charitable contribution for purposes of the corporate franchise tax; requiring a bone marrow donor drive to encourage state employees to volunteer as bone marrow donors; appropriating money; amending Minnesota Statutes 1988, sections 290.06, by adding a subdivision; and 290.21, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 145 and 181.

Reported the same back with the following amendments:

Page 3, delete section 3

Page 3, delete section 4

Page 5, line 32, delete "5" and insert "3"

Page 5, delete line 36

Page 6, delete line 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, delete lines 8 to 10

Page 1, line 11, delete "franchise tax;"

Page 1, line 13, delete "amending Minnesota"

Page 1, delete line 14

Page 1, line 15, delete everything before "proposing"

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

The report was adopted.

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

H. F. No. 1894, A bill for an act relating to public employment;

limiting certain severance payments to public employees; restricting administrative leaves for University of Minnesota employees; amending Minnesota Statutes 1988, section 465.72, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 43A and 137.

Reported the same back with the following amendments:

Page 1, line 15, after "plan" insert "or early retirement policy"

Page 1, line 23, after "agency" insert "or in an internal grievance proceeding"

Page 2, line 5, after "plan" insert "or early retirement policy"

Page 2, line 14, after "agency" insert "or in an internal grievance proceeding"

Page 2, line 31, after the period insert "Severance pay includes payment for accrued vacation time."

Page 2, line 33, after "plan" insert "or early retirement policy"

Page 2, line 35, after "(2)" insert "compensation for accumulated sick leave or other"

Page 3, line 3, after "agency" insert ", or in an internal grievance proceeding, or as a result of a teacher discharge or termination proceeding"

Page 3, line 17, after the period insert "Sections 1 to 4 do not apply to payments made or leaves granted under the terms of a collective bargaining agreement entered into before the effective date of sections 1 to 4."

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 1924, A bill for an act relating to housing; changing the definition of designated home ownership area for the Minnesota rural and urban homesteading program; amending Minnesota Statutes 1989 Supplement, section 462A.057, subdivision 2.

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

The report was adopted.

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

H. F. No. 1939, A bill for an act relating to natural resources; amending a certain requirement relating to the sale of state timber; amending Minnesota Statutes 1988, section 90.101, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 22, after the period insert "No sales may be held in adjoining counties not less than two hours apart."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1960, A bill for an act relating to natural resources; amending certain provisions concerned with the management of wildlife; amending Minnesota Statutes 1988, sections 97A.135, by adding a subdivision; and 97A.445, by adding a subdivision; and Minnesota Statutes 1989 Supplement, section 97B.603.

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

The report was adopted.

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

H. F. No. 1963, A bill for an act relating to retirement; reallocating powers and duties among actuaries retained by the legislative commission on pensions and retirement and various public pension plans; appropriating money; amending Minnesota Statutes 1988, sections 3.85, subdivisions 10 and 11; 3A.11, subdivision 1; 11A.18, subdivision 11; 352.01, subdivision 12; 352.03, subdivision 6; 352.119, subdivision 2; 352.85, subdivision 6; 352.86, subdivision 4; 352B.02, subdivision 1e; 352B.26, subdivision 3; 353.01, subdivision

14; 353.03, subdivision 3a; 353.271, subdivision 2; 353.29, subdivision 6; 354.05, subdivision 7; 354.06, subdivision 2a; 354.07, subdivision 1; 354.42, subdivision 5; 354A.011, subdivision 3a; 354A.021, subdivision 7; 354A.33; 354A.41, subdivision 2; 356.20, subdivisions 3 and 4; 356.215, subdivisions 2, 3, 5, 6, and 7; 422A.01, subdivision 6; 422A.04, subdivision 3; 422A.06, subdivisions 2, 5, and 8; 422A.101, as amended; 422A.15, subdivisions 2 and 3; 422A.16, subdivisions 2 and 3a; 422A.17; 422A.23, subdivisions 6 and 7; 490.121, subdivision 20; 490.124, subdivision 11; Minnesota Statutes 1989 Supplement, sections 11A.18, subdivision 9; 136.82, subdivision 2; 352B.08, subdivision 3; 353.30, subdivision 3; 354.35; 354A.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3A, and 352C; repealing Minnesota Statutes 1989 Supplement, section 352.116, subdivision 4.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 1965, A bill for an act relating to health; providing exemptions from the infectious waste control act; requiring hospitals to accept certain infectious waste; modifying standards for ambulance drivers; requiring adoption of rules setting new standards for recertification of and upgrading to emergency care course certificates; increasing reimbursement for volunteers; establishing an emergency medical services advisory council; exempting ambulances from vehicle license fees, registration, and excise taxes; regulating the provision of special transportation services; providing a tax credit; requiring studies; increasing medical assistance rates for ambulance services; providing funding for prehospital education, continuing education, and equipment; establishing task forces for medical directors and advisers; establishing an incentive plan for ambulance service personnel; setting plan requirements; creating a loan forgiveness program for medical students; providing nursing scholarships; creating a loan forgiveness program for advanced practice nurses; providing funding for summer medical interns; encouraging rural medical school applicants; requiring a study of medical assistance reimbursement for rural physicians; increasing participation in the rural physicians associates program; creating a rural hospital planning and transition grant program; creating a rural hospital subsidy fund; clarifying requirements for medical assistance coverage of swing beds; requiring a study of rural health professionals; allowing counties authority to exceed levy limits; appropriating money and increasing the complement; amending Minnesota Statutes 1988, sections 136C.04, by adding a subdivision; and 176.011, subdivision 9; Minnesota Statutes 1989 Supplement,

sections 116.76, subdivision 9; 116.78, by adding subdivisions; 144.804, subdivision 1; 144.809; 144.8091; 168.012, subdivision 1; 168.013, subdivision 1a; 168.33, subdivision 7; 256B.0625, subdivision 2; and 297B.03; Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 136A; 144; 147; 148; 174; and 290; proposing coding for new law as Minnesota Statutes, chapter 353E.

Reported the same back with the following amendments:

Page 3, line 22, strike "all" and insert "basic life support equipment as required by rules adopted by the commissioner under section 144.804, subdivision 2"

Page 3, line 23, strike everything before the comma

Page 3, lines 25 to 31, delete the new language.

Page 4, after line 5, insert:

"Sec. 5. Minnesota Statutes 1989 Supplement, section 144.804, subdivision 7, is amended to read:

Subd. 7. [~~DRIVERS OF AMBULANCE SERVICE VEHICLES~~ AMBULANCES.] An ambulance service vehicle shall be staffed by a driver possessing a current Minnesota driver's license or equivalent and whose driving privileges are not under suspension or revocation by any state. If red lights and siren are used, the driver must also have completed training approved by the commissioner in emergency driving techniques. An ambulance transporting patients must be staffed by at least two persons who are trained according to ~~this section~~ subdivision 1, or section 144.809, one of whom may be the driver. A third person serving as driver shall be trained according to this subdivision."

Page 5, line 5, before the semicolon insert "as authorized in section 144.804, subdivision 7"

Page 14, after line 23, insert:

"Sec. 19. [STUDY OF RECRUITMENT AND RETENTION INDUCEMENTS.]

The commissioner of health, in consultation with the executive director of the public employees retirement association, shall study the need for recruitment and retention inducements for professional ambulance personnel in all areas of the state. The study must:

(1) examine both the feasibility of and the need for pensions,

lump-sum retirement benefits, and other recruitment and retention inducements;

(2) estimate potential utilization of pension and retirement plans and other inducements; and

(3) provide recommendations for eligibility standards, plan funding and benefits, and plan administration for a pension plan or retirement benefit for professional ambulance personnel. The commissioner of health shall present study findings and recommendations to the legislature by January 1, 1991."

Page 15, delete section 1

Page 15, line 22, delete "emergency medical" and insert "license"

Page 15, line 23, delete "services"

Page 15, line 23, delete "section" and insert "sections 4 and"

Page 15, line 28, delete "\$760,000" and insert "\$300,000"

Page 15, line 29, delete "emergency medical services" and insert "license"

Page 15, line 31, delete everything after the period

Page 15, delete lines 32 and 33

Page 15, lines 34 and 35, delete "emergency medical services" and insert "license"

Page 17, line 11, delete "fund" and insert "personnel account"

Page 17, delete lines 12 to 32 and insert:

"Sec. 4. Minnesota Statutes 1989 Supplement, 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 \$17	CC-\$19	B-\$26	A-\$34
Classified Under 21 D.L.	C- \$15 <u>\$17</u>		B-\$22.50	A-\$10
Instruction Permit				\$ 6
Duplicate Driver or Under 21 License				\$ 4.50
Minnesota identification card, except as otherwise provided in section 171.07, subdivisions 3 and 3a				\$ 9

Sec. 5. Minnesota Statutes 1988, section 171.26, is amended to read:

171.26 [MONEY CREDITED TO TRUNK HIGHWAY FUND AND TO GENERAL FUND.]

Two dollars from each fee for a class C and class C under-21 license must be transferred to the emergency medical services personnel account in the general fund. All other money received under the provisions of this chapter shall be paid into the state treasury with 90 percent of such money credited to the trunk highway fund, and ten percent credited to the general fund, except as provided in section 171.29, subdivision 2.

Page 22, line 10, delete the colon and insert "earn less than \$5,000 a year in hourly stipends or salary from service as an ambulance attendant or driver."

Page 22, delete lines 11 to 16

Page 22, line 36, delete "emergency medical services" and insert "license"

Page 22, line 36, delete "section" and insert "sections 4 and"

Page 23, line 6, delete the colon and insert a period

Page 23, line 20, delete everything after the period

Page 23, delete line 21

Page 23, line 22, delete everything before "The"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

The report was adopted.

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

H. F. No. 1970, A bill for an act relating to health; establishing

standards for safe levels of lead; requiring education about lead exposure; requiring lead assessments of certain residences; establishing standards for lead abatement; requiring rules; amending Minnesota Statutes 1988, section 116.52, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1989 Supplement, sections 144.851 to 144.862.

Reported the same back with the following amendments:

Page 3, line 24, delete "analyses" and insert "results"

Page 4, line 35, delete "in" and insert "at"

Page 5, line 4, before "interior" insert "lead-containing"

Page 7, after line 3, insert:

"Subd. 4. [EXCEPTION FROM EMERGENCY RULE.] Notwithstanding the requirement in Minnesota Rules, part 4620.2300 [Emergency], subpart 2, item B, for abatement of intact paint that is in violation of lead standards in part 4620.2100 [Emergency], the commissioner shall not require abatement of intact lead-based paint that is not actually accessible to children as a chewable or lead-dust producing surface or as a source of actual lead exposure."

Page 7, delete lines 4 to 36

Page 8, delete lines 1 to 34

Page 8, line 35, delete "9" and insert "8"

Page 9, delete lines 9 and 10

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1976, A bill for an act relating to the military; authorizing appointment of an executive director of the department of military affairs; amending Minnesota Statutes 1988, section 190.08, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1977, A bill for an act relating to veterans; providing for an executive director appointed by the veterans homes board; amending Minnesota Statutes 1988, section 198.004.

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

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 1987, A bill for an act relating to housing; establishing a procedure for the allocation of low-income housing tax credits; amending Minnesota Statutes 1988, sections 462A.221, by adding subdivisions; 462A.222, subdivisions 2, 3, and by adding a subdivision; and 462A.223, subdivision 2.

Reported the same back with the following amendments:

Page 3, line 14, delete "and in 1991 and thereafter," and after the period insert "After calendar year 1990, the agency shall allocate tax credits among eligible cities and counties based on the distribution plan established under section 7."

Page 3, line 32, after "the" insert "application"

Page 4, line 4, before the semicolon insert "which are affordable by households whose income does not exceed 30 percent of the median income"

Page 4, line 6, before the semicolon insert "and at least 25 percent contain three or more bedrooms"

Page 4, line 7, delete "100" and insert "at least 50"

Page 4, after line 28, insert:

"Sec. 7. Minnesota Statutes 1988, section 462A.222, is amended by adding a subdivision to read:

Subd. 4. [DISTRIBUTION PLAN.] (a) By October 1, 1990, the metropolitan council, in consultation with the agency and representatives of local government and housing and redevelopment authorities, shall develop and submit to the agency a plan for allocating tax credits in 1991 and thereafter in the metropolitan area, based on regional housing needs and priorities.

(b) By October 1, 1990, the agency, in consultation with representatives of local government and housing and redevelopment authorities, shall develop a plan for allocating tax credits in 1991 and thereafter in greater Minnesota, based on regional housing needs and priorities.

(c) In preparing the distribution plans, the metropolitan council and the agency shall estimate the number of households in the metropolitan area and in greater Minnesota, respectively, who are paying more than 50 percent of their income for rent and the cost of providing sufficient rental or other assistance so that no household pays more than 50 percent of its income for rent. In addition, the metropolitan council and the agency shall identify the nature and scope of existing programs which primarily serve families at 60 percent of the median income and individuals at 30 percent of the median income. In preparing the estimate, the metropolitan council and the agency shall rely on existing and available data and shall report the results to the legislature no later than January 31, 1991."

Page 5, line 13, delete "7" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "a subdivision" and insert "subdivisions"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1995, A bill for an act relating to public safety; regulating amusement rides; requiring safety inspections of amusement rides; providing penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 184B.

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

The report was adopted.

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

H. F. No. 2001, A bill for an act relating to veterans; redefining "veteran"; amending Minnesota Statutes 1988, section 197.447.

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

The report was adopted.

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

H. F. No. 2002, A bill for an act relating to veterans; changing a provision prohibiting cemeteries near veterans homes; amending Minnesota Statutes 1988, section 137.20.

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

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2028, A bill for an act relating to commerce; exempting credit unions from certain requirements for closing agents; amending Minnesota Statutes 1989 Supplement, section 82.20, subdivision 15.

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

The report was adopted.

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

H. F. No. 2043, A bill for an act relating to Ramsey county; setting

the terms of charter commission members; amending Minnesota Statutes 1988, section 383A.553, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Sec. 2. Minnesota Statutes 1988, section 383A.556, is amended to read:

383A.556 [EFFECTIVE DATE.]

If a majority of all the voters voting in the county at the election vote in favor of the proposed charter, it shall be adopted. If 51 percent of the votes cast on the proposition are in favor of the proposed charter, it shall be considered adopted. The charter shall take effect two years after the election. At that time the courts shall take judicial notice of the new charter and upon the election or appointment of officers under the charter the former officials of Ramsey county shall deliver to them all records, money, and other public property under their control."

Page 1, line 19, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "specifying majority for adoption of county charter;"

Page 1, line 4, delete "section" and insert "sections" and after "1" insert "; and 383A.556"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2056, A bill for an act relating to public safety; making it a crime for a driver to flee a peace officer from another state into Minnesota; authorizing a peace officer of another state to enter Minnesota in fresh pursuit for misdemeanor offenses; authorizing the results of blood tests administered in another state into evidence at Minnesota civil and criminal trials; amending Minnesota Statutes 1988, section 609.487, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 626 and 634.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 609.487, subdivision 2, is amended to read:

Subd. 2. [PEACE OFFICER; DEFINITION.] For purposes of this section, "peace officer" means:

(1) an employee of a political subdivision or state law enforcement agency who is licensed by the Minnesota board of peace officer standards and training, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota state patrol and Minnesota conservation officers; or

(2) a member of a duly organized state, county, or municipal law enforcement unit of another state charged with the duty to prevent and detect crime and generally enforce criminal laws, and granted full powers of arrest.

