

STATE OF MINNESOTA

SEVENTY-SIXTH SESSION—1990

SEVENTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 19, 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 Sister Ramona Fallon, Educational Director of the Minnesota Catholic Conference, St. Paul, 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	Omann	Scheid
Anderson, G.	Girard	Krueger	Onnen	Schreiber
Anderson, R.	Greenfield	Lasley	Orenstein	Segal
Battaglia	Gruenes	Lieder	Osthoff	Simoneau
Bauerly	Gutknecht	Limmer	Ostrom	Skoglund
Beard	Hartle	Long	Otis	Solberg
Begich	Hasskamp	Lynch	Ozment	Sparby
Bennett	Haukoos	Macklin	Pappas	Stanius
Bertram	Hausman	Marsh	Pauly	Steensma
Bishop	Heap	McDonald	Pellow	Sviggum
Blatz	Henry	McEachern	Pelowski	Swenson
Boo	Himle	McGuire	Peterson	Tjornhom
Brown	Hugoson	McLaughlin	Poppenhagen	Tompkins
Burger	Jacobs	McPherson	Price	Trimble
Carlson, D.	Janezich	Milbert	Pugh	Tunheim
Carlson, L.	Jaros	Morrison	Quinn	Uphus
Carruthers	Jefferson	Munger	Redalen	Valento
Clark	Johnson, A.	Murphy	Reding	Vellenga
Cooper	Johnson, R.	Nelson, C.	Rest	Wagenius
Dauner	Johnson, V.	Nelson, K.	Rice	Waltman
Dawkins	Kahn	Neuenschwander	Richter	Weaver
Dempsey	Kalis	O'Connor	Rodosovich	Welle
Dille	Kelly	Ogren	Rukavina	Wenzel
Dorn	Kelso	Olsen, S.	Runbeck	Williams
Forsythe	Kinkel	Olson, E.	Sarna	Winter
Frederick	Knickerbocker	Olson, K.	Schafer	Spk. Vanasek

A quorum was present.

Jennings and Miller were excused.

Seaberg was excused until 3:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Morrison 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. 2521, 2313, 2520, 2528, 1952 and 1921 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 84, A bill for an act relating to local government; describing relations between counties and towns for planning and zoning; amending Minnesota Statutes 1988, section 394.33, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 394.33, is amended by adding a subdivision to read:

Subd. 1a. If a conflict occurs as to whether an official control enacted by a town is inconsistent with or less restrictive than the county's controls, the county board shall direct a member of its board, and the town board shall direct a member of its board to revise jointly the town or county control to bring them into conformity. Upon approval by the county and town boards and filing a certified copy with the county recorder, the revised control shall take effect. If the two officials cannot reach agreement within 120 days after their appointment, the state planning agency shall mediate the matter. If the matter is not resolved through mediation, appeal of the matter may be made to the district court."

Amend the title as follows:

Page 1, line 5, delete "subdivision 1" and insert "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. 1198, A bill for an act relating to public employment; defining equitable compensation relationships; requiring an implementation report; providing for review of plans; providing for appeals from a decision of the commissioner; amending Minnesota Statutes 1988, sections 471.992, by adding subdivisions; 471.9981, subdivision 6, and by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1988, section 275.125, is amended by adding a subdivision to read:

Subd. 6j. [PAY EQUITY IMPLEMENTATION LEVY.] Each year a school district may levy an amount not to exceed two percent of the total annual salary of all school district employees necessary to increase compensation of female-dominated job classes in order to comply with sections 471.991 to 471.9981.

Sec. 2. Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1989 payable in 1990 and subsequent years, “special levies” means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) for taxes levied in 1990, payable in 1991 and subsequent years, pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law, and the costs of purchase or delivery of social services. The aggregate amounts levied under this clause for the costs of purchase or delivery of social services and income maintenance programs, other than those identified in section 273.1398, subdivision 1, paragraph (i), are subject to a maximum increase over the amount levied for the previous year of 12 percent for counties within the metropolitan area as defined in section 473.121, subdivision 2, or counties outside the metropolitan area but containing a city of the first class, and 15 percent for other counties. For purposes of this clause, “income maintenance programs” include income maintenance programs in section 273.1398,

subdivision 1, paragraph (i), to the extent the county provides benefits under those programs over the statutory mandated standards. Effective with taxes levied in 1990, the portion of this special levy for human service programs identified in section 273.1398, subdivision 1, paragraph (i), is eliminated;

(b) pay the costs of principal and interest on bonded indebtedness except on bonded indebtedness issued under section 471.981, subdivisions 4 to 4c, or to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(c) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency; and to pay the cost for certificates of indebtedness issued pursuant to sections 298.28 and 298.282;

(d) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(e) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(f) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(g) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in a levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(h) pay amounts required by law to be paid to pay the interest on and to reduce the unfunded accrued liability of public pension funds in accordance with the actuarial standards and guidelines specified in sections 356.215 and 356.216 reduced by 106 percent of the amount levied for that purpose in 1976, payable in 1977. For the purpose of this special levy, the estimated receipts expected from the state of Minnesota pursuant to sections 69.011 to 69.031 or any other state aid expressly intended for the support of public pension

funds shall be considered as a deduction in determining the required levy for the normal costs of the public pension funds. No amount of these aids shall be considered as a deduction in determining the governmental subdivision's required levy for the reduction of the unfunded accrued liability of public pension funds;

(i) to compensate the state for the cost of a reassessment ordered by the commissioner of revenue pursuant to section 270.16;

(j) pay the debt service on tax increment financing revenue bonds to the extent that revenue to pay the bonds or to maintain reserves for the bonds is insufficient as a result of the provisions of Laws 1988, chapter 719, article 5;

(k) pay the cost of hospital care under section 261.21;

(l) pay the unreimbursed costs incurred in the previous year to satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any tort action, or to pay the costs of settlements out of court against the governmental subdivision in a tort action when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, provided that an appeal for the unreimbursed costs under this clause was approved by the commissioner of revenue under section 275.51, subdivision 3;

(m) pay the expenses reasonably and necessarily incurred in preparing for or repairing the effects of natural disaster including the occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from natural causes such as earthquake, fire, flood, wind storm, wave action, oil spill, water contamination, air contamination, or drought in accordance with standards formulated by the emergency services division of the state department of public safety, provided that an appeal for the expenses incurred under this clause were approved by the commissioner of revenue under section 275.51, subdivision 3;

(n) pay a portion of the losses in tax receipts to a city due to tax abatements or court actions in the year preceding the current levy year, provided that an appeal for the tax losses was approved by the commissioner of revenue under section 275.51, subdivision 3. This special levy is limited to the amount of the losses times the ratio of the nonspecial levies to total levies for taxes payable in the year the abatements were granted. County governments are not authorized to claim this special levy;

(o) pay the operating cost of regional library services authorized under section 134.34, subject to a maximum increase over the previous year of the greater of (1) 103 percent multiplied by one plus the percentage increase determined for the governmental subdivi-

sion under section 275.51, subdivision 3h, clause (b), or (2) six percent. If a governmental subdivision elected to include some or all of its levy for libraries within its adjusted levy limit base in the prior year, but elects to claim the levy as a special levy in the current levy year, the allowable increase is determined by applying the greater percentage determined under clause (1) or (2) to the total amount levied for libraries in the prior levy year. After levy year 1989, the increase must not be determined using a base amount other than the amount that could have been levied as a special levy in the prior year. In no event shall the special levy be less than the minimum levy required under sections 134.33 and 134.34, subdivisions 1 and 2;

(p) pay the amount of the county building fund levy permitted under section 373.40, subdivision 6;

(q) pay the county's share of the costs levied in 1989, 1990, and 1991 for the Minnesota cooperative soil survey under Minnesota Statutes 1988, section 40.07, subdivision 15;

(r) for taxes levied in 1989, payable in 1990 only, pay the cost incurred for the minimum share required by counties levying for the first time under section 134.34 as required under section 134.341. For taxes levied in 1990, and thereafter, counties levying under this provision must levy under clause (o), and their allowable increase must be determined with reference to the amount levied in 1989 under this paragraph;

(s) for taxes levied in 1989, payable in 1990 only, provide an amount equal to 50 percent of the estimated amount of the reduction in aids to a county under sections 273.1398, subdivision 2, paragraph (d), and 477A.012, subdivision 3, for aids payable in 1990;

(t) for taxes levied in 1990 only by a county in the eighth judicial district, provide an amount equal to the amount of the levy, if any, that is required under Laws 1989, chapter 335, article 3, section 54, subdivision 8;

(u) for taxes levied in 1989, payable in 1990 only, pay the costs not reimbursed by the state or federal government:

(i) for the costs of purchase or delivery of social services. The aggregate amounts levied under this item are subject to a maximum increase over the amount levied in the previous year of 12 percent for counties within the metropolitan area as defined in section 473.121, subdivision 2, or counties outside the metropolitan area but containing a city of the first class, and 15 percent for other counties.

(ii) for payments made to or on behalf of recipients of aid under any public assistance program authorized by law. The aggregate

amounts levied under this item are subject to a maximum increase over the amount levied in the previous year of 12 percent and must be used only for the public assistance programs; and

(v) pay an amount of up to 25 percent of the money sought for distribution and approved under section 115A.557, subdivision 3, paragraph (b), clause (3).