Sec. 2. [626.71] [FRESH PURSUIT IN NONFELONY SITUATIONS.]

Subdivision 1. [DEFINITIONS.] As used in this section:

(1) "Fresh pursuit" means fresh pursuit as defined by the common law and includes the pursuit of a person who has committed or is reasonably believed to have committed a violation in the presence of the peace officer. Fresh pursuit does not necessarily imply instant pursuit, but pursuit without unreasonable delay;

(2) "Peace officer" means a member of a duly organized state, county, or municipal law enforcement unit; and

(3) "Violation" includes gross misdemeanors, misdemeanors, and traffic violations.

Subd. 2. [FRESH PURSUIT AUTHORITY.] A peace officer of another state who enters this state while on duty and in fresh pursuit, and who continues in fresh pursuit, of a person in order to arrest the person for a violation committed in the peace officer's presence, has the same authority to arrest and hold the person in custody as has any peace officer of this state if reciprocal fresh pursuit authority for that type of violation is extended to Minnesota peace officers by the pursuing officer's state.

Sec. 3. [626.72] [PEACE OFFICERS; TRANSPORTATION FOR LAW ENFORCEMENT PURPOSES.]

A peace officer, as defined in section 609.487, subdivision 2, clause (2), who enters this state to perform an assigned duty of transporting persons in legal custody for law enforcement purposes has the same authority to transport persons in legal custody as any member of any duly organized state, county, or municipal law enforcement unit of this state if a reciprocal right to transport persons in legal custody is extended to Minnesota peace officers by the peace officer's state or local jurisdiction.

Sec. 4. [634.30] [EVIDENCE OBTAINED IN FOREIGN JURISDICTIONS.]

Relevant evidence shall not be excluded in any criminal trial or hearing or in any proceeding arising under section 169.123 on the ground that it existed or was obtained outside of this state.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 3 are effective August 1, 1990, and apply to crimes committed on or after that date. Section 4 is effective August 1, 1990, and applies to trials and hearings beginning after that date."

Amend the title as follows:

Page 1, line 6, before "misdemeanor" insert "traffic and" and delete "results of blood"

Page 1, line 7, delete "tests administered" and insert "admissibility of relevant evidence obtained"

Page 1, line 8, after the semicolon insert "granting peace officers of other states the authority to transport persons in legal custody under certain circumstances;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2057, A bill for an act relating to the city of Detroit Lakes; authorizing the establishment of a detached banking facility under certain conditions.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2060, A bill for an act relating to agriculture; providing for mediation and arbitration of certain contract disputes; providing for recapture of capital investments required by certain agricultural contracts; clarifying responsibility of parent companies for affiliates; requiring good faith; prohibiting unfair practices; creating an ombudsman and a task force; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [17.90] [DEFINITIONS.]

Subdivision 1. [CONTRACTOR.] “Contractor” means a person who buys farm products grown in this state or who contracts with a producer to grow farm products in this state.

Subd. 2. [AGRICULTURAL COMMODITY.] “Agricultural commodity” means any materials produced for but not limited to use in or as food, feed, seed, or fiber and includes but is not limited to crops for fiber, food, oilseeds, seeds, livestock, livestock products, poultry, poultry products, and other products or by-products of the farm produced for the same or similar use.

Subd. 3. [PRODUCER.] “Producer” means a person who produces or causes to be produced an agricultural commodity in a quantity beyond the person’s own family use and is able to transfer title to another or provides management, labor, machinery, facilities, or any other production input for the production of an agricultural commodity.

Sec. 2. [17.91] [MEDIATION; ARBITRATION.]

A contract for an agricultural commodity between a contractor and a producer must contain language providing for resolution of contract disputes by either mediation or arbitration. If there is a contract dispute, either party may make a written request to the commissioner for mediation or arbitration services as specified in the contract, to facilitate resolution of the dispute.

Sec. 3. [17.92] [RECAPTURE OF CAPITAL INVESTMENT REQUIRED BY AN AGRICULTURAL CONTRACT.]

(a) A contractor must not terminate or cancel a contract that requires a producer of agricultural commodities to make a large capital investment in buildings or equipment that cost \$100,000 or more and have a useful life of five or more years, unless:

(1) the producer has been given written notice of the intention to terminate or cancel the contract at least 180 days prior to the effective date of the termination or cancellation; and

(2) the producer has been reimbursed for the unamortized portion of an investment in buildings or equipment that were made for the purpose of meeting minimum requirements of the contract.

(b) If a producer fails to substantially comply with the material and reasonable provisions of a contract that requires a large capital investment, a contractor must not terminate or cancel that contract unless the contractor has given written notice with all the reasons for the termination or cancellation at least 90 days in advance of termination or cancellation, and the recipient of the notice fails to correct the reasons stated for termination or cancellation in the notice within 60 days of receipt of the notice.

(c) A notice under this section is effective immediately upon receipt if the alleged grounds for termination or cancellation are:

(1) voluntary abandonment of the contract relationship by the producer; or

(2) conviction of the producer of an offense directly related to the business conducted under the contract.

Sec. 4. [17.93] [PARENT COMPANY RESPONSIBILITY FOR CONTRACTS OF SUBSIDIARIES.]

Subdivision 1. [LICENSING.] If a contractor is required to obtain a license to purchase agricultural commodities, the licensing authority may require the parent company of a licensee subsidiary to guarantee payment or contract performance as a condition of licensing.

Subd. 2. [PARENT COMPANY LIABILITY.] If an agricultural contractor is the subsidiary of another corporation, partnership, or association, the parent corporation, partnership, or association is liable to a seller for the amount of any unpaid claim or contract performance claim if the contractor fails to pay or perform according to the terms of the contract.

Sec. 5. [17.94] [GOOD FAITH; UNFAIR TRADE PRACTICES.]

Subdivision 1. [GOOD FAITH.] There is an implied promise of good faith in all agricultural contracts. In an action to recover damages, if the court finds that there has been a violation of this provision, double damages, court costs, and attorneys' fees may be recovered.

Subd. 2. [UNFAIR TRADE PRACTICES.] The commissioner may adopt rules to implement sections 1 to 8 including the designation of specific trade practices determined to be unconscionable.

Sec. 6. [17.95] [DEPARTMENT OF AGRICULTURE OMBUDSMAN.]

A position is created in the department of agriculture to provide information, investigate complaints arising from this chapter, and provide or facilitate dispute resolutions.

Sec. 7. [17.96] [AGRICULTURAL PRODUCER LIEN.]

Subdivision 1. [GENERAL.] Starting on the date a producer delivers an agricultural commodity to a purchaser, the producer has a first priority statutory lien, referred to as an "agricultural producer lien." An agricultural producer lien continues until 30 days after payment for the product is due and remains unpaid, without filing a notice of lien, for the contract price, if any, or the fair market value of the agricultural commodity delivered. As an alternative to the lien the producer may demand the return of the agricultural commodity any time after payment becomes due but remains unpaid. The agricultural commodity lien attaches to the product delivered, the buyer's inventory, and accounts receivable. Grain, as defined in section 232.21, subdivision 7, milk, and purchases made by a marketing cooperative association are exempt from the provisions of this section.

Subd. 2. [FILING OF STATEMENT EVIDENCING LIEN CONTENTS; STANDARD FILING FORMS; FEES; PROCEDURES.] (a) A producer claiming an agricultural producer lien may file a statement evidencing the lien with the secretary of state after payment from the buyer is due and remains unpaid. Payment is due on the date specified in the contract, or if not specified, within 30 days from the time of delivery.

(b) The statement must be in writing and verified by the producer and must contain the following information:

(1) a true statement of the amount demanded after deducting all credits and offsets;

(2) the name of the purchaser who received the agricultural commodity to be charged with the lien;

(3) a description sufficient to identify the agricultural commodity to be charged with the lien;

(4) a statement that the amount claimed is a true and bona fide existing debt as of the date of the filing of the notice evidencing the lien; and

(5) the date on which payment was due for the agricultural commodity to be charged with the lien.

Subd. 3. [PRIORITY OF THE LIEN.] If a statement is filed within 30 days of the date upon which payment from the buyer is due and remains unpaid, the agricultural commodity lien evidenced by the statement continues its priority over all other liens or security interests upon agricultural commodities, inventory, and accounts receivable. Priority is without regard to whether the other liens or security interests attached before or after the date the agricultural commodity lien attached.

If the lien statement is not filed within 30 days of the date payment is due and remains unpaid the agricultural commodity lien becomes subordinate to:

(1) a lien that has attached to the agricultural commodity inventory or accounts receivable before the date on which the agricultural commodity lien attaches; and

(2) a perfected security interest in the agricultural commodity, inventory, or accounts receivable.

Subd. 4. [DURATION OF LIEN.] The agricultural commodity lien expires six months after the later of the date of attachment or filing, unless a suit to foreclose a lien has been filed before that time.

Subd. 5. [FORECLOSURE AND ENFORCEMENT OF LIEN; COSTS.] An agricultural commodity lien may be foreclosed and enforced by civil action in district court. In all suits to enforce an agricultural commodity lien, the court shall, upon entering judgment, allow to the prevailing party as a part of the costs all money paid for the filing and recording of the lien and reasonable attorney fees.

Sec. 8. [17.97] [AGRICULTURAL INPUT PREPAYMENTS.]

If a producer makes a prepayment for agricultural production inputs that include but are not limited to seed, feed, fertilizer, pesticides, or fuel for future delivery, the producer may demand a

letter of credit or bank guarantee to ensure reimbursement if delivery does not occur.

Sec. 9. Laws 1989, chapter 350, article 20, section 25, is amended to read:

Sec. 25. [FORAGE AND TURF SEED SPECIALIST; CROOKSTON CAMPUS.]

\$50,000 is appropriated from the general fund to the University of Minnesota for a crop management specialist on seed production of forage and turf species in northern Minnesota, and for supplies, services, and expenses related to the specialist's work. The specialist must be located at the Crookston campus of the university. This appropriation is available for the fiscal year biennium ending June 30, ~~1990~~ 1991.

Sec. 10. [APPROPRIATION.]

\$50,000 is appropriated to the commissioner of agriculture for purposes of the ombudsman under section 6 for the fiscal year ending June 30, 1991. The complement of the department of agriculture is increased by one position.

Delete the title and insert:

"A bill for an act relating to agriculture; providing for mediation and arbitration of certain contract disputes; providing for recapture of capital investments required by certain agricultural contracts; clarifying responsibility of parent companies for affiliates; requiring good faith; prohibiting unfair practices; creating an ombudsman and a task force; extending the availability of an appropriation for a crop management specialist in forage and turf species; appropriating money; amending Laws 1989, chapter 350, article 20, section 25; proposing coding for new law in Minnesota Statutes, chapter 17."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2061, A bill for an act relating to agriculture; changing the definition of farm products; changing provisions related to wholesale produce dealers; imposing penalties; appropriating money; amending Minnesota Statutes 1988, sections 17.14, subdivision 3; 27.01, subdivisions 2, 3, 5, 8, and by adding a subdivision;

27.03, subdivision 1, and by adding a subdivision; 27.04; 27.041; 27.05; 27.06; and 27.19; proposing coding for new law in Minnesota Statutes, chapter 27.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1988, section 17.14, subdivision 3, is amended to read:

Subd. 3. [FARM PRODUCTS.] The term “farm products” means and includes butter, milk, cream, butterfat, cheese, other dairy products, honey, eggs, poultry, poultry products, perishable fresh fruits and vegetables, and all livestock and products of livestock such as wool, mohair, hides, and meats.

Sec. 2. Minnesota Statutes 1988, section 27.01, subdivision 2, is amended to read:

Subd. 2. [PRODUCE.] The term “produce” includes:

- (a) Perishable fresh fruits and vegetables;
- (b) Milk and cream and products manufactured therefrom; and
- (c) Poultry and poultry products;
- (d) Wool and perishable unmatured feedstuffs.

Sec. 3. Minnesota Statutes 1988, section 27.01, subdivision 3, is amended to read:

Subd. 3. [PERSON.] The term “person” means an individual, firm, corporation, copartnership, or association, farmer, seller, or broker.

Sec. 4. Minnesota Statutes 1988, section 27.01, subdivision 5, is amended to read:

Subd. 5. [DUE DATE.] The term “Due date” means ten days from the date of delivery of produce by the seller to the licensee in the case of a sale; in all cases where.

If there is a contract between the seller and licensee, the licensee shall pay for produce that is delivered to the licensee at the time and in the manner specified in the contract with the seller. If the due date is not set by the contract, the licensee shall pay for the produce within ten days of the delivery or taking possession of the produce. A payment received after the date it is due must include payment of

12 percent annual interest prorated for the number of days past the due date. By January 31 of each year, a contractor shall pay for all farm products that were delivered by producers on or before December 31 of the previous year.

If produce is consigned, "due date" means ten days from the date the sale is made by the broker or handler, except as to milk processing plants, where the due date means 15 days following the monthly day of accounting subsequent to deliveries following the date fixed by each milk processing plant for such that accounting.

Sec. 5. Minnesota Statutes 1988, section 27.01, subdivision 8, is amended to read:

Subd. 8. [WHOLESALE PRODUCE DEALER.] (a) ~~The term~~ "Wholesale produce dealer" or "dealer at wholesale" includes:

(1) ~~Any~~ a person who buys or contracts to buy produce in wholesale lots for resale;

(2) ~~Any~~ a person engaging in the business of a broker or agent, who handles or deals in produce for a commission or fee;

(3) ~~Any~~ a truck owner or operator who buys produce in wholesale lots for resale; and

(4) ~~Any~~ a person engaged in the business of a cannery, food manufacturer, or food processor, ~~and~~ who purchases produce as a part of such that business.

(b) ~~The term~~ "Wholesale produce dealer" or "dealer at wholesale" does not include:

(1) ~~Any~~ a truck owner and operator who regularly engages in the business of transporting freight, including produce, for a transportation fee only, and who does not purchase, contract to purchase, or sell produce;

(2) ~~Any~~ a marketing cooperative association in which substantially all of the voting stock is held by patrons who patronize the association and in which at least 75 percent of the business of the association is transacted with member or stockholder patrons;

(3) ~~Any~~ a person who purchases, ~~and pays cash in full at the time of purchase,~~ Minnesota seasonally grown produce defined in subdivision 2, clause (a), and pays cash, including lawful money of the United States, a cashier's check, a certified check, or a bank draft;

(4) ~~Any~~ a person who handles and deals in only canned, packaged,

processed produce or packaged dairy products, ~~all of which are no longer deemed to be perishable; or~~

(5) retail merchants who purchase produce, defined in subdivision 2, directly from farmers, which in the aggregate does not exceed \$500 per month.

Sec. 6. Minnesota Statutes 1988, section 27.01, is amended by adding a subdivision to read:

Subd. 10. [SELLER.] "Seller" includes a farmer or licensed wholesale produce dealer, whether the owner of the produce or producing it for another person who holds title to it.

Sec. 7. Minnesota Statutes 1988, section 27.03, subdivision 1, is amended to read:

Subdivision 1. [LICENSE.] No person except a wool dealer shall engage in, or purport to be engaged in, or hold out as being engaged in, the business of a dealer at wholesale, or as being a dealer at wholesale, unless licensed and bonded to carry on such business by the commissioner.

Sec. 8. Minnesota Statutes 1988, section 27.03, is amended by adding a subdivision to read:

Subd. 3. [BROKERS.] (a) A licensee operating as a broker, upon negotiating the sale of farm products, shall issue to both buyer and seller a written memorandum of sale before the close of the next business day showing price, date of delivery, quality, and other details of the transaction.

(b) The memorandum required in paragraph (a) must have an individual identifying number printed upon it. Numbers must be organized and printed on the memoranda so that each memorandum can be identified and accounted for sequentially. Unused or damaged memoranda must be retained by the broker for accounting purposes.

(c) A licensee operating as a broker may not alter the terms of a transaction specified on the original memorandum of sale required in paragraph (a) without the consent of both parties to the transaction. Upon making a change, the broker is required to issue a clearly marked corrected memorandum of sale indicating the date and time when the adjustment or change was made. The broker shall transmit the corrected memorandum to both the buyer and seller before the close of the next business day.

Sec. 9. Minnesota Statutes 1988, section 27.04, is amended to read:

27.04 [APPLICATION FOR LICENSE.]

License to engage in the business of a dealer at wholesale within the state shall be issued by the commissioner to such reputable persons as apply therefor, pay the prescribed fee, and comply with the conditions herein specified.

The application shall be in writing, accompanied by the prescribed fee and under oath, and shall set forth the place or places where the applicant intends to carry on the business for which the license is desired, the estimated amount of business to be done monthly, the amount of business done during the preceding year, if any, the full names of the persons constituting the firm, in case the applicant is a copartnership, the names of the officers of the corporation and where incorporated, if a corporation, and a financial statement showing the value and character of the assets and the amount of liabilities of the applicant, the income and expenses for the most recent year, the names and addresses of all shareholders who own at least five percent of a corporate applicant's shares of stock, whether the applicant or any of its officers, partners, or agents have been involved in any litigation relating to the business of a wholesale produce dealer in the previous five years, and any other information relevant to the conduct of its business as a wholesale produce dealer in the previous five years, as the commissioner may require. If a contract is used in a transaction, a copy of that contract must also be submitted to the department.

Financial data required of an applicant under this section is classified as private data with regard to data on individuals and as nonpublic data with regard to data not on individuals under Minnesota Statutes, section 13.02.

Applications shall be filed annually to be reviewed semiannually periodically. Upon special order, the commissioner may require persons engaged in the business of a dealer at wholesale to file at the time and in the manner the commissioner directs, sworn or unsworn reports or answers in writing to specific questions on any matter which the commissioner may investigate.

For the purposes of this section, the commissioner or the commissioner's authorized agents shall have authority to audit and review any records relating to the financial condition of any dealer at wholesale or any transactions between such dealer and those entitled to the protections of this chapter, if such records are in the possession of or under the care, custody, or control of such dealer or the dealer's authorized agent. No person shall willfully make any false entries or statements or fail to make full and true entries and statements in any report, answer required, document demanded under this section. No person shall remove from the state, mutilate, or alter any document relevant to any investigation, hearing, or proceeding conducted under chapter 27.

Sec. 10. Minnesota Statutes 1988, section 27.041, is amended to read:

Subdivision 1. [BONDS.] The applicant required to be bonded shall execute and file with the commissioner a surety bond to the state of Minnesota to be approved by the commissioner, the amount, form, and effective date to be fixed by the commissioner with the maximum not to exceed ~~\$500,000~~ \$1,000,000. In lieu of said surety bond the commissioner may accept a duly executed letter of credit. Said bond or letter of credit shall be conditioned on the faithful performance of the applicant's duties as a dealer at wholesale including: (1) the observance of all laws relating to the carrying on of the business of a dealer at wholesale; (2) the payment when due of the purchase price of produce purchased by the applicant when notice of default is given the commissioner within 40 days after the due date, unless it appears to the commissioner that a voluntary extension of credit has been given on the produce by the seller to the licensee beyond the due date; (3) the prompt settlement and payment of all claims and charges due the state for services rendered or otherwise; (4) the prompt reporting of sales as required by law to all persons consigning produce to the licensee for sale on commission, and; (5) the prompt payment to the persons entitled thereto of the proceeds of the sales, less lawful charges, disbursements, and commissions. The bond shall cover all wholesale produce business subject to the protection outlined in section 27.001 which is: (1) transacted within this state; or (2) transacted in part within this state and in part within the states and provinces contiguous with this state and sold by Minnesota producers.

Subd. 2. [LICENSES.] The license, or a certified copy of the license, must be kept posted in the office of the licensee at each place within the state where the licensee transacts business. No licensed dealer shall appoint, delegate, or authorize a person, firm, or company to purchase produce unless a certified copy, identification card, or truck decal has been issued at the request of the licensee to that person, firm, or company acting as the licensee's buyer or agent. Every license shall expire June 30 following its issuance and thereafter be renewed July 1 each year. Any license issued under this subdivision is automatically void upon the termination of the surety bond covering the licensed operation. The fee for each license shall be based on the following schedule:

License Fee	Penalty for Late Renewal	Dollar Volume of Business
\$30	\$10	\$10,000 or less per month
\$60	\$15	Over \$10,000 to \$50,000 per month
\$300	\$75	Over \$50,000 to \$100,000 per month
\$400	\$100	Over \$100,000 per month

include a \$50 registration fee and .025 percent of the total annual dollar amount of produce purchased the previous year subject to this chapter. Fees may not exceed \$1,500 per license. In addition, a fee of \$20 shall be charged for each certified copy of a license, \$5 for each license identification card, and \$5 \$10 for each license identification truck decal. The commissioner shall make appropriate license fee adjustments for up to one year from July 1, 1975, for persons required to be licensed hereunder, who hold validly issued licenses as of the effective date of Laws 1975, chapter 227 under the provisions of law amended or repealed herein. A penalty amounting to ten percent of the fees then due must be imposed by the commissioner for each month for which the fees are delinquent. The amounts received by the commissioner must be deposited with the state treasurer and constitute a separate account in the state treasury known as the "wholesale produce dealer account." The wholesale produce dealer account is annually appropriated to the commissioner to be used to defray the cost of administering and enforcing sections 27.001 to 27.06, and sections 27.11 to 27.19.

A licensee who sells, disposes of, or discontinues the licensee's business during the lifetime of a license shall at the time the action is taken, notify the commissioner in writing, and upon demand produce before the commissioner a full statement of all assets and liabilities as of the date of transfer or discontinuance of the business.

Money collected from license fees shall be deposited in the state treasury.

Sec. 11. Minnesota Statutes 1988, section 27.05, is amended to read:

27.05 [ADDITIONAL BONDS; TRUST.]

Subdivision 1. [BONDS.] The commissioner, when of the opinion that any bond theretofore given by any licensee is inadequate for the proper protection of the public, may require the licensee to give additional bonds in such amounts as from time to time the commissioner may determine and direct, with sureties to be approved by the commissioner, and conditioned as set forth in section 27.04. For the purpose of fixing or changing the amount of such bonds, the commissioner may require from a licensee verified statements of the licensee's business. Failure of the licensee to furnish such information or to give a new or additional bond is cause for suspension of the licensee's license for as long as the failure continues, or revocation of the license, on ten days' notice to the licensee and opportunity to be heard. Where the public interest requires it the commissioner may suspend the license after such notice pending hearing and decision.

Subd. 2. [WHOLESALE PRODUCE DEALERS' TRUST.] In order to satisfy outstanding obligations to unpaid sellers, wholesale

produce dealers shall maintain certain assets in trust so that the assets are freely available to satisfy outstanding obligations.

The trust is made up of produce received in all transactions, all inventories of produce or other products derived from the produce, and all receivables or proceeds from the sale of the produce and food or products derived from it. Trust assets are to be preserved as a nonsegregated floating trust. Commingling of trust assets is contemplated.

Subd. 3. [TRUST BENEFITS.] If a seller who has met the eligibility requirements of the due date, as defined in section 27.01, transfers ownership, possession, or control of goods to a wholesale produce dealer, it automatically becomes eligible to participate in the trust. Participants who preserve their rights to benefits within 40 days past the due date remain beneficiaries until they are paid in full.

Wholesale produce dealers acting on behalf of others have the duty to preserve their principals' rights to trust benefits by filing timely written notice with their customers and with the commissioner within 40 days past the due date.

Subd. 4. [FILING NOTICE OF INTENT TO PRESERVE TRUST BENEFITS.] Notice of intent to preserve benefits under a trust must be in writing, given to the debtor, and filed with the commissioner within 40 days after the due date. Timely filing of a notice of intent to preserve trust benefits by a trust beneficiary has been made if written notice is given to the debtor and filed with the commissioner within 40 days after the due date. An appropriate notice of intent to preserve trust benefits must be in writing, must include the statement that it is a notice of intent to preserve trust benefits, and must include information establishing for each shipment: (1) the names and addresses of the trust beneficiary, seller, and debtor, as applicable; (2) the date of the transaction commodity, contract terms, invoice price, and the date payment was due; (3) the date of receipt of notice that a payment instrument has been dishonored, if appropriate; and (4) the amount past due and unpaid.

Sec. 12. [27.055] [MEDIATION; ARBITRATION.]

A contract for produce between a buyer and a seller must contain language providing for resolution of contract disputes by either mediation or arbitration. If there is a contract dispute, either party may make a written request to the department for mediation or arbitration, as specified in the contract to facilitate resolution of the dispute.

Sec. 13. Minnesota Statutes 1988, section 27.06, is amended to read:

27.06 [COMPLAINTS TO COMMISSIONER, HEARING; ACTION ON BOND.]

Any person claiming to be damaged by any breach of the conditions of a bond given by a licensee, as herein provided, may enter complaint thereof to the commissioner within 40 days after the due date, which complaint shall be a written statement of the facts constituting the complaint. Upon filing the complaint in the manner herein provided, the commissioner shall investigate the charges made and may have the matter heard as a contested case pursuant to chapter 14. No hearing shall be required if all affected parties to a bond claim proceeding waive their right to a hearing and agree to accept the commissioner's determination as to the validity of the claims and the allocation of the proceeds of the bond, if an affected party requests one.

Sec. 14. [27.065] [PARENT COMPANY LIABILITY.]

If a wholesale produce dealer is a subsidiary of another corporation, partnership, or association, the parent corporation, partnership, or association is liable to a seller for the amount of any unpaid claim or contract performance claim if the wholesale produce dealer fails to pay or perform according to the terms of the contract and this chapter.

Sec. 15. Minnesota Statutes 1988, section 27.19, is amended to read:

27.19 [VIOLATIONS, PENALTIES.]

Subdivision 1. [UNLAWFUL ACTS.] Any It is unlawful for a person subject to the provisions of this section and sections 27.01 to 27.15 who shall to:

(1) operate or advertise to operate as a dealer at wholesale without a license; or

(2) make any false statement or report as to the grade, condition, markings, quality, or quantity of produce, as defined in section 27.069, received or delivered, or act in any manner so as to deceive the consignor or purchaser thereof; or

(3) refuse to accept any shipment contracted for by the person, unless such refusal is based upon the showing of a state inspection certificate secured with reasonable promptness after the receipt of such shipment showing that the kind and quality of produce, as defined in section 27.069, is other than that purchased or ordered by the person; or

(4) fail to account for produce or to make settlement therefor

within the time herein limited; or ~~who shall~~ violate or fail to comply with the terms or conditions of any contract entered into by the person for the purchase or sale of produce; or

(5) purchase for the person's own account any produce received on consignment, either directly or indirectly, without the consent of the consignor; or

(6) issue any false or misleading market quotations, or ~~who shall~~ cancel any quotations during the period advertised by the person; or

(7) increase the sales charges on produce shipped to the person by means of "dummy" or fictitious sales; or

(8) receive decorative forest products and the products of farms and waters from foreign states or countries for sale or resale, either within or without the state, and give the purchaser the impression, through any method of advertising or description, that the produce is of Minnesota origin; or

(9) Whoever shall violate any provisions of this section and sections 27.01 to 27.15, or any rule made or published thereunder by the commissioner, shall be guilty of a misdemeanor and the person's license may be forthwith suspended, revoked, or canceled by the commissioner, upon ten days notice and opportunity to be heard; but, upon conviction of any such offense, or upon conviction in any federal court for violation of the federal statutes relative to the fraudulent use of the mails, or conviction in any court of other criminal acts under any federal food or drug statute, or any statute of this state administered by the commissioner of agriculture, pertaining to the conduct of the person's business, the commissioner may forthwith revoke and cancel the license of the person so convicted. Each day a person violates any provisions of this section and sections 27.01 to 27.15, or any rule published thereunder by the commissioner, shall constitute a separate offense. fail to notify in writing all suppliers of produce of the protection afforded to suppliers by the person's licensee bond including the following: bond amount; section 27.041, subdivision 1, clause (2), notice requirements; and any other conditions of the bond;

(10) make any false statement to the commissioner on an application for license or bond or in response to written questions from the commissioner regarding the license or bond;

(11) discriminate between different sections, localities, communities, or cities, or between persons in the same community, by purchasing produce from farmers of the same grade, quality, and kind, at different prices, except that price differentials are allowed if directly related to the costs of transportation, shipping, and handling of the produce. A person is allowed to meet the prices of a competitor in good faith, in the same locality for the same grade,

quality, and kind of produce. A showing of different prices by the commissioner is prima facie evidence of discrimination; or

(12) fail to pay for all crops grown under contract regardless of the quality or maturity of the produce.

Subd. 2. [PENALTIES.] (a) A person who violates this chapter or rules adopted under this chapter may be assessed a civil penalty not to exceed \$500 per violation. In addition, that person's license may be suspended, revoked, or canceled by the commissioner, upon ten days' notice and opportunity to be heard. Action under this subdivision is civil in nature.

(b) A person who willfully violates this chapter or rules adopted under this chapter is guilty of a misdemeanor. Upon conviction, or upon conviction in a federal court for violation of the federal statutes relative to fraudulent use of the mails or in any court of other criminal acts under a federal food or drug statute or a statute of this state administered by the commissioner of agriculture pertaining to the conduct of the person's business, the commissioner may immediately revoke and cancel the license of the person convicted, without further hearing.

(c) A separate violation occurs with respect to each different person involved, each different product involved, each purchase or transaction involved, and each false statement.

Subd. 3. [SETTLEMENTS.] The commissioner or the commissioner's authorized representative may enter into a written agreement with a person in settlement of an alleged violation whether or not a hearing is held. An agreement must be construed as a "no contest" pleading and may encompass any sanctions, penalties, or affirmative actions that are mutually satisfactory and are consistent with the intent and purpose of this chapter. The agreement is final and conclusive with respect to the action, except upon a showing of fraud or malfeasance or misrepresentation of a material fact. The matter agreed upon in the agreement may not be reopened or modified by an officer, employee, or agent of the state. In an action, suit, or proceeding, the agreement and any determination or payment made under the agreement is final and conclusive and may not be annulled, modified, set aside, or disregarded. A civil penalty amount received by the commissioner under this section must be deposited in the wholesale produce dealer account.

Subd. 4. [SEIZURE OF VEHICLES.] A person doing business in this state who does not have a business location in this state and who is not licensed as required by this chapter may have the person's vehicles or the vehicles of the person's agents or contractors seized by the commissioner after a hearing in Ramsey county district court. If a person required to comply with this chapter fails to appear, without just cause, or the person appears and is in

violation of this chapter, the court shall order the commissioner to seize the vehicles.

Subd. 5. [DOUBLE DAMAGES.] A person injured by a person doing business in this state as a wholesale produce dealer who is not licensed under this chapter or whose license has been suspended or revoked by the commissioner, may in an action recover double the amount of damages sustained.