If the amount levied in 1989 is less than the actual expenditures needed for these programs for 1990, the difference between the actual expenditures and the amount levied may be levied in 1990 as a special levy. If the amount levied in 1989 is greater than the actual expenditures needed for these programs for 1990, the difference between the amount levied and the actual expenditures shall be deducted from the 1990 levy limit, payable in 1991.

(w) pay the costs incurred by political subdivisions on or after January 1, 1990, in an annual amount not to exceed two percent of the total annual salary of all employees of the political subdivision, in increasing compensation of female-dominated job classes, as defined in section 471.991, in order to comply with sections 471.991 to 471.999.

Sec. 3. Minnesota Statutes 1988, section 471.991, subdivision 5, is amended to read:

Subd. 5. [EQUITABLE COMPENSATION RELATIONSHIP.] "Equitable compensation relationship" means that ~~a primary consideration in negotiating, establishing, recommending, and approving total~~ the compensation for female-dominated classes is not consistently below the compensation for male-dominated classes of comparable work value ~~in relationship to other employee positions, as determined under section 471.994,~~ within the political subdivision.

Sec. 4. Minnesota Statutes 1988, section 471.992, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] Subject to sections 179A.01 to 179A.25 and sections 177.41 to 177.44 but notwithstanding any other law to the contrary, every political subdivision of this state shall establish equitable compensation relationships between female-dominated, male-dominated, and balanced classes of employees in order to eliminate sex-based wage disparities in public employment in this state. Primary considerations in negotiating, establishing, recommending, and approving compensation are comparable work value in relationship to other employee positions within the political subdivision and external comparisons with similar job classifications.

Sec. 5. Minnesota Statutes 1988, section 471.994, is amended to read:

471.994 [JOB EVALUATION SYSTEM.]

Every political subdivision shall use a job evaluation system in order to determine the comparable work value of the work performed by each class of its employees. The system must be maintained and updated to account for new employee classes and any changes in factors affecting the comparable work value of existing classes. A political subdivision that substantially modifies its job evaluation system or adopts a new system shall notify the commissioner. The political subdivision may use the system of some other public employer in the state. Each political subdivision shall meet and confer with the exclusive representatives of their employees on the development or selection of a job evaluation system.

Sec. 6. Minnesota Statutes 1988, section 471.998, is amended by adding a subdivision to read:

Subd. 3. [PUBLIC DATA.] The report required by subdivision 1 is public data governed by chapter 13.

Sec. 7. Minnesota Statutes 1988, section 471.9981, is amended by adding a subdivision to read:

Subd. 5a. [IMPLEMENTATION REPORT.] By January 31, 1992, each political subdivision shall submit to the commissioner an implementation report that includes the following information as of December 31, 1991:

- (1) a list of all job classes in the political subdivision;
- (2) the number of employees in each class;
- (3) the number of female employees in each class;
- (4) an identification of each class as male-dominated, female-dominated, or balanced as defined in section 471.991;
- (5) the comparable work value of each class as determined by the job evaluation used by the subdivision in accordance with section 471.994;
- (6) the minimum and maximum salary for each class, if salary ranges have been established, and the amount of time in employment required to qualify for the maximum;
- (7) any additional cash compensation, such as bonuses or lump-sum payments, paid to the members of a class; and

(8) any other information requested by the commissioner.

If a subdivision fails to submit a report, the commissioner shall find the subdivision not in compliance with subdivision 6 and shall impose the penalty prescribed by that subdivision.

Sec. 8. Minnesota Statutes 1988, section 471.9981, is amended by adding a subdivision to read:

Subd. 5b. [PUBLIC DATA.] The implementation report required by subdivision 5a is public data governed by chapter 13.

Sec. 9. Minnesota Statutes 1988, section 471.9981, subdivision 6, is amended to read:

Subd. 6. [PENALTY FOR FAILURE TO IMPLEMENT PLAN.] If (a) The commissioner of employee relations finds, after notice and consultation with a shall review the implementation report submitted by a governmental subdivision, that it has failed to implement its plan for implementing to determine whether the subdivision has established equitable compensation relationships as required by section 471.992, subdivision 1, by December 31, 1991, or the later date approved by the commissioner. The commissioner shall notify a subdivision found to have achieved compliance with section 471.992, subdivision 1.

(b) If the commissioner finds that the subdivision is not in compliance based on the information contained in the implementation report required by section 7, the commissioner shall notify the subdivision of the basis for the finding. The notice shall include a detailed description of the basis for the finding, specific recommended actions to achieve compliance, and an estimated cost of compliance. If the subdivision disagrees with the finding, it shall notify the commissioner, who shall provide a specified time period in which to submit additional evidence in support of its claim that it is in compliance. The commissioner shall consider at least the following additional information in reconsidering whether the subdivision is in compliance:

- (1) recruitment difficulties;
- (2) retention difficulties;
- (3) recent arbitration awards that are inconsistent with equitable compensation relationships; and
- (4) information that can demonstrate a good-faith effort to achieve compliance and continued progress toward compliance, including any constraints the subdivision faces.

The subdivision shall also present a plan for achieving compliance and a date for additional review by the commissioner.

(c) If the subdivision does not make the changes to achieve compliance within a reasonable time set by the commissioner, the commissioner shall notify the subdivision and the commissioner of revenue that the subdivision is subject to a five percent reduction in the aid that would otherwise be payable to that governmental subdivision under section 124A.23, 273.1398, or sections 477A.011 to 477A.014, or to a fine of \$100 a day, whichever is greatest. The commissioner of revenue shall enforce the penalty beginning in calendar year 1992 shall be reduced by five percent; provided that the reduction in aid shall apply to or in the first calendar year beginning after the date for implementation of the plan of a governmental subdivision for which the commissioner of employee relations has approved an implementation date later than December 31, 1991. However, the commissioner of revenue shall not enforce a penalty until after the end of the first regular legislative session after a report listing the subdivision as not in compliance has been submitted to the legislature under section 471.999. The penalty remains in effect until the subdivision achieves compliance. The commissioner of employee relations may waive suspend the penalty upon making a finding that the failure to implement was attributable to circumstances beyond the control of the governmental subdivision or to severe hardship, or that noncompliance results from factors unrelated to the sex of the members dominating the affected classes and that the subdivision is taking substantial steps to achieve compliance to the extent possible.

Sec. 10. Minnesota Statutes 1988, section 471.9981, is amended by adding a subdivision to read:

Subd. 7. [APPEAL.] A governmental subdivision may appeal the imposition of a penalty under subdivision 6 by filing a notice of appeal with the commissioner of employee relations within 30 days of the commissioner's notification to the subdivision of the penalty. An appeal must be heard as a contested case under sections 14.57 to 14.62. No penalty may be imposed while an appeal is pending.

Sec. 11. Minnesota Statutes 1988, section 471.999, is amended to read:

471.999 [REPORT TO LEGISLATURE.]

The commissioner of employee relations shall report to the legislature by January 1, 1986 on the information gathered from political subdivisions of each year on the status of compliance with section 471.992, subdivision 1, by governmental subdivisions.

The report must include a list of the political subdivisions in compliance with section 471.992, subdivision 1, and the estimated

cost of compliance. The report must also include a list of political subdivisions found by the commissioner to be not in compliance, the basis for that finding, recommended changes to achieve compliance, estimated cost of compliance, and recommended penalties, if any. The commissioner's report shall must include a list of political subdivisions which that did not comply with the reporting requirements of this section. The commissioner may request, and a subdivision shall provide, any additional information needed for the preparation of a report under this subdivision.

Sec. 12. Minnesota Statutes 1989 Supplement, section 485.018, subdivision 7, is amended to read:

Subd. 7. [APPEAL FROM RESOLUTION OF THE BOARD.] The court administrator of district court, if dissatisfied with the action of the county board in setting the amount of the court administrator's salary or the amount of the budget for the office of court administrator of district court, may appeal to the district court on the grounds that the determination of the county board in setting such the salary or budget was arbitrary, capricious, oppressive, or without sufficiently taking into account the extent of the responsibilities and duties of said the court administrator's office, and the court administrator's experience, qualifications, and performance. The appeal shall must be taken within 15 days after the date of the resolution setting such the salary or budget by serving a notice of appeal on the county auditor and filing same a copy with the court administrator of the district court. The court, either in term or vacation and upon ten days days' notice to the chair of the board, shall hear such the appeal. On the hearing of the appeal, the court shall review the decision or resolution of the board in a hearing de novo and may hear new or additional evidence, or the court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such those writings. If the court shall find finds that the board acted in an arbitrary, capricious, oppressive, or unreasonable manner, or without sufficiently taking into account the responsibilities and duties of the office of the court administrator, and the court administrator's experience, qualifications, and performance, it shall make such an order to take the place of the order appealed from as is justified by the record and shall remand the matter to the county board for further action consistent with the court's findings. It is prima facie evidence that the board did not act in an arbitrary, capricious, oppressive, or unreasonable manner or without taking into account the responsibilities and duties of the office of the court administrator, and the court administrator's experience, qualifications, and performance, if the board's action was in accordance with a job evaluation system under section 471.994. After determination of the appeal the county board shall proceed in conformity therewith with the court's order. This subdivision is not in effect from July 1, 1989, to July 1, 1991, with respect to the amount of the budget of the office of court administrator of district court.

Sec. 13. [REPEALER.]

Minnesota Statutes 1988, sections 471.992, subdivision 3; 471.996; and 471.9981, subdivisions 2, 3, 4, and 5, are repealed."