There is an implied promise of good faith between producers and buyers. In an action to recover damages, if there is a finding that there has been a violation of this provision, double damages may be recovered, as well as court costs and attorneys fees."

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 2090, A bill for an act relating to highways; naming and designating as Moberg Trail that portion of Constitutional Route No. 46 located within Chisago county; amending Minnesota Statutes 1988, section 161.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 13, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2092, A bill for an act relating to natural resources; prohibiting transportation of Eurasian milfoil; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 18.

Reported the same back with the following amendments:

Page 1, line 7, delete "18.317" and insert "84.0922"

Page 1, line 10, after the second comma insert "or other aquatic vegetation"

Page 1, line 11, after the second comma insert "or other aquatic vegetation"

Page 1, line 12, delete "out of" and insert "away from"

Page 1, line 14, after the second comma insert "or other aquatic vegetation"

Page 1, line 18, after "97A.211" insert "or peace officers under authority of existing law"

Amend the title as follows:

Page 1, line 5, delete "18" and insert "84"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2097, A resolution memorializing the President and Congress to reauthorize the low-income home energy assistance program and to increase its appropriation for fiscal year 1991 and subsequent years.

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

The report was adopted.

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

H. F. No. 2105, A bill for an act relating to buildings; changing the definition of public building in the state building code; ratifying the interstate compact on industrialized/modular buildings; amending

Minnesota Statutes 1989 Supplement, section 16B.60, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Page 1, line 13, reinstate the stricken "or" and delete the first comma and delete "or a school district" and insert "regardless of the cost, and any school district building project, the cost of which is \$100,000 or more"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 2116, A bill for an act relating to nonprofit corporations; regulating amendments to the articles; requiring approval by the directors and members with voting rights; amending Minnesota Statutes 1989 Supplement, section 317A.133, subdivision 2.

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

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2117, A bill for an act relating to housing; providing for the administration of section 8 existing housing and low-rent public housing programs; clarifying and limiting local approval requirements; removing the exemption for special assessments for housing and redevelopment authorities; providing for the transfer of housing and housing development projects to an economic development authority; amending Minnesota Statutes 1988, sections 469.002, subdivision 10, and by adding a subdivision; 469.004, subdivision 5; 469.005, subdivision 1; 469.012, subdivision 3; 469.016; 469.040, subdivisions 1 and 3; 469.094, subdivisions 1 and 2; and 473.195, subdivision 1; and Minnesota Statutes 1989 Supplement, section 469.012, subdivision 1.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 2124, A bill for an act relating to traffic regulations; requiring brakes on certain vehicles weighing 3,000 pounds or more; amending Minnesota Statutes 1988, section 169.67, subdivision 3; Minnesota Statutes 1989 Supplement, section 169.67, subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1989 Supplement, section 168.011, subdivision 8, is amended to read:

Subd. 8. [MANUFACTURED HOME; PARK TRAILER; TRAVEL TRAILER.] (a) "Manufactured home" has the meaning given it in section 327.31, subdivision 6.

(b) "Park trailer" means a trailer that:

(1) exceeds eight feet in width but is no larger than 400 square feet when the collapsible components are fully extended or at maximum horizontal width; and

(2) is used as temporary living quarters.

"Park trailer" does not include a manufactured home.

(c) "Travel trailer" means a trailer, mounted on wheels, that:

(1) is designed to provide temporary living quarters during recreation, camping, or travel;

(2) does not require a special highway movement permit based on its size or weight when towed by a motor vehicle; and

(3) has a gross trailer area of less than 320 square feet; and

(4) does not exceed eight feet in width.

(d) "Gross trailer area" is the total plan area of a travel trailer measured to the maximum horizontal projection of exterior walls when in the set-up mode, but not including the area of that portion of the body of a fifth wheel trailer that is raised to extend over the towing vehicle and has a ceiling height of less than five feet

(3) complies with sections 169.80, subdivision 2, and 169.81, subdivision 2."

Page 1, line 11, strike "of" and insert "with"

Page 1, line 12, strike "of" and before "3,000" insert "that is" and after "more" insert "or exceeds the empty weight of the towing vehicle"

Page 2, line 26, after the second "any" insert "trailer or"

Page 3, after line 4, insert:

"Sec. 4. [BACK-UP SAFETY DEVICE STUDY.]

The commissioner of public safety, in consultation with affected trucking organizations and other interested parties, shall study the feasibility of requiring the installation on trucks of devices that would increase the level of safety when a truck is backing up, including but not limited to, convex mirrors and audible signals. The commissioner shall report to the chairs of the transportation committees of the senate and house of representatives on the results of the study by January 15, 1991."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon insert "changing allowed dimensions of travel trailers;"

Page 1, line 6, delete "section" and insert "sections 168.011, subdivision 8; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2131, A bill for an act relating to crimes; prohibiting wild land arson fires; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 1, line 7, delete "which" and insert "that"

Page 1, line 12, delete "an unauthorized" and insert "a" and after "fire" insert "not authorized under subdivision 5"

Page 1, line 13, delete "on land"

Page 1, delete line 14

Page 1, line 15, delete "combustible material" and delete everything after "a" and insert "crime and shall be sentenced as provided in subdivision 6."

Page 1, delete line 16

Page 1, line 20, delete "an unauthorized" and insert "a" and after "fire" insert "not authorized under subdivision 5"

Page 1, line 21, delete everything after "wildfire" and insert "is guilty of a crime and shall be sentenced as provided in subdivision 6."

Page 1, delete lines 22 and 23

Page 2, line 13, delete "subdivisions" and insert "subdivision" and delete "and" and insert "or" and delete everything after "3" and insert "shall be sentenced as provided in section 609.576."

Page 2, delete lines 14 and 15

Page 2, line 17, delete everything after "effective" and insert "August 1, 1990, and applies to crimes committed on or after that date."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2134, A bill for an act relating to elections; changing the vote margin for an automatic recount at the state primary or general election; amending Minnesota Statutes 1988, section 204C.35, subdivision 1.

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

The report was adopted.

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

H. F. No. 2138, A bill for an act relating to veterans; requiring two members of the board of directors of the Minnesota veterans homes to be women; directing the commissioner of veterans affairs to study the provision of veterans services to women; amending Minnesota Statutes 1988, section 198.002, subdivision 2.

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

The report was adopted.

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

H. F. No. 2147, A bill for an act relating to retirement; establishing a maximum monthly benefit for the surviving spouse and dependent children of basic pension plan members; amending Minnesota Statutes 1988, section 353.31, subdivision 1.

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

The report was adopted.

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

H. F. No. 2148, A bill for an act relating to state employees, public employees, and teachers; providing immediate vesting for those persons whose employer ceases to be a governmental agency, instrumentality, subdivision, or public body; permitting those persons to elect a refund of their accumulated contributions, retirement annuity, or deferred retirement annuity; proposing coding for new law in Minnesota Statutes, chapter 356.

Reported the same back with the following amendments:

Page 2, delete lines 11 to 14

Page 2, line 16, delete "July" and insert "January"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2156, A bill for an act relating to counties; regulating performance bonds; amending Minnesota Statutes 1988, section 375.21, subdivision 1.

Reported the same back with the following amendments:

Page 2, lines 4 to 6, reinstate the stricken language

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2163, A bill for an act relating to minimum wages; defining the term "employee" to exclude certain seasonal children's resident or day camp employees; amending Minnesota Statutes 1988, section 177.23, subdivision 7.

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

The report was adopted.

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

H. F. No. 2173, A bill for an act relating to veterans; exempting the veterans homes board from the contested case provisions of the administrative procedure act; amending Minnesota Statutes 1988, section 14.03, subdivision 2.

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

The report was adopted.

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

H. F. No. 2189, A bill for an act relating to taxation; property;

clarifying employment terms of city and town assessors; amending Minnesota Statutes 1988, section 273.05, subdivision 1.

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2202, A bill for an act relating to education; allowing the board of teaching to grant variances to its rules in certain cases; amending Minnesota Statutes 1988, section 125.185, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2207, A bill for an act relating to natural resources; increasing the watershed administrative fund limit; establishing a natural resource protection fund; amending Minnesota Statutes 1988, section 112.61, by adding a subdivision; Minnesota Statutes 1989 Supplement, section 112.61, subdivision 3.

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 2211, A bill for an act relating to transportation; exempting fertilizer and agricultural chemical retailers from certain regulations on transporting hazardous materials; amending Minnesota Statutes 1988, section 221.033, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 26, delete everything after "are"

Page 2, delete lines 1 to 3

Page 2, line 4, delete everything before "when" and insert "exempt from the requirement that drivers must be at least 21 years of age"

Page 2, line 6, after "use" insert "within a radius of 50 miles of the retailer's business location, provided that those retailers and employees who are drivers must be at least 18 years of age"

Page 2, after line 6, insert:

"Sec. 2. Minnesota Statutes 1989 Supplement, section 221.031, subdivision 2a, is amended to read:

Subd. 2a. [AGRICULTURAL EXEMPTIONS.] (a) Notwithstanding the provisions of subdivision 2, private carriers engaged in intrastate commerce and operating vehicles transporting agricultural and other farm products within an area having a 50-mile radius from the business location of the private carrier must comply only with the commissioner's rules for driver qualifications, safety of operations and equipment, except as provided in paragraph (b).

(b) A rear-end dump truck or other rear-unloading truck while being used for hauling agricultural and other farm products from a place of production or on-farm storage site to a place of processing or storage, is not subject to any rule of the commissioner requiring rear-end protection, including a federal regulation adopted by reference."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "making certain private carriers subject to driver qualification rules;"

Page 1, line 6, before the period insert "; Minnesota Statutes 1989 Supplement, section 221.031, subdivision 2a"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2219, A bill for an act relating to state parks; renaming Helmer Myre and Nerstrand Woods state parks; amending Minnesota Statutes 1988, section 85.012, subdivisions 27 and 45.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2222, A bill for an act relating to crimes; making it a crime to obtain telecommunication services by fraud; requiring forfeiture of telecommunication devices used for fraudulent purposes; prescribing penalties; amending Minnesota Statutes 1988, section 609.89, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

“Section 1. Minnesota Statutes 1988, section 609.87, subdivision 3, is amended to read:

Subd. 3. [COMPUTER.] “Computer” means an electronic device which performs logical, arithmetic ~~and~~ or memory functions by the manipulations of signals, including but not limited to electronic or magnetic impulses.

Sec. 2. Minnesota Statutes 1988, section 609.87, subdivision 5, is amended to read:

Subd. 5. [COMPUTER NETWORK.] “Computer network” means the interconnection of a communication system with a computer through a remote terminal, or with two or more interconnected computers or computer systems, and includes private and public telecommunications networks.”

Page 1, lines 16 and 17, delete the new language

Page 1, after line 19, insert:

“(b) Intentionally exceeds authorized access of any computer, computer system, computer network, or any part thereof for the purpose of obtaining services or property; or”

Page 1, line 20, strike “(b)” and insert “(c)”

Page 1, line 26, delete “2 to 6” and insert “4 to 8”

Page 2, line 3, delete “2 to 6” and insert “4 to 8”

Page 2, line 20, delete the first "4" and insert "6"

Page 2, line 22, after the second comma insert "identification validation system,"

Page 3, line 7, delete "6" and insert "8"

Page 3, lines 17 to 18, delete "in a fraudulent manner"

Page 4, lines 9, 12, 22, and 26, delete "4" and insert "6"

Page 4, line 24, after the period insert "Notice of the complaint shall be given and a hearing on the issuance of a temporary restraining order shall be held as provided in Rule 65 of the rules of civil procedure."

Page 4, line 29, delete everything after the period

Page 4, delete lines 30 to 34

Page 5, lines 1, 9, 20, and 33, delete "4" and insert "6"

Page 6, lines 4 and 21, delete "4" and insert "6"

Page 7, line 1, delete "4" and insert "6"

Page 7, line 6, delete "6" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "section" and insert "sections 609.87, subdivisions 3 and 5; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2223, A bill for an act relating to trusts; changing certain trust requirements; abolishing the common law rule against perpetuities; amending Minnesota Statutes 1989 Supplement, sections 501B.09, by adding a subdivision; 501B.46; 501B.65, subdivision 2; 501B.67, subdivision 1; 501B.68; 501B.69; 501B.72, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 501B;

repealing Minnesota Statutes 1988, sections 501A.01; 501A.02; 501A.03; 501A.04; and 501A.07; Minnesota Statutes 1989 Supplement, sections 501A.05; and 501A.06.

Reported the same back with the following amendments:

Page 1, after line 13, insert:

“Section 1. Minnesota Statutes 1989 Supplement, section 501A.05, is amended to read:

501A.05 [PROSPECTIVE APPLICATION.]

(a) Except as extended by subsection (b), sections 501A.01 to 501A.07 apply to a nonvested property interest or a power of appointment that is created after December 31, ~~1990~~ 1991. For purposes of this section, a nonvested property interest or a power of appointment created by the exercise of a power of appointment is created when the power is irrevocably exercised or when a revocable exercise becomes irrevocable..

(b) If a nonvested property interest or a power of appointment was created before January 1, ~~1991~~ 1992, and is determined in a judicial proceeding, commenced after December 31, ~~1990~~ 1991, to violate this state's rule against perpetuities as that rule existed before January 1, ~~1991~~ 1992, a court upon the petition of an interested person may reform the disposition in the manner that most closely approximates the transferor's manifested plan of distribution and is within the limits of the rule against perpetuities applicable when the nonvested property interest or power of appointment was created.”

Page 1, delete section 2

Page 1, delete line 27, and insert:

“(a) Except as provided in paragraph (c), if the assets of”

Page 2, delete line 7, and insert:

“(b) Except as provided in paragraph (c), if the assets of”

Page 5, delete section 9

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "sections" insert "501A.05;"

Page 1, line 7, delete "; proposing" and insert a period

Page 1, delete lines 8 to 12

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2228, A bill for an act relating to state government; creating an advisory commission on intergovernmental relations; amending Minnesota Statutes Second 1989 Supplement, section 3.885, subdivisions 5 and 6; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes Second 1989 Supplement, section 3.885, subdivision 1a.

Reported the same back with the following amendments:

Page 8, line 7, after "agencies" insert "and legislative research staff"

Page 8, after line 19, insert:

"Sec. 4. [CERTAIN STUDIES.]

The commission shall study the issue of a unified planning act, including proposals introduced in the legislature, that authorizes counties, home rule charter and statutory cities, and towns to plan and zone under one act applicable to these classes of government. The commission shall report its findings to the chair of the local government and metropolitan affairs committee of the house of representatives and the chair of the local and urban government committee of the senate on or before February 1, 1991. The report may be in the form of proposed legislation."

Page 8, line 20, delete "4" and insert "5"

Page 8, line 23, delete "5" and insert "6"

Page 8, line 24, delete "4" and insert "5"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "requiring a study of a unified planning act and a report to the legislature;"

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

The report was adopted.

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

H. F. No. 2229, A bill for an act relating to state lands; requiring condemnation and sale of certain trust lands constituting lakeshore lots; authorizing a bond issue to establish a revolving fund to finance acquisitions; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 92; repealing Minnesota Statutes 1988, section 92.67.

Reported the same back with the following amendments:

Page 1, line 19, after "all" insert "platted"

Page 1, line 20, delete "constitute" and insert "contain"

Page 2, line 9, after "percent" insert "and, in addition, costs associated with the sale such as court costs, legal services, and costs of appraisal, but in an amount not to exceed \$1,000. As to any platted lakeshore lots leased under section 92.46 that are not located on trust fund land, the commissioner of natural resources shall offer the lots for sale to the lessee thereof at a price which represents the appraised value, as determined by the commissioner, plus five percent and, in addition, costs associated with the sale such as legal services and costs of appraisal, but in an amount not to exceed \$1,000"

Page 3, line 16, after "1" insert "plus the five percent additional charge per lot required by section 1, subdivision 2, together with costs of condemnation such as court costs, legal services, and costs of appraisal"

Page 3, line 17, before "lakeshore" insert "trust fund land"

Page 3, line 18, after the period insert "Proceeds of all sales of nontrust fund land lakeshore lots under section 1 shall be deposited in the account where money from the sale of the particular class of land is required to be deposited."

Page 3, after line 20, insert:

"Sec. 4. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "requiring the sale of certain nontrust lands constituting lakeshore lots;"

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

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2234, A bill for an act relating to housing; authorizing guarantees, requiring limits, and regulating securities relating to certain home loans; amending Minnesota Statutes 1988, sections 462A.21, subdivision 9; and 475.66, subdivision 3; Minnesota Statutes 1989 Supplement, sections 462A.05, subdivision 34; and 462A.057, subdivision 7; and Laws 1989, chapter 335, article 1, section 27, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1988, section 116J.980, is amended by adding a subdivision to read:

Subd. 3. [APPROVAL REQUIRED FOR HOUSING RELATED GRANTS.] The commissioner or the department may not award a housing related grant under the small cities community development block grant program unless the grant application under section 116J.401 has been reviewed and approved by the commissioner of the Minnesota housing finance agency under section 4."

Page 1, line 14, delete "guarantee" and insert "make a forward commitment to purchase"

Page 2, after line 19, insert:

"Sec. 4. [462A.075] [REVIEW AND APPROVAL OF GRANTS UNDER THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.]

The commissioner of the Minnesota housing finance agency must review and approve all housing related grant applications for the small cities community development block grant program under section 116J.401. The commissioner must consider whether the following goals are met in reviewing and approving the projects for which the application for a grant has been made:

(1) the project furthers the housing needs of low and moderate income individuals and families;

(2) the project meets the mission and goals of the agency's most recent affordable housing plan;

(3) there is a demand in the community or surrounding area for the specific type of housing that is part of the project;

(4) the grant application does not directly duplicate any specific request for funding made to the agency;

(5) the project leverages private sources of funding or other public sources of funding;

(6) the proposed grant may be used to increase the viability of projects under consideration by the agency for funding from the housing development fund and housing trust fund; and

(7) the project conforms with an existing housing plan required under section 462C.03 if the application is from a local government unit that has adopted a housing plan.

Sec. 5. Minnesota Statutes 1989 Supplement, section 462A.21, subdivision 8b, is amended to read:

Subd. 8b. [FAMILY RENTAL HOUSING.] It may establish a family rental housing assistance program to provide loans or direct rental subsidies for housing for families with incomes of up to 60 percent of area median income. Priority must be given to those developments with resident families with the lowest income. The development may be financed by the agency or other public or private lenders. Direct rental subsidies must be administered by the agency for the benefit of eligible families. Financial assistance provided under this subdivision to recipients of aid to families with dependent children must be in the form of vendor payments whenever possible. Loans and direct rental subsidies under this subdivision may be made only with specific appropriations by the legislature. The limitations on eligible mortgagors contained in section 462A.03, subdivision 13, do not apply to loans for the rehabilitation of existing housing under this subdivision.

Sec. 6. Minnesota Statutes 1989 Supplement, section 462A.21, subdivision 8c, is amended to read:

Subd. 8c. [RENTAL HOUSING FOR INDIVIDUALS.] It may establish a rental housing assistance program for persons of low income or with a mental illness to provide loans or direct rental subsidies for housing for individuals with incomes of up to 30 percent of area median income. Priority must be given to developments with the lowest income residents. Housing for the mentally ill must be operated in coordination with social service providers who provide services to tenants. The developments may be financed by the agency or other public or private entities. Direct rental subsidies must be administered by the agency for the benefit of eligible tenants. Financial assistance provided under this subdivision must be in the form of vendor payments whenever possible. Loans and direct rental subsidies under this subdivision may be made only with specific appropriations by the legislature. The limitations on eligible mortgagors contained in section 462A.03, subdivision 13, do not apply to loans for the rehabilitation of existing housing under this subdivision.

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2252, A bill for an act relating to occupations and professions; increasing minimum insurance coverage required for abstracters; abolishing requirement of seals by impression; repealing an obsolete provision; amending Minnesota Statutes 1988, sections 386.66 and 386.67; repealing Minnesota Statutes 1988, section 386.65, subdivision 3.

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

The report was adopted.

Osthoff from the Committee on Financial Institutions and Housing to which was referred:

H. F. No. 2283, A bill for an act relating to housing; establishing a local government housing account that may be used for transitional housing, public housing modernization and rehabilitation, and subsidized rental housing preservation; establishing a council on homelessness; providing for a housing and redevelopment authority property service charge in lieu of property taxes; appropriating nonrefundable bond allocation deposits to the housing trust fund account; appropriating money; amending Minnesota Statutes 1988, sections 462A.201, subdivision 2; 469.040, by adding a subdivision; and 474A.21; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 462A.201, subdivision 2, is amended to read:

Subd. 2. [LOW-INCOME HOUSING.] The agency may, in consultation with the advisory committee, use money from the housing trust fund account to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing units and homes for ownership. No more than 20 percent of available funds may be used for home ownership projects. At least 75 percent of the rental and cooperative units, and 100 percent of the homes for ownership, must be rented to or cooperatively owned, or owned by persons and families whose income at the time the person or family originally occupied the unit was at or below does not exceed 30 percent of the median family income for the metropolitan area as defined in section 473.121, subdivision 2. In making the grants, the agency shall determine the terms and conditions of repayment and the appropriate security, if any, should repayment be required. To promote the geographic distribution of grants and loans, the agency may designate a portion of the grant or loan awards to be set aside for projects located in specified congressional districts or other geographical regions specified by the agency. The agency may adopt emergency and permanent rules for awarding grants and loans under this subdivision. The emergency rules are effective for 180 days or until the permanent rules are adopted, whichever occurs first.

Sec. 2. [462A.202] [LOCAL GOVERNMENT HOUSING ACCOUNT.]

Subdivision 1. [ACCOUNT.] The local government housing ac-

count is a separate account in the housing development fund. Money in the account is appropriated to the agency for the purposes in this section.

Subd. 2. [TRANSITIONAL HOUSING.] The agency may provide loans or grants to local government units to acquire and rehabilitate transitional housing. Preference must be given to local governments that propose to acquire federally acquired savings and loan properties and department of housing and urban development repossessed properties. The local government unit may contract with a nonprofit or for profit organization to manage the property and to operate a transitional housing program on the property. The local government unit must retain ownership of the property for at least 20 years.

Subd. 3. [PUBLIC HOUSING REHABILITATION.] The agency may provide loans or grants to local government units for the rehabilitation and modernization of public housing units from funds specifically appropriated by the legislature for that purpose.

Subd. 4. [SUBSIDIZED RENTAL HOUSING PRESERVATION.] The agency may provide loans or grants to local government units for the acquisition and rehabilitation of federally subsidized multi-family rental housing for the purpose of preserving the housing for the use of low- and moderate-income persons from funds specifically appropriated by the legislature for that purpose. The local government unit may contract with a nonprofit or for profit organization to manage the property. The local government unit must retain ownership of the property for at least 20 years.

Sec. 3. [462A.29] [INTERAGENCY COORDINATION ON HOMELESSNESS.]

The agency shall coordinate services and activities of all state agencies relating to homelessness. The agency shall coordinate an investigation and review of the current system of service delivery to the homeless. The agency may request assistance from other agencies of state government as needed for the execution of the responsibilities under this section and the other agencies shall furnish the assistance upon request.

Sec. 4. Minnesota Statutes 1988, section 469.040, is amended by adding a subdivision to read:

Subd. 4. [LEASED PROPERTY; HOUSING PROJECT EXCEPTION.] If the authority sells or leases property to a nonprofit corporation or limited dividend entity for the purpose of providing a housing project, the authority shall pay for the housing units occupied by persons or families meeting the income limits under clause (3), in lieu of property taxes, a service charge based on the project's aggregate shelter rentals. Property taxes must be paid on housing units that are occupied by persons or families who do not

meet the income limits under clause (3). The service charge must be collected and distributed in the manner described in subdivision 3. Housing projects must meet the following criteria in order to be eligible for the service charge:

(1) a nonprofit corporation or limited dividend entity has contracted with the authority to provide housing units to persons and families of low income for at least 15 years and to provide annual income certification of residents;

(2) the housing project will meet a specific housing shortage identified by the city or the authority; and

(3) at least 60 percent of the units must be occupied by persons or families whose income does not exceed 60 percent of the area's median income adjusted by family size as determined by the department of housing and urban development.

Sec. 5. Minnesota Statutes 1989 Supplement, section 469.203, subdivision 4, is amended to read:

Subd. 4. [CITY APPROVAL OF PROGRAM.] (a) ~~For the purposes of this subdivision, "city" means the cities of Minneapolis and Duluth.~~

~~(b)~~ (b) Before adoption of a revitalization program under paragraph (e) (b), the city must submit a preliminary program to the commissioner, the state planning agency, and the Minnesota housing finance agency for their comments. The city may not adopt the revitalization program until comments have been received from the state agencies or 30 days have elapsed without response after the program was sent to them. Comments received by the city from the state agencies within the 30-day period must be responded to in writing by the city before adoption of the program by the city.

~~(c)~~ (b) The city may adopt a revitalization program only after holding a public hearing after the program has been prepared. Notice of the hearing must be provided in a newspaper of general circulation in the city and in the most widely circulated community newspaper in the targeted neighborhoods not less than ten days nor more than 30 days before the date of the hearing.

~~(d)~~ (c) A certification by the city that a revitalization program has been approved by the city council for the targeted neighborhood must be provided to the commissioner together with a copy of the program. A copy of the program must also be provided to the Minnesota housing finance agency and the state planning agency.

~~(e)~~ (d) A revitalization program for the city may be modified at any time by the city council after a public hearing, notice of which is

published in a newspaper of general circulation in the city and in the targeted neighborhood at least ten days nor more than 30 days before the date of the hearing. If the city council determines that the proposed modification is a significant modification to the program originally certified under paragraph ~~(d)~~ (c), the city council shall implement the revitalization program approval and certification process of this subdivision for the proposed modification.

Sec. 6. Minnesota Statutes 1988, section 474A.21, is amended to read:

474A.21 [APPROPRIATION; RECEIPTS.]

Any fees collected by the department under Laws 1987, chapter 268, ~~article 16~~, sections ~~1~~ 474A.01 to ~~40~~ 474A.21 must be deposited in a separate account in the general fund. The amount necessary to refund application deposits is appropriated to the department from the separate account in the general fund for that purpose. The interest accruing on application deposits and any application deposit not refunded as provided under section 474A.061, subdivision 4, or section 474A.091, subdivision 5, or forfeited as provided under section 474A.131, subdivision 2, must be deposited in the housing trust fund account under section 462A.201.

Sec. 7. [APPROPRIATION; BOND SALE.]

Subdivision 1. [APPROPRIATION.] \$ is appropriated from the bond proceeds fund for transfer to the local government housing account in the housing development fund for the purposes of section 2.

Subd. 2. [BOND SALE.] To provide the money appropriated in this section from the bond proceeds fund the commissioner of finance on request of the governor shall sell and issue bonds of the state in an amount up to \$ in the manner, upon the terms, and with the effect prescribed in Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 8. [REPEALER.]

Minnesota Statutes 1989 Supplement, section 469.203, subdivision 5, is repealed."

Delete the title and insert:

"A bill for an act relating to housing; establishing a local government housing account that may be used for transitional housing, public housing modernization and rehabilitation, and subsidized

rental housing preservation; requiring state interagency coordination on homelessness; providing for a housing and redevelopment authority property service charge in lieu of property taxes; appropriating nonrefundable bond allocation deposits to the housing trust fund account; appropriating money; amending Minnesota Statutes 1988, sections 462A.201, subdivision 2; 469.040, by adding a subdivision; and 474A.21; Minnesota Statutes 1989 Supplement, section 469.203, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1989 Supplement, section 469.203, subdivision 5."

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

The report was adopted.

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

H. F. No. 2291, A bill for an act relating to state government; providing sanctions for failure to comply with affirmative action requirements; amending Minnesota Statutes 1988, sections 15A.081, subdivision 7b; 15A.082, by adding a subdivision; and 43A.18, subdivision 5.

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

The report was adopted.

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

H. F. No. 2296, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land in Becker county.

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 2321, A bill for an act relating to consumer protection; requiring an itemized statement for certain automobile purchase price refunds; amending Minnesota Statutes 1988, sections 325F.662, subdivision 8; and 325F.665, subdivisions 3 and 6.

Reported the same back with the following amendments:

Page 2, line 6, after the period insert "If the amount of excise tax refunded is not separately stated, the department of public safety may refund the excise tax, as determined under paragraph (b), directly to the consumer and lienholder, if any, as their interests appear on the records of the registrar of motor vehicles."

Page 2, line 22, strike "sales" and insert "excise"

Page 3, line 2, after the period insert "If the amount of excise tax refunded is not separately stated, the department of public safety may refund the excise tax, as determined under paragraph (h), directly to the consumer and lienholder, if any, as their interests appear on the records of the registrar of motor vehicles."

Page 4, line 33, strike "sales" and insert "excise"

Page 5, line 35, after the period insert "If the amount of excise tax refunded is not separately stated, the department of public safety may refund the excise tax, as determined under subdivision 3, paragraph (h), directly to the consumer and lienholder, if any, as their interests appear on the records of the registrar of motor vehicles."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 2323, A bill for an act relating to public employment; expanding coverage of the public employees insurance plan; establishing classes of premiums; amending Minnesota Statutes 1988, section 43A.316, subdivision 8.

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

The report was adopted.

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

H. F. No. 2329, A bill for an act relating to education and training;

creating a legislative task force on employment in the 1990s; providing for the task force's duties.

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

The report was adopted.

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

H. F. No. 2332, A bill for an act relating to public employees; providing for an award of interest on certain essential employee arbitrations; amending Minnesota Statutes 1988, section 179A.16, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2336, A bill for an act relating to historical interpretive centers; defining the status of Farmamerica in Waseca county.

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

The report was adopted.

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

H. F. No. 2350, A bill for an act relating to natural resources; authorizing the commissioner to designate agents to sell state park permits; amending Minnesota Statutes 1988, section 85.053, subdivision 1.

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

The report was adopted.

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

H. F. No. 2351, A bill for an act relating to natural resources; authorizing conservation officers to seek issuance of and to serve search warrants; amending Minnesota Statutes 1989 Supplement, sections 626.05, subdivision 2; and 626.13.

Reported the same back with the following amendments:

Page 1, lines 11 and 23, delete "state".

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2384, A bill for an act relating to port authorities; allowing a port authority to use foreign trade zone powers, if granted, outside its port district; amending Minnesota Statutes 1988, section 469.059, subdivision 14.

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

The report was adopted.

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

H. F. No. 2386, A bill for an act relating to solid waste management; permitting certain fees; granting authority to St. Louis county; amending Minnesota Statutes 1988, section 400.08, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 383C.