Delete the title and insert:

"A bill for an act relating to public employment; providing for a special levy; defining equitable compensation relationships; requiring an implementation report; providing for review of plans; providing for appeals from decisions of the commissioner of employee relations; requiring the commissioner to report to the legislature; amending Minnesota Statutes 1988, sections 275.125, by adding a subdivision; 471.991, subdivision 5; 471.992, subdivision 1; 471.994; 471.998, by adding a subdivision; 471.9981, subdivision 6, and by adding subdivisions; and 471.999; Minnesota Statutes 1989 Supplement, section 485.018, subdivision 7; Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5; repealing Minnesota Statutes 1988, sections 471.992, subdivision 3; 471.996; and 471.9981, subdivisions 2 to 5."

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 1234, A bill for an act relating to consumer protection; regulating certain rental-purchase agreements; prescribing the rights and duties of all parties; requiring disclosures; regulating advertising; providing remedies; amending Minnesota Statutes 1988, section 325G.15, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

The report was adopted.

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

H. F. No. 1673, A bill for an act relating to occupations and professions regulating the use of medical devices by the board of pharmacy; amending Minnesota Statutes 1988, sections 151.01, subdivisions 3, 11, and by adding a subdivision; 151.06, subdivision 1; 151.13, subdivision 1; 151.19, subdivision 3; and 151.34.

Reported the same back with the following amendments:

Pages 1 to 4, delete sections 3 and 4

Page 4, delete section 6

Page 6, line 27, strike "medical devices,"

Page 6, line 28, strike ", or veterinary drugs or devices"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to occupations and professions; regulating the practice of pharmacy; amending Minnesota Statutes 1988, sections 151.01, subdivisions 3 and 11; 151.13, subdivision 1; and 151.34."

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1808, A bill for an act relating to agriculture; providing grasshopper control; authorizing levies; appropriating money; amending Minnesota Statutes Second 1989 Supplement, section 275.50, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 1989 Supplement, section 18.0266.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [3.7372] [HONEYBEE OWNERS; COMPENSATION FOR DAMAGE CAUSED BY GRASSHOPPER CONTROL MEASURES.]

Subdivision 1. [AUTHORIZATION.] The commissioner of agriculture shall compensate an owner of honeybee colonies damaged or destroyed by grasshopper control measures in a designated grasshopper control zone.

Subd. 2. [CLAIM FORM.] The owner of damaged or destroyed honeybee colonies shall prepare a claim on forms provided by the commissioner of agriculture and available from county agricultural inspectors, local weed inspectors, or the office of the county extension agent.

Subd. 3. [COMPENSATION.] The owner of damaged or destroyed honeybee colonies is entitled to fair market value for reduced honey production caused by chemical control measures applied in a grasshopper control zone designated by the commissioner under section 18.0223. For each colony destroyed or rendered economically non-productive by the chemical control measures, the owner is also entitled to the reasonable cost of replacing the colony. The commissioner of agriculture shall determine the fair market value of reduced honey production and reasonable colony replacement costs upon recommendation of the county agricultural inspector or other qualified agent.

Subd. 4. [INSURANCE DEDUCTION.] Payments authorized under this section must be reduced by amounts received by an owner of honeybee colonies as proceeds from an insurance policy covering loss of colonies or reduced honey production or from any other source for the same purposes including, but not limited to, a federal program.

Subd. 5. [DENIAL OF CLAIM; APPEAL.] If the commissioner of agriculture denies compensation claimed by an owner of damaged or destroyed honeybee colonies under this section, the commissioner shall issue a written decision based upon the available evidence including a statement of the facts upon which the decision is based and the conclusions on the material issues of the claim. A copy of the decision must be mailed to the owner of the honeybee colonies.

Sec. 2. Minnesota Statutes 1989 Supplement, section 18.0225, is amended to read:

18.0225 [GRASSHOPPER CONTROL PROGRAM.]

(a) The commissioner of agriculture shall develop and implement a grasshopper control program to prevent crop damage in the grasshopper control zone. Within grasshopper control zones the commissioner, landowners, and local weed inspectors have the same authorities and duties under chapter 18 for grasshoppers as if grasshoppers are noxious weeds under chapter 18. After consultation and cooperation with the state extension service entomologist, the commissioner must develop the program to economically and efficiently control grasshoppers and to minimize adverse environmental impact, including the selection of pesticides and prescription of application rates.

(b) Notwithstanding the provisions of paragraph (a) and chapter

18, the board of a town designated by the commissioner as a grasshopper control zone may appoint a grasshopper control advisory committee of up to three members who are residents of the township before issuing orders for grasshopper control measures. The advisory committee must include at least one owner of land enrolled in the conservation reserve program if any land is enrolled and one dairy farmer if dairying occurs in the township. The town board must seek the advice of the advisory committee before the issuance of each order for grasshopper control.

(b) (c) The grasshopper control program must utilize proven methods of grasshopper control and the commissioner may make grants for experimental methods of control in selected areas.

(d) The commissioner, upon written request from any person or organization, may exempt from grasshopper control measures a parcel of land that the commissioner determines to be of particular scientific or natural significance or is particularly sensitive to the use of insecticides or other control methods being used. The request for exemption must include at least the following:

(1) the name and address of the person or organization making the request;

(2) the acreage and legal description of the parcel; and

(3) a statement of the specific reasons why an exemption is reasonable.

(e) A decision of the commissioner under paragraph (d) must be in writing and delivered to the person or organization making the request and the clerk of the town in which the property is located. The commissioner, counties, towns, and their agents are not liable for damages from exemptions granted under paragraphs (d) and (e).

Sec. 3. [18.0228] [CONTROL PROVISIONS.]

Subdivision 1. [PESTICIDE SELECTION.] (a) The commissioner, in consultation with the extension service entomologist, shall prepare a list of registered pesticides for use in the grasshopper control program. The commissioner must recommend pesticides and application methods that will minimize the adverse impact on foraging bees. The pesticides must economically and efficiently control grasshoppers and minimize adverse environmental impacts. Grasshopper control may only be conducted under this chapter with pesticides according to their label requirements.

(b) The commissioner shall determine grasshopper densities and densities causing economic or potential economic damage by May 1,

1990, notwithstanding chapter 14, except that section 14.38, subdivisions 7 and 8, must be complied with.

Subd. 2. [INDIVIDUAL NOTICES.] (a) The individual notices required under this chapter for the grasshopper control program must be in the form provided in this subdivision.

(b) The individual notice must be in the form prescribed by the commissioner and state at least the following:

(1) the legal description of the property covered by the notice to control;

(2) the date the notice is issued;

(3) the name and work telephone number of the inspector issuing the notice;

(4) the grasshopper counts found on the property;

(5) the date the property will be controlled by the county or municipality if the owner or occupant does not comply with the notice, which must be at least three days after the date the notice was served;

(6) that the costs of the control will be a lien and applied against the property's tax roll; and

(7) that the owner or occupant may contact the inspector about the notice before the time that the county or the municipality will control grasshoppers, which must be at least three days after the date the notice was served.

Subd. 3. [EFFECTS ON FORAGING BEES.] (a) Minnesota extension service shall hold meetings in grasshopper control zone areas explaining grasshopper control methods and procedures to minimize adverse effects on foraging bees.

(b) Not later than May 1 of each year, an owner of honeybee colonies must notify the commissioner as to the number and location of the colonies. Notification under this section must be accomplished by identifying on a map provided by the commissioner the location of colonies. The notice must include the name, address, and telephone number of the owner. If an owner of honeybee colonies relocates the colonies the owner must report the relocation orally, by phone, or in writing to the extension agent within ten days after the relocation.

(c) The extension agent in each county where one or more townships are designated grasshopper control zones must prepare

maps of the location of all known honeybee colonies, including identification of the name, address, and telephone number of the owner. The maps must be updated at least weekly if owners of honeybee colonies give notice of relocations. The extension agent must make copies of the map available to pesticide applicators and to the town clerk of each township in the county.

(d) A pesticide applicator must provide written or oral notice to all owners of honeybee colonies within two miles of an application site not more than seven days nor less than 24 hours before pesticide application occurs.

(e) A pesticide applicator must not apply grasshopper control pesticides on blooming crops including alfalfa, clover, or sunflowers except during the first three hours after sunrise or during the last hour before sunset within two miles of honeybee colonies.

(f) A farmer who applies pesticides or contracts to have pesticides applied must notify beekeepers within two miles of the application site within not more than seven days nor less than 24 hours prior to the application.

Subd. 4. [APPEAL OF CONTROL COSTS; PETITION.] (a) If a land owner objects to paying for grasshopper control measures ordered under section 18.0225, the land owner shall petition for judicial review. The petition must be filed within 30 days after the conclusion of grasshopper control measures on the petitioner's property. The petition shall be filed with the court administrator in the county in which the real property is located together with proof of service of a copy of the petition on the commissioner and the county auditor. The petition must be accompanied by the standard filing fee for civil actions. No responsive pleadings shall be required of the commissioner or the county, and no court fees shall be charged for the appearance of the commissioner or the county in the matter.

(b) The petition must be captioned in the name of the person making the petition as petitioner and the commissioner of agriculture and the respective county as respondents. The petition must include the petitioner's name, the legal description of the real estate involved, a copy of the notice to control grasshoppers, and the date or dates on which appealed control measures were undertaken.

(c) The petition must state with specificity the grounds upon which the petitioner seeks to avoid the impositions of a lien for the cost of grasshopper control measures.

Subd. 5. [HEARING.] (a) A hearing under subdivisions 4 to 6 must be held at the earliest practicable date, and in no event later than 90 days following the filing of the petition of objection. The hearing must be before a district judge in the county in which the real estate is located, and must be conducted in accordance with the normal

rules of civil procedure. The commissioner must be represented by the attorney general. The county in which the petition is filed must be represented by the county attorney.

(b) The scope of the hearing must be limited to:

(1) procedures used in the selection of the real property upon which grasshopper control measures were undertaken and the reasonableness and arbitrariness of that selection;

(2) the reasonableness of the time period allowed for the land owner to undertake the grasshopper control measures before the county agricultural inspector or the local weed inspector ordered a third party to undertake the control measures;

(3) the reasonableness of the costs for control measures undertaken; and

(4) any other factors relating to the reasonable necessity for imposing the grasshopper control measures.

(c) The court shall either order that a lien representing part or all of the costs for grasshopper control measures be imposed against the real property or that the land owner be relieved of responsibility for payment of grasshopper control measures undertaken.

Subd. 6. [APPEAL.] Any party aggrieved by the decision of the reviewing court may appeal the decision as provided in the rules of appellate procedure.

Sec. 4. [18.0229] [LIABILITY.]

Counties and townships and their agents are not liable for damages from the grasshopper control program for actions conducted in accordance with sections 18.0223 to 18.0228.

Sec. 5. [18.205] [PUBLIC UTILITY EASEMENTS.]

For property that is subject to a public utility easement, the person controlling the surface of the land other than the holder of the public utility easement is the person responsible for control of noxious weeds and plant pests under this chapter.

Sec. 6. [GRASSHOPPER CONTROL APPROPRIATION.]

Subdivision 1. [APPROPRIATION.] \$2,500,000 is appropriated from the general fund to the commissioner of finance to pay grasshopper control costs in 1989 and 1990.

Subd. 2. [REIMBURSEMENT.] The commissioner of finance shall reimburse counties for up to 50 percent of the county and town costs of grasshopper control in 1989 in the grasshopper control zone. Towns shall certify and submit actual costs to the county treasurer by October 1, 1990. The counties shall certify their costs and submit county and town costs to the commissioner of finance by December 1, 1990. The commissioner shall reimburse counties and towns up to 50 percent of their costs from the appropriation.

Sec. 7. [APPROPRIATION; CLAIMS BY HONEYBEE OWNERS.]

§ is appropriated from the general fund to the commissioner of agriculture to pay honeybee colony damage claims under section 1. This appropriation remains available until November 1, 1991.

Sec. 8. [REPEALER.]

Minnesota Statutes 1989 Supplement, section 18.0226, is repealed.

Sec. 9. [EFFECTIVE DATE.]

Sections 2 to 4 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; providing grasshopper control; making certain payments to beekeepers; appropriating money; amending Minnesota Statutes 1989 Supplement, section 18.0225; proposing coding for new law in Minnesota Statutes, chapters 3 and 18; repealing Minnesota Statutes 1989 Supplement, section 18.0226."

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. 1876, A bill for an act relating to education; modifying the maximum effort school aid law capital loan program; authorizing the issuance of state bonds; appropriating money; proposing coding for new law in chapter 124; repealing Minnesota Statutes 1988, section 124.43, subdivisions 2, 3, 4, 5, and 6; and Minnesota Statutes 1989 Supplement, section 124.43, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [124.478] [BOND ISSUE; MAXIMUM EFFORT LOANS; 1990.]

To provide money to be loaned to school districts as agencies and political subdivisions of the state to acquire and to better public land and buildings and other public improvements of a capital nature, in the manner provided by the maximum effort school aid law, the commissioner of finance shall issue and sell school loan bonds of the state of Minnesota in the maximum amount of \$36,630,000, in addition to the bonds already authorized for this purpose. The same amount is appropriated to the maximum effort school loan fund and must be spent under the direction of the commissioner of education to make debt service loans and capital loans to school districts as provided in sections 124.36 to 124.47. The bonds must be issued and sold and provision for their payment must be made according to section 124.46. Expenses incidental to the sale, printing, execution, and delivery of the bonds, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for those purposes, must be paid from the maximum effort school loan fund, and the money necessary for the expenses is appropriated from that fund.

Sec. 2. Laws 1989, chapter 329, article 5, section 21, subdivision 8, is amended to read:

Subd. 8. [MAXIMUM EFFORT SCHOOL LOAN FUND.] For the maximum effort school loan fund:

\$855,500 1990

~~\$2,100,000~~ \$3,656,000 1991

These appropriations shall be placed in the loan repayment account of the maximum effort school loan fund for the payment of the principal and interest on school loan bonds, as provided in Minnesota Statutes, section 124.46, to the extent that money in the fund is not sufficient to pay when due the full amount of principal and interest due on school loan bonds. The purpose of these appropriations is to ensure that sufficient money is available in the fund to prevent a statewide property tax levy as would otherwise be required pursuant to Minnesota Statutes, section 124.46, subdivision 3. Notwithstanding the provisions of Minnesota Statutes, section 124.39, subdivision 5, any amount of the appropriation made in this section which is not needed to pay when due the principal and interest due on school loan bonds shall not be transferred to the debt

service loan account of the maximum effort school loan fund but instead shall cancel and revert to the general fund.

The 1990 appropriation does not cancel and is available until July 1, 1991.

Sec. 3. [OSAKIS SCHOOL DISTRICT.]

A capital loan in an amount not to exceed \$4,755,000 to independent school district No. 213, Osakis, is approved.

Sec. 4. [NEW LONDON-SPICER SCHOOL DISTRICT.]

A capital loan in an amount not to exceed \$8,577,000 to independent school district No. 345, New London-Spicer, is approved.

Sec. 5. [ROSEAU SCHOOL DISTRICT.]

A capital loan in an amount not to exceed \$9,348,000 to independent school district No. 682, Roseau, is approved.

Sec. 6. [SARTELL SCHOOL DISTRICT.]

A capital loan in an amount not to exceed \$3,194,000 to independent school district No. 748, Sartell, is approved.

Sec. 7. [ST. MICHAEL-ALBERTVILLE SCHOOL DISTRICT.]

A capital loan in an amount not to exceed \$10,756,000 to independent school district No. 885, St. Michael-Albertville, is approved.

Sec. 8. [LOANS NOT APPROVED IN 1990.]

Capital loans to independent school districts No. 115, Cass Lake; No. 192, Farmington; No. 390, Lake of the Woods; and No. 484, Pierz; are not approved. If these districts reapply for capital loans and meet the criteria in effect at that time, their loan applications must be approved by the state board and submitted to the legislature by the commissioner.

Sec. 9. [DOVER-EYOTA SCHOOL DISTRICT.]

A capital loan to independent school district No. 533, Dover-Eyota, is not approved. This district is urged to consider meeting its facility needs by planning a joint facility with neighboring districts. Neighboring districts are urged to consider meeting their facility needs by planning a joint facility with independent school district No. 533.

Sec. 10. [DEPARTMENT OF EDUCATION.]

Subdivision 1. [CAPITAL IMPROVEMENTS.] The sums indicated in this section are appropriated from the bond proceeds fund to the department of education to be spent to acquire and to better public land and buildings and other public improvements of a capital nature as specified in this section.

Subd. 2. [MINNESOTA STATE ACADEMIES FOR THE DEAF AND BLIND, FARIBAULT.] (a) \$128,000 to upgrade the mechanical systems in the activities building.

(b) \$182,000 to replace windows in Mott Hall and Lauritsen Gymnasium.

(c) \$50,000 to retrofit science laboratories to comply with safety standards for school science facilities.

Sec. 11. [EFFECTIVE DATE.]

This act is effective the day after its final enactment."

Delete the title and insert:

"A bill for an act relating to education; authorizing the issuance and sale of state bonds; approving capital loans to certain school districts; not approving capital loans to certain school districts; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; appropriating money; amending Laws 1989, chapter 329, article 5, section 21, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 124."

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

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 1877, A bill for an act relating to Hennepin county; permitting the issuance of obligations by the county board for a public safety building.

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. 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; Minnesota Statutes 1989 Supplement, section 40.46, subdivision 2, and 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.

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

H. F. No. 1888, A bill for an act relating to children; establishing a board to plan, coordinate, and oversee early childhood development programs and services; requiring local area planning councils to be established; establishing a technical advisory committee; proposing coding for new law as Minnesota Statutes, chapter 129D; repealing Minnesota Statutes 1989 Supplement, section 256H.25.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [129D.01] [MINNESOTA EARLY CHILDHOOD FAMILY COORDINATING BOARD.]

Subdivision 1. [MEMBERSHIP; CHAIR.] (a) The Minnesota early childhood family coordinating board consists of 15 members appointed by the governor as follows:

(1) 11 members who have demonstrated expertise in programs and services for children from birth through age eight;

(2) two members who are early childhood family development experts from post-secondary educational institutions; and

(3) two members who are parents with children in early childhood family development programs.

Members appointed under clause (1) must have expertise in programs and services of child care, family child care, school-age child care, Head Start, early childhood family education, parent education, nursery school programs and services, early childhood family

education programs for handicapped children, or early childhood health services.

(b) Membership of the board must reflect the geographical, racial, and ethnic diversity of the state.

(c) The governor shall appoint a member of the board to serve as its chair.