Reported the same back with the following amendments:

Page 1, line 14, delete "or without"

Page 2, delete section 2

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

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "fees;" and delete "amending"

Page 1, delete line 4

Page 1, line 5, delete "3;"

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2397, A bill for an act relating to law enforcement; barring traffic citation quotas; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Page 1, line 8, delete everything after "officer" and insert "a quota for the issuance"

Page 1, line 9, delete "certain number"

Page 1, line 10, delete "quota"

Page 1, delete lines 11 to 13

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2404, A bill for an act relating to human services; establishing requirements, procedures, and incentives for child support and medical support enforcement; appropriating money; amending Minnesota Statutes 1988, sections 171.07, subdivision 1a; 518.551, subdivisions 1 and 5; 518.611, subdivisions 1, 2, 8, 8a, and

by adding a subdivision; 518C.02, by adding subdivisions; 518C.03; 518C.05; 518C.09; 518C.12; 518C.27, subdivision 1; and Minnesota Statutes 1989 Supplement, sections 256.74, subdivision 1; 518.551, subdivision 10; 518.611, subdivision 4; 518.613, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256.

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

The report was adopted.

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

H. F. No. 2407, A bill for an act relating to health; requiring an asbestos abatement rule change.

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

The report was adopted.

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

H. F. No. 2426, A bill for an act relating to contracts; providing for enforcement of certain contracts; proposing coding for new law as Minnesota Statutes, chapter 338.

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

The report was adopted.

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

H. F. No. 2448, A bill for an act relating to Olmsted county; permitting the consolidation of the offices of auditor and treasurer.

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2454, A bill for an act relating to education; requiring a plan to implement a Minnesota legislative school; appropriating money.

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

The report was adopted.

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

H. F. No. 2459, A bill for an act relating to Lake Superior; establishing an information, research, and education authority.

Reported the same back with the following amendments:

Page 2, line 20, after "corporation" insert "and instrumentality"

Page 2, delete lines 24 to 33, and insert:

"Subd. 2. [BOARD OF DIRECTORS.] The corporation is governed by a board of five directors. The term of a director, except as otherwise provided below, is six years. One of the five directors is the commissioner of the department of natural resources. The other four members of the board shall be appointed by the governor with the advice and consent of the senate. Two members of the initial board of directors shall be appointed for terms of four years, and two for terms of two years. Vacancies on the board shall be filled by appointment of the governor, subject to the advice and consent of the senate. Board members shall not be compensated for their service as board members other than to be reimbursed for reasonable expenses incurred in connection with their duties as board members. This reimbursement shall be reviewed each year by the commissioner of finance. A board member may be removed by the governor for malfeasance or nonfeasance in the performance of the member's official duties."

Page 3, after line 2, insert:

"Subd. 4. [PLACE OF BUSINESS.] The board shall locate and maintain the corporation's place of business within the state."

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

Page 3, line 6, delete "5" and insert "6" and delete everything after "[MEETINGS.]" and insert "The board shall meet at least twice each year and may hold additional meetings upon giving notice in accordance with the bylaws of the corporation. Board meetings are subject to Minnesota Statutes, section 471.705."

Page 3, delete line 7

Page 3, line 8, delete "6" and insert "7"

Page 3, delete lines 12 to 15, and insert:

"Subd. 8. [ECONOMIC INTEREST STATEMENTS.] Directors and officers of the corporation are public officials for the purpose of section 10A.09, and must file statements of economic interest with the state ethical practices board."

Page 3, line 16, delete "8" and insert "9"

Page 3, after line 17, insert:

"Subd. 10. [NO BENEFIT TO PRIVATE INDIVIDUALS OR CORPORATIONS.] This corporation shall not afford pecuniary gain, incidental or otherwise, to any private individual, firm, or corporation other than Lake Superior Center, a Minnesota nonprofit corporation (except the payment of reasonable fees for goods and services rendered and approved in accordance with the bylaws of the corporation) and no part of the net income or net earnings of the corporation shall, directly or indirectly, be distributable to or otherwise inure to the benefit of any individual."

Page 4, line 2, after the period insert "Notwithstanding the provisions of section 2, subdivision 7, relating to the conflict of interest, a director or officer of the corporation who is also a director, officer, or member of Lake Superior Center, a Minnesota nonprofit corporation, and the corporation, may participate in and vote on the decision of the board as to the terms and conditions of management contracts or lease agreements between Lake Superior Center and the corporation."

Page 5, delete lines 11 to 20, and insert:

"The corporation may establish funds and accounts that it finds convenient. The board shall provide for and pay the cost of an independent annual audit of its official books and records by the legislative auditor subject to Minnesota Statutes, sections 3.971 and 3.972. A copy of this audit shall be filed with the secretary of state."

Page 6, delete section 8, and insert:

"Sec. 8. [DISSOLUTION.]

In the event of the dissolution of the corporation for any reason, the state, upon action by the governor and after consultation with the legislative advisory commission, may require the liquidation of all holdings and investments and the return of the proceeds of that liquidation and any wholly owned assets of the corporation to the state in exchange for the assumption of all outstanding obligations of the corporation."

Amend the title as follows:

Page 1, line 3, delete " , research,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2462, A bill for an act relating to state government; regulating administrative procedures; including a statement of purpose; requiring agencies to send the LCRAR copies of statements of need and reasonableness; requiring an agency to provide notice of the hearing to those who requested it; making various technical changes; amending Minnesota Statutes 1988, sections 14.03; 14.131; 14.23; and 14.25; Minnesota Statutes 1989 Supplement, section 14.02, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 14.

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

The report was adopted.

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

H. F. No. 2492, A bill for an act relating to public safety; providing scholarship fund program for spouse and dependent children of public safety officers killed in the line of duty; increasing death benefit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 1988, sections 176B.01, as amended; 176B.02; 176B.03; 176B.04; and 176B.05.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [299A.41] [DEFINITIONS.]

Subdivision 1. [SCOPE.] The terms used in this chapter have the meanings given them in this section.

Subd. 2. [DEPENDENT CHILD.] A “dependent child” means a person who is unmarried and who was either living with or was receiving support contributions from the public safety officer at the time of death, including a child by birth, a stepchild, an adopted child, or a posthumous child, and who is:

(1) under 18 years of age;

(2) over 18 years of age and incapable of self-support because of physical or mental disability; or

(3) over 18 years of age and a student as defined by United States Code, title 5, section 8101.

Subd. 3. [KILLED IN THE LINE OF DUTY.] “Killed in the line of duty” does not include deaths from natural causes.

Subd. 4. [PUBLIC SAFETY OFFICER.] “Public safety officer” includes:

(1) a peace officer defined in section 626.84;

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) a firefighter employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in the hazards of firefighting;

(4) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

(5) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

(6) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

(7) a driver or attendant with a licensed basic or advanced life support transportation service who is engaged in providing emergency care; and

(8) a first responder who is certified by the commissioner of health to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance.

Subd. 5. [SPOUSE.] “Spouse” means a person legally married to the decedent at the time of death.

Sec. 2. [299A.42] [PUBLIC SAFETY OFFICERS BENEFIT FUND.]

The public safety officers benefit account is created in the state treasury. Funds in the account consist of money transferred and appropriated to that fund. The administrator of the fund is the commissioner of public safety.

Sec. 3. [299A.43] [ELIGIBILITY DETERMINATION; CONTESTED CASE.]

A challenge to a determination of eligibility by the commissioner of public safety must be heard as a contested case, except that the decision of the administrative law judge is binding on the parties to the proceeding. The order of the administrative law judge is the final decision of the commissioner. The hearing must be conducted in accordance with sections 14.56 to 14.62 and is subject to appeal in accordance with sections 14.63 to 14.68.

Sec. 4. [299A.44] [DEATH BENEFIT.]

On certification to the governor by the administrator of the fund that a public safety officer employed within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the commissioner of finance shall pay \$100,000 from the public safety officers benefit fund, as follows:

- (1) if there is no dependent child, to the spouse;
- (2) if there is no spouse, to the dependent child or children in equal shares;
- (3) if there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;

(4) if there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares; or

(5) if there is no surviving spouse, dependent child, or dependent parent, then no payment may be made from the public safety officers benefit fund.

Sec. 5. [299A.45] [EDUCATION BENEFIT.]

Subdivision 1. [ELIGIBILITY.] Following certification under section 4 and compliance with this section and rules of the commissioner of public safety, dependent children less than 23 years of age and the surviving spouse of a public safety officer killed in the line of duty on or after July 1, 1967, who are attending a post-secondary educational institution after June 30, 1990, are eligible to receive educational benefits under this section for undergraduate degree or certificate programs at institutions eligible to participate in the Minnesota state grant program as specified in section 136A.101, subdivision 4. Persons who have received a baccalaureate degree are no longer eligible.

Subd. 2. [AWARD AMOUNT.] The award must not exceed a grant applicant's cost of attendance, defined in section 136A.121, subdivision 6, after deducting:

(1) the amount of the federal Pell Grant for which the applicant is eligible; and

(2) the amount of the state grant for which the applicant is eligible.

Subd. 3. [PAYMENT.] On proof of eligibility for this program, an eligible institution, on behalf of the student, shall request payment of the award from the higher education coordinating board. Funds in excess of tuition and fees charged by the school must be disbursed to the student no sooner than the first day of class. The award will be divided by the number of terms in that school's academic year and disbursed proportionately. A student is not eligible for a disbursement unless the student is enrolled in or has completed the term for which the payment is intended. A student must apply annually for the award. An award under this subdivision may not be more than \$9,000 for each academic year not to exceed a total of \$36,000 awarded to a single student.

Sec. 6. [299A.46] [RULES.]

The commissioner of public safety may adopt rules, including emergency rules, under chapter 14 to implement, coordinate, and

administer sections 1 to 4. The higher education coordinating board may adopt rules to implement, coordinate, and administer section 5.

Sec. 7. [REPEALER.]

Minnesota Statutes 1988, sections 176B.01, as amended by Laws 1989, chapter 289, section 2; 176B.02; 176B.03; 176B.04; and 176B.05, are repealed.

Sec. 8. [MONEY SET ASIDE.]

The higher education coordinating board shall set aside \$ appropriated for the state grant program under Minnesota Statutes, section 136A.121 for the purpose of section 5.

Sec. 9. [EFFECTIVE DATES.]

Sections 1 to 4 and 6 to 8 are effective the day following final enactment. Section 5 is effective July 1, 1990, and applies to all eligible surviving dependents and spouses of public safety officers killed in the line of duty on or after July 1, 1967."

Delete the title and insert:

"A bill for an act relating to public safety; providing scholarship fund program for spouse and dependent children of public safety officers killed in the line of duty; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 1988, sections 176B.01, as amended; 176B.02; 176B.03; 176B.04; and 176B.05."

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

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2494, A bill for an act relating to education; providing for flagging of school records of missing children; proposing coding for new law in Minnesota Statutes, chapter 120.

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

The report was adopted.

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

H. F. No. 2505, A bill for an act relating to retirement; permitting participants in the college supplemental retirement plan to designate beneficiaries; amending Minnesota Statutes 1989 Supplement, section 136.82, subdivisions 1 and 2.

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

The report was adopted.

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

H. F. No. 2507, A bill for an act relating to government operations; authorizing the department of jobs and training to enter a lease for colocation of certain programs.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [268.028] [DEPARTMENT OF JOBS AND TRAINING; COLOCATION LEASES.]

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 6, or other law limiting the term of state leases of premises and for purposes of implementing colocation under Minnesota Statutes, section 268.871, subdivision 4, clause (b), the commissioner of jobs and training with the approval of the department of administration may enter into a lease with another political subdivision for a term of up to 20 years. The lease must be for space in a public building and be necessary to ensure construction of the building. The lease must provide that the state would pay only its share of actual costs for building and maintenance both during the original term of the lease and any extension of the lease."

Delete the title and insert:

"A bill for an act relating to government operations; authorizing the department of jobs and training to enter a lease for colocation of certain programs; proposing coding for new law in Minnesota Statutes, chapter 268."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2513, A bill for an act relating to the revenue recapture act; expanding the definition of claimant agency; amending Minnesota Statutes 1988, section 270A.03, subdivision 2.

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

The report was adopted.

Kelly from the Committee on Judiciary to which was referred:

H. F. No. 2530, A bill for an act relating to courts; conciliation court; permitting collection of conciliation court judgments under the revenue recapture act; permitting certain levies on homestead proceeds; amending Minnesota Statutes 1988, sections 270A.03, subdivisions 2, 4, and 5; 270A.04, subdivision 3; 270A.07, subdivision 2; and 510.07; Minnesota Statutes 1989 Supplement, section 270A.11.

Reported the same back with the following amendments:

Page 1, line 19, delete "conciliation court"

Page 1, line 25, delete "conciliation court"

Page 1, line 27, delete "conciliation court" and after "judgment" insert "in an amount between \$25 and \$4,000"

Page 2, line 3, delete "conciliation court"

Page 3, line 10, delete "conciliation court"

Page 3, line 27, delete "conciliation court"

Pages 3 and 4, delete section 7

Amend the title as follows:

Page 1, line 7, after the first semicolon insert "and" and delete "and 510.07,"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2534, A bill for an act relating to economic development; clarifying the appointing authority for the board of the Minnesota Project Outreach Corporation; requiring duties of the Minnesota Project Outreach Corporation; requiring notification under the capital access program; removing the requirement that employees of the Greater Minnesota Corporation file statements of economic interest; amending Minnesota Statutes 1989 Supplement, sections 116J.691, subdivisions 2 and 4; 116J.8766 by adding a subdivision; and 116O.03, subdivision 11.

Reported the same back with the following amendments:

Page 1, line 12, delete "2,"

Page 1, delete line 13 and insert:

"Section 1. Minnesota Statutes 1989 Supplement, section 116J.691, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The Minnesota Project Outreach Corporation is established as a nonprofit public corporation under chapter 317 and is subject to the provisions of that chapter. The corporation is not a state agency. The purpose of the corporation is to (i) facilitate the transfer of technology and scientific advice from the University of Minnesota and other institutions to businesses in the state that may make economic use of the information; and (ii) to assist small and medium-sized businesses in finding technical and financial assistance providers that meet their needs."

Page 1, line 16, after "DIRECTORS" insert "; EMPLOYEES"

Page 1, line 19, strike "deputy"

Page 2, line 14, after the period insert "The officers and any employees of the corporation are not state employees."

Page 4, after line 7, insert:

"Sec. 6. Minnesota Statutes 1989 Supplement, section 469.203, subdivision 4, is amended to read:

Subd. 4. [CITY APPROVAL OF PROGRAM.] (a) ~~For the purposes of this subdivision, "city" means the cities of Minneapolis and Duluth.~~

(b) Before adoption of a revitalization program under paragraph (e) (b), the city must submit a preliminary program to the commissioner, the state planning agency, and the Minnesota housing finance agency for their comments. The city may not adopt the revitalization program until comments have been received from the state agencies or 30 days have elapsed without response after the program was sent to them. Comments received by the city from the state agencies within the 30-day period must be responded to in writing by the city before adoption of the program by the city.

(e) (b) The city may adopt a revitalization program only after holding a public hearing after the program has been prepared. Notice of the hearing must be provided in a newspaper of general circulation in the city and in the most widely circulated community newspaper in the targeted neighborhoods not less than ten days nor more than 30 days before the date of the hearing.

(e) (c) A certification by the city that a revitalization program has been approved by the city council for the targeted neighborhood must be provided to the commissioner together with a copy of the program. A copy of the program must also be provided to the Minnesota housing finance agency and the state planning agency.