Subd. 2. [TERMS; COMPENSATION.] Terms and removal of members and the filling of membership vacancies are governed by section 15.0575. Compensation of members is governed by section 15.059, subdivision 6.

Subd. 3. [MEETINGS; DUTIES.] The board shall meet at least four times a year and shall:

(1) plan for the coordination and integration of the development and delivery of new and existing public and private early childhood family development programs and services;

(2) recommend to the governor and the legislature policies, legislation, and funding that will further develop and improve early childhood family development programs and services;

(3) develop and recommend a quality control system that would promote a level of consistent high quality across all programs and services and that could ensure that all early childhood family development programs and services have the developmental focus appropriate to the age and needs of the child;

(4) oversee local area planning councils established under section 2 by defining planning boundaries, developing selection criteria, designating organizations that meet the criteria, and providing technical assistance as needed;

(5) study and evaluate issues including personnel compensation and benefit levels, availability of facilities, caregiver training and certification offerings, parental participation, and business involvement, and recommend strategies for expansion and improvement of the early childhood family development system;

(6) issue requests for proposals to provide comprehensive and coordinated early childhood family development services at the local level;

(7) authorize the acceptance and expenditure of grants, awards, or other funds or appropriations as may be available to the board to carry out the purposes of the board;

(8) establish demonstration models of integrated early childhood family development programs;

(9) develop interagency mechanisms for the planning, coordination, and integration of early childhood family development programs and services at the state and local level;

(10) set budget priorities that will create an equitable distribution of resources across the state for the development and expansion of early childhood family development programs and services, based upon the biennial state plan for early childhood family development services established under section 3;

(11) promote public-private sector collaboration for early childhood family development programs and services;

(12) promote research and evaluation efforts across the early childhood family development system; and

(13) serve as a clearinghouse for information on early childhood family development programs and services.

Subd. 4. [EXECUTIVE DIRECTOR.] The board shall appoint a full-time executive director to serve in the unclassified service. The director may employ other personnel in the classified service as necessary to enable the early childhood family coordinating board to perform its duties. The executive director must be a person qualified by training and ability in the field of early childhood family development.

Subd. 5. [DUTIES OF THE EXECUTIVE DIRECTOR.] The executive director shall:

(1) supervise the staff, prepare an annual work plan, and perform all duties and responsibilities assigned by the board;

(2) make and enter into all contracts and agreements necessary or incidental to the performance of the board's duties and the execution of its powers under this section, including contracts with the United States or other states and agencies and governmental subdivisions of the state; and

(3) accept and expend grants, awards, or other funds or appropriations as may be available to and authorized by the board to carry out the purposes of the board.

Sec. 2. [129D.02] [LOCAL AREA PLANNING COUNCILS.]

Subdivision 1. [DESIGNATION; PURPOSE.] The early childhood family coordinating board shall designate local area planning

councils across the state to plan for, develop, and coordinate early childhood family development programs and services at the local level.

Subd. 2. [DUTIES OF LOCAL AREA PLANNING COUNCILS.]
The local area planning councils shall:

(1) assess the early childhood family development needs in a given community;

(2) develop a system of planning and coordination at the local level;

(3) assist the community to obtain needed resources and provide technical assistance with program and service implementation;

(4) review and recommend local funding requests to the board;

(5) promote consumer education about the importance of quality resources; and

(6) report community assessment data to the board before the development of the biennial state plan and assist in the development of the biennial state plan.

Sec. 3. [129D.03] [BIENNIAL STATE PLAN FOR EARLY CHILDHOOD FAMILY DEVELOPMENT PROGRAMS AND SERVICES.]

The early childhood family coordinating board shall develop a biennial state plan for early childhood family development programs and services. The plan must set forth the policies and goals for early childhood family development programs and services, identify service needs and gaps in services, and provide a plan for meeting identified needs. The biennial state plan must be submitted to the governor and the legislature before each biennial budget year.

Sec. 4. [129D.04] [TECHNICAL ADVISORY COMMITTEE.]

The technical advisory committee to the early childhood family coordinating board shall advise the board in carrying out its powers and duties and in the development of the biennial state plan for early childhood family development programs and services. It shall also provide technical and support services to the board.

The technical advisory committee consists of representatives from major early childhood family development services associations, designated by the executive director of the early childhood family coordinating board, and the commissioners of human services, education, health, jobs and training, state planning, and finance, and the director of the higher education coordinating board or their

designees. Compensation of committee members is governed by section 15.059, subdivision 6.

Sec. 5. [INITIAL TERMS.]

Notwithstanding section 1, subdivision 2, the governor shall appoint the initial members of the Minnesota early childhood family coordinating board as follows:

- (1) five members to two-year terms;
- (2) five members to three-year terms; and
- (3) five members to four-year terms.

Sec. 6. [INITIAL DESIGNATION OF LOCAL AREA PLANNING COUNCILS.]

The Minnesota early childhood family coordinating board shall complete its initial designation of local area planning councils under section 2 by June 30, 1994.

Sec. 7. [INITIAL PLAN.]

The initial biennial state plan required by section 3 is due by December 31, 1990. In addition to the biennial plans required by section 3, the early childhood family coordinating board, by December 31, 1991, shall submit to the governor and legislature a plan for the establishment of six pilot local area planning councils and a plan for the continued development of local area planning councils across the state.

Sec. 8. [INITIAL EXECUTIVE DIRECTOR APPOINTMENT.]

Notwithstanding section 1, subdivision 4, the governor shall appoint the first executive director of the early childhood family coordinating board to a two-year term in the unclassified service.

Sec. 9. [APPROPRIATION TRANSFER.]

Any unencumbered or unexpended balance remaining in the appropriation to the department of human services and allocated for the use of the governor's council on children, youth, and family shall cancel and is appropriated from the general fund to the department of education for the Minnesota early childhood family coordinating board for fiscal year 1990 for the purposes of sections 1 to 8. The 1990 appropriation does not cancel and is available until June 30, 1991.

The state complement for the Minnesota early childhood family coordinating board is four.

Sec. 10. [REPEALER.]

Minnesota Statutes 1989 Supplement, section 256H.25, is repealed August 1, 1990. Sections 1 to 4 are repealed August 1, 1995.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final enactment."

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. 1907, A bill for an act relating to human services; requiring increases in rates for wages of employees of intermediate care facilities for persons with mental retardation or related conditions, developmental achievement centers, and mental health residential programs; establishing a task force on compensation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 252.

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. 1935, A bill for an act relating to health; defining the term practitioner for the purpose of dispensing medicines and drugs; prohibiting the dispensing of legend drugs for profit by anyone other than a pharmacist; amending Minnesota Statutes 1988, section 151.37, subdivision 2.

Reported the same back with the following amendments:

Page 1, delete lines 18 to 25, and insert:

"(b) A licensed practitioner that dispenses for profit a legend drug that is to be administered orally, is ordinarily dispensed by a pharmacist, and is not a vaccine, must file with the practitioner's licensing board a statement indicating that the practitioner dispenses legend drugs for profit, the general circumstances under which the practitioner dispenses for profit, and the types of legend drugs generally dispensed. It is unlawful to dispense legend drugs for profit after July 31, 1990, unless the statement has been filed with the appropriate licensing board. For purposes of this paragraph, "profit" means (1) any amount received by the practitioner in excess of the acquisition cost of a legend drug for legend drugs that are purchased in prepackaged form or (2) any amount received by the practitioner in excess of the acquisition cost of a legend drug plus the cost of making the drug available if the legend drug requires compounding, packaging, or other treatment. The statement filed under this paragraph is public data under section 13.03. This paragraph does not apply to a licensed doctor of veterinary medicine or a registered pharmacist."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

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. 1946, A bill for an act relating to human services; authorizing grant funds to establish pilot project sobering stations; increasing taxes on wine and dedicating certain revenues to a sobering station project account; appropriating money; amending Minnesota Statutes 1988, section 297C.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 254A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [254A.085] [PROJECT.]

Subdivision 1. [GRANT PROGRAMS ESTABLISHED.] The com-

missioner of human services shall establish and provide grant funds for a pilot project sobering station program.

Subd. 2. [SOBERING STATION PROGRAM REQUIREMENTS.] In order to be eligible for grant funds, a sobering station program must be licensed to provide detoxification services and must meet the following minimum requirements. The program must be located in a nonresidential area 1.5 miles from the present location of other county detoxification service sites. The program must not be located within .25 miles of any establishment licensed for the retail sale of alcoholic beverages. The program must be designed to serve the general public as well as the special needs of American Indian persons, as that term is defined in section 254A.02, subdivision 11, and veterans, as that term is defined in section 197.447. The program must have available the services of trained medical personnel and must be designed to assess each client upon admission and refer for medical services as necessary. The program must provide special transport vans, staffed with persons trained to evaluate and transport intoxicated and drug dependent persons. The program must provide on-site security designed to assure the health and safety of clients, staff, and neighborhood residents. The program must operate with the guidance of a neighborhood-based board. The board must include representatives of the following groups: the American Indian community, veterans of military service, residents of neighborhoods in which detoxification centers are presently located, residents of the nearby neighborhood in which the sobering station is sited, law enforcement, chemical dependency professionals, and elected officials representing the affected neighborhoods.

Sec. 2. [APPROPRIATION.]

\$: : : : is appropriated from the general fund to the commissioner of human services for the biennium ending June 30, 1991, for purposes of section 1.

Delete the title and insert:

"A bill for an act relating to human services; authorizing grant funds for a chemical dependency pilot project sobering station; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 254A."

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

The report was adopted.

Ogren from the Committee on Taxes 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 continuing education and equipment; creating emergency medical services personnel account and dedicating part of certain driver's license fees to the account; establishing task forces for medical directors and advisers; determining daily wage of volunteer first responder or member of law enforcement assistance organization, for purposes of workers' compensation; 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 171.26; and 176.011, subdivision 9; Minnesota Statutes 1989 Supplement, sections 116.76, subdivision 9; 116.78, by adding subdivisions; 144.804, subdivisions 1 and 7; 144.809; 144.8091; 168.012, subdivision 1; 168.013, subdivision 1a; 171.06, subdivision 2; 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 11, after line 6, insert:

"Sec. 11. [168.129] [SPECIAL PLATES; NATIONAL EVENTS.]

Subdivision 1. [PLATES ISSUED FOR 14 DAYS.] The registrar shall issue upon request to the sponsor of a special event that is of national significance a distinguishing license plate. The plates will

be valid for the duration of the event but in no case for a period longer than 14 days. The plates may be displayed on a passenger vehicle when the use of the vehicle has been donated for the event by the manufacturer.

Subd. 2. [FEE.] The registrar shall collect a fee of \$10 for each pair of plates issued to the sponsor. The minimum quantity to be issued for any event will be 50 pairs.

Subd. 3. [APPLICATION.] The application for special event plates shall include the name of the event, the quantity of plates requested, a certification that insurance as required under section 65B.49, subdivision 3, will be provided, the dates of the event, and the name and address of the sponsor. The application must be filed at least 120 days prior to the event.

Subd. 4. [LIABILITY OF SPONSOR.] The sponsor shall assume liability for all unpaid traffic violations which occurred during the display period."

Pages 11 and 12, delete section 12

Page 37, after line 32, insert:

"Sec. 4. Minnesota Statutes 1988, section 144.581, subdivision 1, is amended to read:

Subdivision 1. [NONPROFIT CORPORATION POWERS.] A municipality, political subdivision, state agency, or other governmental entity that owns or operates a hospital authorized, organized, or operated under chapters 158, 250, 376, and 397, or under sections 246A.01 to 246A.27, 412.221, 447.05 to 447.13, 447.31, or 471.59, or under any special law authorizing or establishing a hospital or hospital district shall, relative to the delivery of health care services, have, in addition to any authority vested by law, the authority and legal capacity of a nonprofit corporation under chapter 317, including authority to

- (a) enter shared service and other cooperative ventures,
- (b) join or sponsor membership in organizations intended to benefit the hospital or hospitals in general,
- (c) enter partnerships,
- (d) incorporate other corporations,
- (e) have members of its governing authority or its officers or administrators serve as directors, officers, or employees of the ventures, associations, or corporations,

(f) own shares of stock in business corporations, ~~and~~

(g) offer, directly or indirectly, products and services of the hospital, organization, association, partnership, or corporation to the general public, and

(h) provide funds for payment of educational expenses of up to \$20,000 per individual, if the hospital or hospital district has at least \$1,000,000 in reserve and depreciation funds at the time of payment, and these funds were obtained solely from the operating revenues of the hospital or hospital district."

Pages 39 to 44, delete section 6

Page 44, lines 20 and 22, delete "4" and insert "5"

Page 44, line 24, delete "5" and insert "6"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 13, delete "providing a tax credit;"

Page 1, lines 36 and 37, delete "allowing counties authority to exceed levy limits;" and insert "allowing certain entities owning or operating hospitals to provide funds for educational expenses; providing for issuance of special license plates;"

Page 1, line 39, after "sections" insert "144.581, subdivision 1;"

Page 1, line 45, delete everything after the semicolon

Page 1, line 46, delete everything before "proposing"

Page 2, line 2, after "148;" insert "168; and" and delete "and 290;"

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. 1997, A bill for an act relating to health; establishing a legislative task force to study the regulation of health insurance premium rates and health care costs.

Reported the same back with the following amendments:

Page 3, line 22, after the period insert "The task force shall expire on January 1, 1991."

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. 2034, A bill for an act relating to human services; establishing a program to pay health insurance premiums on behalf of persons with AIDS to enable them to continue coverage under a private health plan; 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.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2035, A bill for an act relating to agriculture; appropriating money for farm and small business management programs at technical colleges.

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. 2051, A bill for an act relating to human services; providing for drug and alcohol abuse prevention, research, and

treatment programs; requiring rules; requiring reports; appropriating money; amending Minnesota Statutes 1988, sections 254A.03, by adding a subdivision; 254B.06, by adding a subdivision; and 254B.08; Minnesota Statutes 1989 Supplement, section 254B.03, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 254A.

Reported the same back with the recommendation that 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. 2083, A bill for an act relating to metropolitan government; clarifying provisions for compensation; amending Minnesota Statutes 1988, sections 473.123, subdivision 5; and 473.141, subdivision 7; Minnesota Statutes 1989 Supplement, sections 473.605, subdivision 2; and 473.704, subdivision 6.

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

The report was adopted.

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

H. F. No. 2133, A bill for an act relating to human services; revising and clarifying the duties and powers of the ombudsman for mental health and mental retardation; amending Minnesota Statutes 1989 Supplement, section 245.94, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 8, delete "decedents or on"

Page 2, line 9, after the period insert "The ombudsman is not required to obtain consent for access to private data on decedents who were receiving services for mental illness, mental retardation or a related condition, or emotional disturbance."

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

The report was adopted.

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

H. F. No. 2168, A bill for an act relating to health; codifying existing law restricting construction of new hospitals; repealing a sunset; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Laws 1984, chapter 654, article 5, section 57; Laws 1987, chapter 75, sections 1 and 2; Laws 1988, chapter 689, article 2, section 238; and Laws 1989, chapter 282, article 2, section 204.

Reported the same back with the following amendments:

Page 1, line 12, before "The" insert "Until July 1, 1993,"

Page 3, line 9, delete "or"

Page 3, line 10, delete "130-bed" and insert "hospital or hospitals with a combined licensed capacity of 130 beds" and delete "hospital"

Page 3, line 15; after "beds" insert ", or the combined licensed capacity of the hospitals, whichever is less;"

(11) the relocation of licensed hospital beds from an existing state facility operated by the commissioner of human services to a new or existing facility, building, or complex operated by the commissioner of human services, or from one regional treatment center site to another; or

(12) the construction or relocation of hospital beds operated by a hospital having a statutory obligation to provide hospital and medical services for the indigent that does not result in a net increase in the number of hospital beds"

Page 4, line 4, delete the semicolon and insert ", as amended by"

Page 4, line 5, delete the semicolon and insert a comma

Page 4, line 6, delete the semicolon and insert a comma

Page 4, line 7, delete "are" and insert "is"

Amend the title as follows:

Page 1, line 6, delete everything after "57" and insert ", as amended."

Page 1, delete lines 7 and 8

With the recommendation that when so amended the bill pass.

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 2171, A bill for an act relating to horse racing; increasing per diem rate for racing commissioners; requiring licenses for pari-mutuel clerks at county fairs; apportioning money for promotion of the breeding and racing industry; allowing administration of certain medications by designated persons; reducing state tax withholding on pari-mutuel winnings; amending Minnesota Statutes 1988, sections 240.02, subdivision 3; 240.09, subdivision 2; 240.18; 240.24, subdivision 2; and 290.92, subdivision 27.

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. 2205, A bill for an act relating to insurance; regulating the practices and record keeping of, and disclosures by, public adjusters; amending Minnesota Statutes 1988, section 72B.135, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 17, delete "solicit a" and insert "initiate contact with a prospective"

Page 2, delete lines 1 to 5

Page 2, line 6, delete "(9)" and insert "(7)"

Page 2, line 9, delete "(10)" and insert "(8)"

Page 2, line 11, delete "(11)" and insert "(9)"

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. 2230, A bill for an act relating to public purchasing; establishing programs for purchasing from certain small targeted group businesses and businesses located in economically disadvantaged areas; requiring prompt payment to subcontractors; providing penalties; amending Minnesota Statutes 1988, sections 16A.124, subdivision 1; 16B.07, by adding a subdivision; 16B.20, subdivisions 1 and 3; 161.321, subdivisions 1, 4, 5, and by adding a subdivision; Minnesota Statutes 1989 Supplement, sections 16B.19; 16B.20, subdivision 2; 16B.21; 16B.22; 16B.226; 116J.68; 136.27; 136.72; 137.31, subdivision 6; 161.321, subdivisions 2, 3, and 6; 161.3211; 241.27, subdivision 2; 471.345, subdivision 8; and 473.142; Laws 1989, chapter 352, section 25; proposing coding for new law in Minnesota Statutes, chapters 16A, 16B; and 137; repealing Minnesota Statutes 1989 Supplement, sections 16B.189; 137.31, subdivision 3a; and 645.445, subdivision 5.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 4, line 10, after "businesses" insert "that are majority" and after "owned" insert "and operated"

Page 4, line 23, after "(b)" insert "In addition to designations under paragraph (a),"

Page 5, line 5, delete "in excess of \$200,000"

Page 5, delete lines 8 to 16

Page 5, line 17, delete "award."