(e) (d) A revitalization program for the city may be modified at any time by the city council after a public hearing, notice of which is published in a newspaper of general circulation in the city and in the targeted neighborhood at least ten days nor more than 30 days before the date of the hearing. If the city council determines that the proposed modification is a significant modification to the program originally certified under paragraph (e) (c), the city council shall implement the revitalization program approval and certification process of this subdivision for the proposed modification.

Sec. 7. [REPEALER.]

Minnesota Statutes 1989 Supplement, section 469.203, subdivision 5, is repealed."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 3, after "board" insert "and the status"

Page 1, line 9, after the semicolon insert "changing the requirements for city approval of the neighborhood revitalization program;"

Page 1, line 10, delete "2" and insert "1, 2,"

Page 1, line 11, delete "and" and before the period insert "; 469.203, subdivision 4; repealing Minnesota Statutes 1989 Supplement, section 469.203, subdivision 5"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2541, A bill for an act relating to unemployment compensation; making various technical changes; regulating eligibility of conservation corps members and entertainers; increasing the income disregard; regulating eligibility for persons receiving holiday pay; regulating administrative hearings; providing for data sharing; appropriating certain federal money; amending Minnesota Statutes 1988, sections 268.08, subdivision 3; 268.10, subdivision 9; and 268.12, subdivision 13; Minnesota Statutes 1989 Supplement, sections 84.965, subdivision 2; 84.98, subdivision 5; 268.04, subdivision 12; 268.07, subdivision 2; 268.12, subdivision 12; 270B.14, subdivisions 2 and 8; and 290.92, subdivision 21.

Reported the same back with the following amendments:

Page 26, delete lines 12 to 18 and insert:

"(a) \$200,000 of funds made available to the state under United States Code, title 42, section 1103, is appropriated from the unemployment compensation fund to the commissioner of jobs and training and is available for obligation until two years after the date of enactment of this section for use in the procurement of electronic data processing equipment by the department of jobs and training for administration of the unemployment compensation program and the system of public employment offices.

(b) The amount that may be obligated during a fiscal year is limited as required by United States Code, title 42, section 1104(d)(2)(D).

Sec. 13. [REPEALER.]

Minnesota Statutes Second 1989 Supplement, section 290.92, subdivision 21, is repealed.

Page 26, line 20, delete "and" and after "12," insert "and 13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, before the period insert "; repealing Minnesota Statutes Second 1989 Supplement, section 290.92, subdivision 21"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 2594, A bill for an act relating to commerce; regulating trade practices; prohibiting contracts from providing an exclusive right to display free newspapers for distribution in any place of public accommodation; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

The report was adopted.

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

H. F. No. 2601, A bill for an act relating to economic development; requiring a prevailing wage for projects which received economic development related financial assistance from a government agency; requiring certification from the commissioners of the pollution control agency and labor and industry relating to past violations; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Page 2, line 13, delete everything after "if"

Page 2, delete line 14

Page 2, line 15, delete "(1)"

Page 2, line 16, delete "guarantees" and insert "certifies to the commissioner of labor and industry" and delete "all workers" and insert "laborers, workers, and mechanics"

Page 2, line 17, delete "and operation" and insert "remodeling, and repairs for which the financial assistance was provided"

Page 2, line 20, delete the semicolon and insert a period

Page 2, delete lines 21 to 36

Page 3, delete lines 1 to 30 and insert:

"Subd. 2. [PREVAILING WAGE; PENALTY.] It is a misdemeanor for a person who has certified that prevailing wages will be paid to laborers, workers, and mechanics under subdivision 1 to subsequently fail to pay the prevailing wage. This misdemeanor is punishable by a fine of not more than \$700, or imprisonment for not more than 90 days, or both. Each day a violation of this subdivision continues is a separate offense."

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, delete lines 6 and 7

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

The report was adopted.

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

H. F. No. 2614, A bill for an act relating to metropolitan airport development; authorizing the metropolitan council to review and approve changes in certain land uses; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the following amendments:

Delete page 1, line 8 to page 2, line 22

Page 2, line 23, delete everything before "(a)"

Page 2, line 24, delete "subdivision" and insert "section"

Page 2, delete line 29 and insert "(b) All land within the search area not zoned for other use is zoned for use exclusively for agricultural purposes"

Page 2, line 30, delete everything before the comma

Page 2, line 31, delete "of this"

Page 2, line 32, delete "subdivision" and insert ", except that a prior nonconforming use established with reference to any lot or parcel of land may be continued"

Page 2, line 36, delete "either with the local"

Page 3, line 1, delete everything before "with"

Page 3, line 26, delete "subdivision" and insert "section"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2616, A bill for an act relating to workers' compensation; providing for loggers; requiring the commissioner of labor and industry to study issues concerning loggers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 176.

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

The report was adopted.

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

H. F. No. 2623, A bill for an act relating to workers' compensation; providing for regulation of insurance rates; amending Minnesota Statutes 1988, sections 79.01, subdivision 1; 79.074, by adding

subdivisions; 79.50; and 79.59; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1988, sections 79.51; 79.52, subdivisions 2 and 12; 79.53; 79.54 to 79.58; and 79.60 to 79.62.

Reported the same back with the following amendments:

Page 2, after line 23, insert:

"Sec. 6. Minnesota Statutes 1988, section 79.211, is amended by adding a subdivision to read:

Subd. 4. [GOOD RISKS; MANDATED PREMIUM REDUCTION.] An insurer must reduce the premium of an employer by five percent if for the five years preceding the effective date of the policy for which the premium is paid the only workers' compensation claims paid by an insurer to or on behalf of employees of that employer were paid for medical treatment, appliances, and supplies required under section 176.135."

Renumber the sections in order

Correct internal references

Amend the title as follows:

Page 1, line 5, after "subdivisions;" insert "79.211, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 2628, A bill for an act relating to state government; authorizing the commissioner of jobs and training to establish a position in the unclassified service; amending Minnesota Statutes 1988, section 268.0121, subdivision 3.

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

The report was adopted.

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

H. F. No. 2636, A bill for an act relating to economic development; appropriating money to prepare land in the city of South St. Paul for economic development; authorizing the sale of state bonds.

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

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 2637, A bill for an act relating to insurance; clarifying the law prohibiting insurers from maintaining subrogation actions against insureds; amending Minnesota Statutes 1989 Supplement, section 60A.41.

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

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 2645, A bill for an act relating to insurance; regulating domestic insurers; providing for domestications and conversions to foreign insurers; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

The report was adopted.

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

H. F. No. 2650, A bill for an act relating to cemeteries; allowing transfer of certain cemetery property to a religious corporation; amending Minnesota Statutes 1988, section 306.02, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 2656, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land in Koochiching and Lincoln counties; authorizing the private sale of certain state lands in Scott, Hubbard, and Fillmore counties; appropriating proceeds of the Scott county conveyance; authorizing the sale of certain surplus land in Lake county; authorizing the sale of certain trust fund land in St. Louis county; authorizing the sale of surplus land in Grant county for recreational purposes.

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

The report was adopted.

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

H. F. No. 2657, A bill for an act relating to Indian affairs; adding the chair of the advisory council on urban Indians to the Indian affairs council as a voting member; amending Minnesota Statutes 1988, section 3.922, subdivision 1.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 232, 1784, 1870, 1894, 1924, 1939, 1960, 1963, 1970, 1976, 1977, 1987, 2001, 2002, 2028, 2043, 2056, 2057, 2090, 2092, 2097, 2105, 2116, 2124, 2131, 2134, 2138, 2147, 2148, 2156, 2163, 2173, 2189, 2202, 2211, 2219, 2222, 2223, 2234, 2252, 2291, 2296, 2321, 2336, 2350, 2351, 2384, 2397, 2407, 2426, 2448, 2459, 2462, 2494, 2505, 2507, 2530, 2534, 2541, 2594, 2614, 2623, 2628, 2637, 2645, 2650 and 2657 were read for the second time.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

The following House Files were introduced:

Welle, Janezich, Dempsey and Krueger introduced:

H. F. No. 2722, A bill for an act relating to regional development commissions; establishing a maximum property tax levy; amending Minnesota Statutes 1989 Supplement, section 462.396, subdivision 2.

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

Krueger, Vanasek and Winter introduced:

H. F. No. 2723, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; removing references to legislative days.

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

Kalis, Redalen and Price introduced:

H. F. No. 2724, A bill for an act relating to agriculture; amending provisions of the 1989 groundwater protection act; amending provisions relating to agricultural chemical regulation, enforcement, remediation, and compensation for remediation; clarifying the role of the commissioner of agriculture in remediation of agricultural chemicals; appropriating money; amending Minnesota Statutes 1988, sections 18B.14, subdivision 2; 18B.27, subdivision 3; 18B.28, subdivision 4; and 115B.02, subdivisions 3 and 4, and by adding a subdivision; Minnesota Statutes 1989 Supplement, sections 18B.26, subdivision 3; 18C.005, by adding a subdivision; 18C.205, subdivision 2; 18C.305, subdivision 1; 18D.103, subdivision 1; 18D.301, by adding a subdivision; 18D.321, subdivision 2; 18E.03, subdivisions 3, 4, and 5, and by adding a subdivision; 18E.04, subdivision 1; Laws 1989, chapter 326, article 8, section 10; and chapter 335, article 1, section 23, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 18D; repealing Minnesota Statutes 1988, section 115B.17, subdivision 8.

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

Winter and Vanasek introduced:

H. F. No. 2725, A bill for an act relating to the legislature; amending the constitution to provide that legislative reapportionment occurs upon normal expiration of the terms of senators.

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

Limmer, Forsythe, Himle, Seaberg and Olsen, S., introduced:

H. F. No. 2726, A bill for an act proposing an amendment to the Minnesota Constitution, article X, section 1; providing for a single tax rate on residential homesteads.

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

Scheid and Osthoff introduced:

H. F. No. 2727, A bill for an act relating to employment; regulating the use of sales quotas in certain employment situations; proposing coding for new law in Minnesota Statutes, chapter 181.

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

O'Connor and Osthoff introduced:

H. F. No. 2728, A bill for an act relating to education; allowing pupils of at least age 16 a greater range of programs to attend under the high school graduation incentives and private alternative school programs; amending Minnesota Statutes 1989 Supplement, sections 126.22, subdivision 3; and 126.23.

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

Neuenschwander and Jennings introduced:

H. F. No. 2729, A bill for an act relating to waste; exempting publicly owned or operated mixed municipal solid waste disposal facilities from certain financial responsibility rules; amending Minnesota Statutes 1988, section 116.07, subdivision 4h.

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

Neuenschwander introduced:

H. F. No. 2730, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited land in Koochiching county.

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

Neuenschwander introduced:

H. F. No. 2731, A bill for an act relating to appropriations; providing a refund of a bond allocation deposit; appropriating money.

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

Neuenschwander introduced:

H. F. No. 2732, A bill for an act relating to taxation; providing that county levies to pay the cost of ambulance service within a subordinate service district are exempt from levy limits; amending Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5.

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

Ogren, Redalen, Solberg and Quinn introduced:

H. F. No. 2733, A bill for an act relating to horse racing; regulating purses; amending Minnesota Statutes 1988, section 240.13, subdivision 5.

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

Otis, Osthoff and Bertram introduced:

H. F. No. 2734, A bill for an act relating to financial institutions; requiring notice of proposed acquisition; proposing coding for new law in Minnesota Statutes, chapter 46.

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

Simoneau introduced:

H. F. No. 2735, A bill for an act relating to insurance; no-fault automobile; regulating uninsured and underinsured motorist coverages for motorcycles; amending Minnesota Statutes 1989 Supplement, section 65B.49, subdivision 3a.

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

Kalis and Lieder introduced:

H. F. No. 2736, A bill for an act relating to transportation; authorizing private operators to construct, improve, rehabilitate, own, lease, and operate bridges and roads as toll facilities; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Tjornhom introduced:

H. F. No. 2737, A bill for an act relating to education; intermediate school districts; providing teacher retirement and F.I.C.A. aid; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Lieder and Tunheim introduced:

H. F. No. 2738, A bill for an act relating to public improvements; authorizing the sale of state bonds; appropriating money for an agriculture department facility.

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

Greenfield introduced:

H. F. No. 2739, A bill for an act relating to human resources; providing for the creation of a legislative human resources commission; providing for its powers and duties; raising revenue; amending Minnesota Statutes 1988, section 297.02, subdivision 1; and Minnesota Statutes 1989 Supplement, section 297.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3C.

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

Blatz, Limmer, Pauly, Morrison and Himle introduced:

H. F. No. 2740, A bill for an act relating to taxation; property; changing the class rates applied to certain homestead property; amending Minnesota Statutes Second 1989 Supplement, section 273.13, subdivisions 22 and 23.

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

Osthoff, Solberg, Stanius, Milbert and Frerichs introduced:

H. F. No. 2741, A bill for an act relating to natural resources; limiting the authority of the commissioner of agriculture to require grasshopper control measures on certain lands; amending Minnesota Statutes 1989 Supplement, section 18.0225.

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

Gruenes introduced:

H. F. No. 2742, A bill for an act relating to energy; state buildings; establishing goals for energy conservation; amending Minnesota Statutes 1988, section 16B.32.

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

Olsen, S.; Blatz; Schreiber; Knickerbocker and Abrams introduced:

H. F. No. 2743, A bill for an act relating to education; providing for the state takeover of all public K-12 education costs by the year 2000; amending Minnesota Statutes 1988, section 124A.22, subdivision 4; repealing Minnesota Statutes 1989 Supplement, section 124A.03, subdivision 2.

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

Runbeck introduced:

H. F. No. 2744, A bill for an act relating to child support; increasing the percentage of an obligor's net income to be paid as child support; amending Minnesota Statutes 1988, section 518.551, subdivision 5.

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

Ozment and Girard introduced:

H. F. No. 2745, A resolution memorializing the Congress of the United States to enact legislation proposing to the states an amendment to the United States Constitution that permits the United States and the several states to prohibit the desecration of the American flag.

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

Murphy, Battaglia and Ogren introduced:

H. F. No. 2746, A bill for an act relating to appropriations; providing funding to the Western Lake Superior Sanitary District for the design of wastewater treatment alternatives.

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

Dawkins, Kelly and Welle introduced:

H. F. No. 2747, A bill for an act relating to health; removing limits on certain animal control funds; establishing a low-cost spaying and neutering pilot project; imposing a tax on sales of pet food and supplies; authorizing county regulation of dogs and cats without licensure; appropriating money; amending Minnesota Statutes 1988, section 343.11; proposing coding for new law in Minnesota Statutes, chapters 346 and 347.

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

Kinkel introduced:

H. F. No. 2748, A bill for an act relating to taxation; repealing the increase in the optional hotel-motel tax; amending Minnesota

Statutes Second 1989 Supplement, section 469.190, subdivisions 1, 2, and 3.

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

Richter introduced:

H. F. No. 2749, A bill for an act relating to education; removing the requirement that members of an education district must be in the same ECSU; amending Minnesota Statutes 1989 Supplement, section 123.58, subdivision 4.

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

Hartle introduced:

H. F. No. 2750, A bill for an act relating to education; appropriating money for the costs of the consolidation of three districts.

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

Kelly introduced:

H. F. No. 2751, A bill for an act relating to courts; staggering the elections of chief judges and assistant chief judges; amending Minnesota Statutes 1988, section 484.69, subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1988, section 484.69, subdivision 2.