Page 13, line 15, delete "felony" and insert "misdemeanor"

Page 17, line 33, delete "in excess of \$200,000"

Page 17, line 35, delete "Each contractor"

Page 17, delete line 36

Page 18, delete lines 1 to 7

Page 18, line 8, delete everything before "The"

Page 20, line 14, delete "in excess of \$200,000"

Page 20, line 16, delete "Each contractor"

Page 20, delete lines 17 to 24

Page 20, line 25, delete everything before "The"

Page 26, line 22, delete "in excess of \$200,000"

Page 26, line 25, delete everything after the period

Page 26, delete lines 26 to 33

Page 26, line 34, delete everything before "The"

Page 28, after line 5, insert:

"Sec. 28. [473.1426] [PROMPT PAYMENT OF BILLS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, "agency" means the metropolitan council and agencies defined in section 473.143, subdivision 1.

Subd. 2. [PAYMENT REQUIRED.] Agencies must pay each valid vendor obligation so that the vendor receives payment within the vendor's early payment discount period. If there is no early payment discount period, the agency must pay the vendor within 30 days following the receipt of the invoice for the completed delivery of the product or service.

Subd. 3. [INVOICE ERRORS.] If an invoice is incorrect, defective, or otherwise improper, the agency must notify the vendor within ten days of discovering the error. Upon receiving a corrected invoice, the agency must pay the bill within the time limitation contained in subdivision 2.

Subd. 4. [PAYMENT OF INTEREST ON LATE PAYMENTS REQUIRED.] (a) An agency shall pay interest to a vendor for undisputed billings when the agency has not paid the billing within 30 days following receipt of the invoice, merchandise, or service, whichever is later. A negotiated contract or agreement between a vendor and an agency which requires an audit by the agency prior to acceptance and payment of the vendor's invoice shall not be considered past due until 30 days after the completion of the audit by the agency. Before any interest payment is made, the vendor must invoice the agency for the interest.

(b) The rate of interest paid by the agency on undisputed bills not paid within 30 days shall be 1-1/2 percent per month or any part thereof.

(c) Any vendor who prevails in a civil action to collect interest penalties from an agency shall be awarded its costs and disbursements, including attorney's fees, incurred in bringing the actions.

(d) No interest penalties may accrue against an agency that delays payment of a bill due to a disagreement with the vendor; provided, that the dispute must be settled within 30 days after the bill became overdue. Upon the resolution of the dispute, the agency must pay the vendor accrued interest on all proper invoices for which payment was not received within the applicable time limit contained in subdivision 2.

(e) The minimum monthly interest penalty payment that an agency shall pay a vendor for the unpaid balance for any one overdue bill equal to or in excess of \$100 is \$10. For unpaid balances of less than \$100, the agency shall pay the actual penalty due to the vendor.

Subd. 5. [APPLICABILITY.] Subdivisions 1 to 4 apply to all agency purchases, leases, rentals, and contracts for services, including construction and remodeling contracts, except for purchases from or contracts for service with a public utility as defined in section 216B.02 or a telephone company as defined in section 237.01 that has on file with the public utilities commission an approved practice regarding late fees."

Page 28, line 9, delete "shall study"

Page 28, line 10, delete everything after the period

Page 28, delete line 11

Page 28, delete lines 15 to 19

Page 28, line 22, delete everything after the period

Page 28, delete lines 23 to 29

Page 28, after line 29, insert:

"(d) The reviews and evaluations in this section must be done by January 15, 1991."

Page 29, after line 10, insert:

"Sec. 31. [RULES.]

The commissioner of administration may adopt emergency rules for purposes of implementing sections 3 to 9. For purposes of certifying small targeted group businesses and small businesses

located in economically disadvantaged areas, the commissioner of administration may use, without further rulemaking, previous rules used to implement the program governing socially or economically disadvantaged businesses. If the commissioner uses those rules, the phrase "socially or economically disadvantaged business" in those rules must be read to refer to targeted group businesses and businesses located in economically disadvantaged areas. The phrase "set-aside" program in those rules must be read to refer to the programs created in section 3.

Page 29, line 15, delete "31" and insert "32" and before the period insert ", and apply only to contracts for which notice of invitation to bid or requests for proposals are issued after that date"

Page 29, line 16, delete "Section 30 is" and insert "Sections 30 and 31 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 7 and 8, delete "16A.124, subdivision 1;"

Page 1, line 17, delete "and" and after "137" insert "; and 473"

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. 2266, A bill for an act relating to towns; regulating maintenance of tunnels; regulating town meetings; providing for town deputy treasurer; amending Minnesota Statutes 1988, sections 160.25, subdivision 3; 365.51, subdivision 1; and 365.58; proposing coding for new law in Minnesota Statutes, chapter 367.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 16

Page 2, line 16, after "deputy" insert "not currently serving as an elected official of the town,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon

Page 1, line 5, delete "160.25, subdivision 3;"

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. 2268, A bill for an act relating to local government; allowing municipalities to enter into certain contracts to reduce energy and operating costs; amending Minnesota Statutes 1988, section 471.345, by adding a subdivision; repealing Minnesota Statutes 1988, section 471.345, subdivision 9.

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. 2275, A bill for an act relating to retirement; St. Paul police pension benefits; amending Laws 1955, chapter 151, section 9, subdivisions 5 and 6, as amended.

Reported the same back with the following amendments:

Page 2, after line 12, insert:

"Sec. 3. Laws 1955, chapter 375, section 22, as amended by Laws 1973, chapter 287, section 1, is amended to read:

Sec. 22. [SAINT PAUL, CITY OF; FIREMEN'S RELIEF ASSOCIATION; RETIREMENT BENEFITS.] A member of such association who has completed a period, or periods of service on the fire department equal to 20 years or more, shall, after he has arrived at the age of 50 years, or more, and has retired from the payroll of the fire department, be entitled to a basic pension of not less than 20 units and not more than 33 units per month for his natural life in conformity to the by-laws of such association. Any and all leaves of absence of more than 90 days, except such as are granted to a

member because of his disability due to sickness or accident, shall be excluded in computing said period of service; and all periods of time during which a member received a disability pension shall be excluded in such computation. No deduction shall be made for a leave of absence granted to a member to enable him to accept an appointive position in said fire department. No member shall be entitled to draw both a disability and a service pension.

Such monthly basic payments may be increased by adding to said basic pension ~~1 unit~~ two units per month, or any portion thereof, for each year of active duty over 20 and not more than 35 years. ~~Provided further, however, that for a member who retires after July 1, 1973, such monthly basic payments may be increased by the addition of 2 units per month, or any portion thereof, for each year of active duty over 20 years.~~

The by-laws of such association may provide for these increases, or any portion thereof: provided, that in no event the total pension exceed the sum of 40 units per month."

Page 2, line 13, delete "3" and insert "4"

Page 2, line 14, delete "1 and 2" and insert "1, 2, and 3"

Amend the title as follows:

Page 1, line 2, after "police" insert "and fire"

Page 1, line 3, delete "chapter" and insert "chapters"

Page 1, line 4, after "amended" insert "; and 375, section 22, as amended"

With the recommendation that when so amended the bill pass.

The report was adopted.

Pursuant to House Rule No. 9.3, H. F. No. 2275 was re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 2318, A bill for an act relating to cities; regulating financial operations of municipal hospitals; amending Minnesota Statutes 1988, section 412.221, subdivision 16.

Reported the same back with the following amendments:

Page 2, after line 4, insert:

"Sec. 2. Laws 1988, chapter 645, section 2, is amended to read:

Sec. 2. [OFFICERS.]

Notwithstanding Minnesota Statutes, section 447.32, subdivision 1, the hospital district created under this act shall be governed by a board composed of one member elected from each city and town in the district, two members ~~elected at large from~~ appointed by the St. Louis county board to represent the aggregate of the unorganized townships of St. Louis county listed in section 1, subdivision 1, and one member elected at large from appointed by the Koochiching county board to represent the aggregate of the unorganized townships in Koochiching county listed in section 1, subdivision 2.

Sec. 3. [CONTINUATION OF EFFECT.]

Notwithstanding Minnesota Statutes, section 645.021, subdivision 3, Laws 1988, chapter 645, is not deemed to be disapproved because of failure by one or more governmental units to comply with the filing requirements of Minnesota Statutes, section 645.021, subdivision 3, if those requirements are met by January 8, 1991.

Sec. 4. [EFFECTIVE DATE.]

Sections 2 and 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to cities; regulating financial operations of municipal hospitals; amending Minnesota Statutes 1988, section 412.221, subdivision 16; Laws 1988, chapter 645, section 2."

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. 2346, A bill for an act relating to health; granting an exception to the nursing home moratorium; amending Minnesota Statutes 1989 Supplement, section 144A.071, subdivision 3.