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

Tjornhom introduced:

H. F. No. 2752, A bill for an act relating to crimes; providing for forfeiture of conveyance devices used to commit a drunk driving offense by certain repeat DWI violators; amending Minnesota Statutes 1988, section 609.5312, subdivision 1; Minnesota Statutes 1989 Supplement, section 609.531, subdivision 1.

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

Schreiber, Blatz and Pauly introduced:

H. F. No. 2753, A bill for an act relating to taxation; providing a property tax refund to certain homeowners; amending Minnesota Statutes 1988, section 290A.04, by adding a subdivision.

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

Schreiber, Blatz and Abrams introduced:

H. F. No. 2754, A bill for an act relating to crime; clarifying that the crime of fourth degree assault includes assaults against employees of detention facilities; amending Minnesota Statutes 1988, section 609.2231, subdivision 3.

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

Schreiber and Pauly introduced:

H. F. No. 2755, A bill for an act relating to taxation; individual income; allowing the deduction of charitable contributions in computing alternative minimum taxable income; amending Minnesota Statutes Second 1989 Supplement, section 290.091, subdivision 2.

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

Schreiber, Scheid and Abrams introduced:

H. F. No. 2756, A bill for an act relating to elections; changing the date of the state primary; amending Minnesota Statutes 1988, section 204D.03, subdivision 1.

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

Vellenga, by request, introduced:

H. F. No. 2757, A bill for an act relating to retirement; public employees retirement association; authorizing the payment of benefits to surviving former spouses of certain members.

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

Pelowski introduced:

H. F. No. 2758, A bill for an act relating to libraries; establishing public library automation grants; amending Minnesota Statutes 1988, section 134.32, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 134.

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

Pelowski introduced:

H. F. No. 2759, A bill for an act relating to education; authorizing the state university board to enter into a lease agreement.

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

Johnson, R.; Solberg; Sparby; Neuenschwander and Carlson, D., introduced:

H. F. No. 2760, A bill for an act relating to recreational vehicles; exempting from registration all-terrain vehicles that are used exclusively for private agricultural use or exclusively on private lands; amending Minnesota Statutes 1989 Supplement, sections 84.922, subdivisions 1a and 5; and 84.928, subdivision 1; repealing Minnesota Statutes 1989 Supplement, section 84.922, subdivision 2a.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Beard and Jacobs introduced:

H. A. No. 38, A proposal to study links between cancer and exposure to electromagnetic fields.

The advisory was referred to the Committee on Regulated Industries.

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 Senate Files, herewith transmitted:

S. F. Nos. 1906, 1943, 1695, 1813, 1922, 1947 and 1783.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1906, A bill for an act relating to crime victims; making the crime victim ombudsman accountable to the commissioner of public safety; clarifying that certain juvenile records are available to the ombudsman; amending Minnesota Statutes 1988, sections 611A.71, subdivision 6; 611A.74, subdivisions 1 and 3; and 611A.75.

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

S. F. No. 1943, A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1989 Supplement, section 363.06, subdivision 3.

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

S. F. No. 1695, A bill for an act relating to human services; authorizing allocation of central, affiliated, or corporate costs for nursing homes and intermediate care facilities for persons with mental retardation and related conditions; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

S. F. No. 1813, A bill for an act relating to human services; amending the Medicare certification requirement for nursing homes; amending Minnesota Statutes 1989 Supplement, section 256B.48, subdivision 6.

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

S. F. No. 1922, A bill for an act relating to commerce; exempting credit unions from certain requirements for closing agents; amending Minnesota Statutes 1989 Supplement, section 82.20, subdivision 15.

The bill was read for the first time.

Carlson, L., moved that S. F. No. 1922 and H. F. No. 2028, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1947, A bill for an act relating to highways; naming and designating as Moberg Trail that portion of Constitutional Route No. 46 located within Chisago county; amending Minnesota Statutes 1988, section 161.14, by adding a subdivision.

The bill was read for the first time.

Jennings moved that S. F. No. 1947 and H. F. No. 2090, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1783, A bill for an act relating to education; allowing certain school districts to change education districts; amending Minnesota Statutes 1989 Supplement, section 122.91, subdivision 5.

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

CONSENT CALENDAR

H. F. No. 1927, A bill for an act relating to traffic regulations; regulating approaches of vehicles to certain intersections; amending Minnesota Statutes 1988, section 169.20, subdivision 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1984, A bill for an act relating to insurance; accident and health; providing for coordination of benefits between group and individual contracts; amending Minnesota Statutes 1989 Supplement, section 62A.046.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2045, A bill for an act relating to human services; clarifying the definition of mentally retarded person in the Minnesota Commitment Act; increasing the time limit for a court of appeals decision under the commitment act; amending Minnesota Statutes 1988, sections 253B.02, subdivision 14; 253B.12, subdivision 4; and 253B.23, subdivision 7.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2058, A bill for an act relating to education; changing

names of state board and state director of vocational technical education and local directors of technical colleges; amending Minnesota Statutes 1988, section 136C.02, subdivisions 4 and 5.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kahn Poppenhagen Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 2149, A bill for an act relating to port authorities; expanding the range of titles for certain offices; amending Minnesota Statutes 1988, section 469.051, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Limmer Tompkins

The bill was passed and its title agreed to.

H. F. No. 2188, A bill for an act relating to local government; permitting towns to publish collections of town ordinances, resolutions, rules, and laws; amending Minnesota Statutes 1988, sections 415.021 and 599.13.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2305 was reported to the House.

Krueger moved that H. F. No. 2305 be continued on the Consent Calendar until Thursday, March 15, 1990. The motion prevailed.

H. F. No. 2398 was reported to the House.

Upon objection of ten members, H. F. No. 2398 was stricken from the Consent Calendar and placed on General Orders.

H. F. No. 2481, A bill for an act relating to crimes; making preparation of a written presentence investigation report discretionary with the court when a defendant is convicted of a felony for which the court must impose an executed sentence under the sentencing guidelines; amending Minnesota Statutes 1989 Supplement, section 609.115, subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2508, A bill for an act relating to education; placing certain positions in special school district No. 1, Minneapolis, in the unclassified service; naming the appointing authority for the positions.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1569, A bill for an act relating to highways; providing for resolution of local disapproval of certain county state-aid highway actions; providing that 30 percent of the county state-aid highway fund be apportioned on the basis of lane-miles; changing the composition of the county and municipal state-aid screening boards; amending Minnesota Statutes 1988, sections 162.02, subdivisions 8 and 10, and by adding a subdivision; 162.07, subdivisions 1 and 5; and 162.13, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abrams	Gutknecht	Long	Osthoff	Schreiber
Beard	Hausman	Lynch	Otis	Segal
Begich	Heap	Macklin	Ozment	Simoneau
Bennett	Henry	McDonald	Pappas	Skoglund
Bishop	Himle	McEachern	Pauly	Stanius
Blatz	Jacobs	McGuire	Pellow	Swenson
Burger	Jefferson	McLaughlin	Price	Tjornhom
Carlson, L.	Johnson, A.	McPherson	Pugh	Trimble
Carruthers	Kahn	Milbert	Redalen	Valento
Clark	Kelly	Morrison	Rest	Vellenga
Dawkins	Kelso	Nelson, K.	Rice	Wagenius
Forsythe	Knickerbocker	O'Connor	Rukavina	Weaver
Frerichs	Kostohryz	Olsen, S.	Runbeck	Spk. Vanasek
Greenfield	Lasley	Olson, K.	Sarna	
Gruenes	Limmer	Orenstein	Scheid	

Those who voted in the negative were:

Anderson, G.	Dille	Johnson, V.	Omam	Steensma
Anderson, R.	Dorn	Kalis	Onnen	Sviggum
Battaglia	Frederick	Kinkel	Ostrom	Tompkins
Bauerly	Girard	Krueger	Pelowski	Tunheim
Bertram	Hartle	Lieder	Peterson	Uphus
Boo	Hasskamp	Marsh	Poppenhagen	Waltman
Brown	Haukoos	Munger	Reding	Welle
Carlson, D.	Hugoson	Murphy	Richter	Wenzel
Conway	Janezich	Nelson, C.	Rodosovich	Williams
Cooper	Jaros	Neuenschwander	Schafer	Winter
Dauner	Jennings	Ogren	Solberg	
Dempsey	Johnson, R.	Olson, E.	Sparby	

The bill was passed and its title agreed to.

H. F. No. 1754, A resolution memorializing the Congress of the

United States to enact the American Heritage Trust Act authorizing the creation of a federal trust fund to provide funding for local, state, and federal land and water conservation and historic preservation purposes.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1785, A bill for an act relating to real property; providing for plat monuments; imposing a penalty; amending Minnesota Statutes 1988, sections 505.02, subdivision 1; and 505.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 505.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1830, A bill for an act relating to crime; increasing the penalty for malicious child punishment resulting in great bodily harm; amending Minnesota Statutes 1989 Supplement, section 609.377.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1846, A bill for an act relating to prostitution; increasing penalties for certain patrons of prostitutes; providing that when a patron uses a motor vehicle during commission of an offense, that fact will be noted on the person's driving record; amending Minnesota Statutes 1988, sections 609.324, subdivisions 2, 3, and by adding subdivisions; and 609.3241.

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Dempsey	Jaros	Osthoff	Spk. Vanasek
Bishop	Dille	Kahn	Rukavina	

The bill was passed and its title agreed to.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Reding moved that the name of Trimble be added as an author on H. F. No. 1328. The motion prevailed.

Greenfield moved that the name of Tjornhom be added as an author on H. F. No. 1847. The motion prevailed.

Sviggum moved that the name of Dorn be added as an author on H. F. No. 1860. The motion prevailed.

Sviggum moved that the name of Dauner be added as an author on H. F. No. 1863. The motion prevailed.

Price moved that the name of Seaberg be added as an author on H. F. No. 1883. The motion prevailed.

Pappas moved that the name of Limmer be added as an author on H. F. No. 1884. The motion prevailed.

Dawkins moved that the name of Osthoff be added as an author on H. F. No. 1924. The motion prevailed.

Williams moved that the names of Girard and Kinkel be added as authors on H. F. No. 1929. The motion prevailed.

Battaglia moved that the name of Uphus be added as an author on H. F. No. 1960. The motion prevailed.

Jefferson moved that the names of Osthoff and O'Connor be added as authors on H. F. No. 1987. The motion prevailed.

Jefferson moved that the names of Osthoff and Scheid be added as authors on H. F. No. 1988. The motion prevailed.

Vellenga moved that her name be stricken as an author on H. F. No. 1992. The motion prevailed.

McEachern moved that his name be stricken as an author on H. F. No. 1992. The motion prevailed.

Carlson, L., moved that the name of Osthoff be added as an author on H. F. No. 2028. The motion prevailed.

Scheid moved that the names of Osthoff and Jefferson be added as authors on H. F. No. 2041. The motion prevailed.

Seaberg moved that the name of Tjornhom be added as an author on H. F. No. 2063. The motion prevailed.

Dawkins moved that the name of Welle be stricken and the name of Olsen, S., be added as an author on H. F. No. 2097. The motion prevailed.

Haukoos moved that his name be stricken as an author on H. F. No. 2105. The motion prevailed.

Greenfield moved that the name of Nelson, C., be added as an author on H. F. No. 2118. The motion prevailed.

Johnson, R., moved that the name of Ögren be stricken and the name of Ozment be added as an author on H. F. No. 2131. The motion prevailed.

Rest moved that the name of Stanius be added as an author on H. F. No. 2210. The motion prevailed.

Rodosovich moved that the names of Tjornhom and Haukoos be added as authors on H. F. No. 2219. The motion prevailed.

Swenson moved that the name of Milbert be stricken and the name of McGuire be added as an author on H. F. No. 2226. The motion prevailed.

Solberg moved that his name be stricken as an author on H. F. No. 2254. The motion prevailed.

Segal moved that the name of Nelson, K., be added as an author on H. F. No. 2263. The motion prevailed.

McGuire moved that the name of Swenson be added as an author on H. F. No. 2349. The motion prevailed.

Beard moved that the name of Sviggum be added as an author on H. F. No. 2398. The motion prevailed.

Rukavina moved that the name of Weaver be stricken and the name of Ozment be added as an author on H. F. No. 2444. The motion prevailed.

Welle moved that the names of Janezich and Kelly be added as authors on H. F. No. 2475. The motion prevailed.

Cooper moved that the name of Dempsey be added as an author on H. F. No. 2498. The motion prevailed.

Jefferson moved that the name of Clark be added as an author on H. F. No. 2504. The motion prevailed.

McLaughlin moved that the name of Trimble be added as an author on H. F. No. 2506. The motion prevailed.

Johnson, A., moved that the name of Runbeck be added as an author on H. F. No. 2507. The motion prevailed.

Pugh moved that the name of Dawkins be added as an author on H. F. No. 2530. The motion prevailed.

Girard moved that the name of Schafer be added as an author on H. F. No. 2537. The motion prevailed.

Bertram moved that the names of Olsen, S., and Tjornhom be added as authors on H. F. No. 2549. The motion prevailed.

Rest moved that the name of Segal be added as an author on H. F. No. 2568. The motion prevailed.

Bauerly moved that the names of Nelson, K., and Trimble be added as authors on H. F. No. 2577. The motion prevailed.

Milbert moved that the names of Price and Morrison be added as authors on H. F. No. 2609. The motion prevailed.

Begich moved that the names of Beard and Sarna be added as authors on H. F. No. 2623. The motion prevailed.

Wenzel moved that the names of Gruenes, Bertram and Bauerly be added as authors on H. F. No. 2642. The motion prevailed.

Bertram moved that the name of Olsen, S., be added as an author on H. F. No. 2644. The motion prevailed.

Uphus moved that the name of Omann be added as an author on H. F. No. 2700. The motion prevailed.

Blatz moved that the name of Olsen, S., be added as an author on House Advisory No. 37. The motion prevailed.

Sparby moved that H. F. No. 1816, now on General Orders, be

re-referred to the Committee on Appropriations. The motion prevailed.

Bauerly moved that H. F. No. 1995 be recalled from the Committee on Judiciary and be re-referred to the Committee on Appropriations. The motion prevailed.

Osthoff moved that H. F. No. 2741 be recalled from the Committee on Agriculture and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Kelly moved that H. F. No. 2530, now on Technical General Orders, be re-referred to the Committee on Taxes. The motion prevailed.

Pugh moved that H. F. No. 2678 be recalled from the Committee on Commerce and be re-referred to the Committee on Judiciary. The motion prevailed.

Reding moved that H. F. No. 2661 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Welle moved that H. F. No. 2380, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Price moved that H. F. No. 1948, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

McGuire moved that H. F. No. 2353, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Johnson, R., moved that H. F. No. 1963, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Milbert moved that H. F. No. 1976, now on Technical General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

Redalen moved that H. F. No. 2427 be returned to its author. The motion prevailed.

Vanasek, Munger, McGuire, Kelso and Redalen introduced:

House Resolution No. 17, A house resolution designating and proclaiming April 22, 1990, as Earth Day 1990.

The resolution was referred to the Committee on Environment and Natural Resources.

Munger introduced:

House Resolution No. 18, A house resolution relating to Earth Day; April 22, 1990.

The resolution was referred to the Committee on Environment and Natural Resources.

Johnson, R.; Munger; Wagenius and Price introduced:

House Concurrent Resolution No. 4, A house concurrent resolution relating to local government packaging ordinances.

The concurrent resolution was referred to the Committee on Environment and Natural Resources.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 60:

Dille, Price and Jennings.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 14, 1990. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, March 14, 1990.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