Reported the same back with the following amendments:

Page 6, line 24, delete "separate" and delete "another building" and insert "a separate facility"

Page 6, line 25, after "that" insert "was formerly licensed as a hospital and is currently licensed as a nursing facility and that"

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. 2379, A bill for an act relating to human services; clarifying case management services under medical assistance; specifying requirements for an individual service plan; requiring county boards to document unavailability of money for services to persons with mental retardation or related conditions; amending Minnesota Statutes 1988, section 256B.092, subdivisions 1a, 1b, and by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 14, strike "include" and insert "are limited to" and strike "an"

Page 1, line 16, strike "and" and insert "specification of" and strike the comma

Page 1, line 17, strike "evaluating" and insert "services and the evaluation" and after "monitoring" insert "of"

Page 1, line 26, after "for" insert "the" and delete "services" and insert "component of the plan"

Page 2, line 7, delete "boards" and insert "agencies"

Page 2, line 10, after "management" insert "and day training and habilitation services"

Page 2, line 16, delete "For purposes of this"

Page 2, line 17, delete "section," and insert "Before a county denies, reduces, or terminates a service to an individual due to fiscal limitations, the" and delete "boards" and insert "agency"

Page 2, line 20, delete "board" and insert "agency"

Page 2, line 25, after "plan" insert "and action that will be taken to prevent abuse or neglect as defined in sections 626.556, subdivision 2, paragraphs (a), (c), and (d), and 626.557, subdivision 2, paragraphs (d) and (e)"

Page 2, line 28, delete "board" and insert "agency"

Page 2, line 31, delete "board" and insert "agency"

Page 2, line 33, delete "board" and insert "agency" and delete "grants or"

Page 2, line 34, delete "allocations" and insert "funds"

Page 2, after line 36, insert:

"Sec. 5. Minnesota Statutes 1988, section 256B.092, is amended by adding a subdivision to read:

Subd. 1e. [COUNTY WAITING LIST.] The county agency shall maintain a waiting list of persons with developmental disabilities and a list of the services needed but not provided.

Sec. 6. [COST CONTAINMENT STUDY.]

By January 1, 1991, the department of human services shall submit a proposal to the health and human services policy committees and the house appropriations and senate finance committees to eliminate the fiscal incentives which encourage counties to use more expensive state and federally funded services for developmentally disabled clients rather than less expensive services which require a higher percentage of county funding. The proposal shall include specific recommendations for semi-independent living services, case management, and day training and habilitation services."

Amend the title as follows:

Page 1, line 7, after the semicolon insert "requiring a waiting list; requiring a study on cost containment;"

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. 2386, A bill for an act relating to solid waste management; granting authority to St. Louis county; proposing coding for new law in Minnesota Statutes, chapter 383C.

Reported the same back with the following amendments:

Page 1, line 12, after "with" insert "or without" and after "bids" insert "; provided, however, that any request for proposal or other contract negotiated under this subdivision shall require competitive negotiation with more than one vendor or contractor"

With the recommendation that when so amended the bill pass.

The report was adopted.

McEachern from the Committee on Education to which was referred:

H. F. No. 2418, A bill for an act relating to education; delaying the date by which the regent candidate advisory council must submit recommendations to the legislature; amending Minnesota Statutes 1988, section 137.0245, subdivision 4.

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

The report was adopted.

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

H. F. No. 2453, A bill for an act relating to human services; establishing a case mix rate and assessment process for provider with an addendum to a provider agreement; amending Minnesota Statutes 1988, section 256B.48, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, after "beginning" insert "July 1, 1983 or"

Page 1, line 15, delete "on or"

Page 1, line 21, after the comma insert "chapter 4656, and"

Page 1, line 22, after "9549.0059" insert a comma

Page 1, line 23, after "commissioner" insert "of health"

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. 2458, A bill for an act relating to hazardous materials; directing the commissioner of public safety to plan a system for a regional hazardous materials incident response program; establishing an advisory council; appropriating money.

Reported the same back with the following amendments:

Page 1, line 9, delete "Subdivision 1. [PLAN.]"

Page 1, line 10, delete "and implement"

Page 1, line 15, delete "council" and insert "task force"

Page 2, delete lines 8 and 9

Page 2, line 10, delete "COUNCIL" and insert "TASK FORCE"

Page 2, line 12, delete "council is created and" and insert "task force"

Page 2, line 29, delete "council" and insert "advisory task force"

Page 2, line 30, delete "and"

Page 2, line 31, delete "implementation" and delete "and shall"

Page 2, delete line 32

Page 2, line 33, delete "implement the plan"

Page 2, line 36, delete "council's" and insert "advisory task force's"

Page 3, delete sections 3 and 4

Page 3, line 12, delete "5" and insert "3"

Page 3, line 14, delete "6" and insert "4"

Page 3, line 15, delete "to 4" and insert "and 2"

Amend the title as follows:

Page 1, line 5, delete "council," and insert "task force"

Page 1, line 6, delete "appropriating money"

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. 2489, A bill for an act relating to state government; requiring the state board of investment to invest certain assets currently managed by the commerce department; amending Minnesota Statutes 1988, section 79.251, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, after "assets" insert "and may invest the assets consistent with the provisions of section 11A.14"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2497, A bill for an act relating to agriculture; changing certain duties, procedures, and requirements related to organic food; amending Minnesota Statutes 1988, sections 31.94 and 31.95; repealing Minnesota Statutes 1988, section 31.95, subdivision 2.

Reported the same back with the following amendments:

Page 2, delete lines 18 to 33 and insert:

“Subd. 5. [CERTIFICATION ORGANIZATIONS.] (a) An organic product that is grown or processed in Minnesota and that is labeled “certified” must be certified by a certification organization that is designated pursuant to section 31.95, subdivision 1.

(b) A certified organic product sold in this state must be certified by a designated certification organization or by a certification organization approved by the commissioner after consultation with members of the organic industry.”

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 2499, A bill for an act relating to insurance; regulating cancellations, reductions, and nonrenewals of commercial property and liability insurance; amending Minnesota Statutes 1988, section 60A.38, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, after the comma insert “United States postal service”

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Insurance to which was referred:

H. F. No. 2500, A bill for an act relating to insurance; modifying the effective date of the statutory notice requirement for cancellation or nonrenewal of individual life policies; amending Laws 1989, chapter 330, section 38.

Reported the same back with the following amendments:

Page 1, line 11, reinstate the stricken “29,”

Page 1, lines 14 and 15, delete the new language and insert “Section 29 does not apply to a named insured who is not the policy owner under an individual life policy issued before August 1, 1989.”

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

The report was adopted.

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

H. F. No. 2582, A bill for an act relating to occupations and professions; specifying requirements for membership of the board of medical examiners; containing procedural requirements for disciplinary actions; applying reporting requirements to other entities that provide professional liability coverage to physicians; amending Minnesota Statutes 1988, sections 147.01, subdivisions 1, 3, and 4; 147.09; 147.111, subdivision 5; repealing Minnesota Statutes 1988, sections 147.171; 147.24; 147.25; 147.26; 147.27; 147.28; 147.29; 147.30; 147.31; 147.32; 147.33; and Laws 1988, chapter 557, section 6.

Reported the same back with the following amendments:

Page 3, lines 7 to 11, delete the new language

Page 3, line 11, strike the period

Page 3, line 12, strike "(b)"

Page 3, line 18, strike "(c)" and insert "(b)"

Page 3, line 23, strike "(d)" and insert "(c)"

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. 2608, A bill for an act relating to highways; substituting new Legislative Route No. 298 in the trunk highway system.

Reported the same back with the following amendments:

Page 1, line 13, delete "and" and insert a comma and delete "including"

Page 1, delete lines 14 and 15, and insert "and the Minnesota correctional facility-Faribault."

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 2621, A bill for an act relating to motor vehicles; exempting water well driller vehicles from certain registration and taxation requirements when the vehicles are only incidentally moved over a highway; amending Minnesota Statutes 1989 Supplement, section 168.011, subdivision 22.

Reported the same back with the following amendments:

Page 1, line 15, reinstate the stricken commas and delete the new language

Page 1, line 16, delete "well tank trucks," and delete the second comma

Page 1, line 17, delete everything before "under" and insert "equipment registered"

Page 1, line 18, delete the semicolon and insert a comma

Page 2, after line 1, insert:

"Sec. 2. Minnesota Statutes 1988, section 168.012, subdivision 5, is amended to read:

Subd. 5. Motor vehicles, which are used only for the purpose of carrying sawing machines; well drilling machines, pump hoists, and other equipment registered under chapter 103I; barn sprayers or corn shellers permanently attached to them, shall not be subject to the registration tax as herein provided, but shall be listed for taxation as personal property as provided by law."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to motor vehicles; exempting certain water well drilling equipment and vehicles from registration and taxation requirements; amending Minnesota Statutes 1988, section 168.012, subdivision 5; Minnesota Statutes 1989 Supplement, section 168.011, subdivision 22."

With the recommendation that when so amended 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. 2666, A bill for an act relating to elections; limiting campaign expenditures by congressional candidates who choose to receive a public subsidy for their campaigns; making various changes in laws applicable to school district elections; clarifying and modifying certain exceptions to multicandidate political party expenditure limitations; modifying lobbyist reporting requirements; expanding certain reports by certain political committees and political funds; discontinuing the state ethical practices board's responsibility for developing and furnishing certain forms; providing an income tax credit for contributions to state and federal candidates and political parties; limiting contributions and solicitations during a regular legislative session; providing a public subsidy for legislative candidates in special elections; requiring candidates to match funds received from the state elections campaign fund; providing a schedule for distribution of political campaign checkoff money to political parties; requiring deer licenses to include an application for absentee ballots; requiring county auditors to provide a sample ballot for classroom use; specifying a time period for preparing a candidate's affidavit; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 10A.01, subdivisions 7 and 10b; 10A.04, subdivisions 2, 4, and 4a; 10A.20, subdivision 3; 10A.25, subdivision 10, and by adding a subdivision; 10A.255, by adding a subdivision; 10A.27, subdivisions 1 and 4; 10A.275; 10A.28, subdivision 1; 10A.30, subdivision 2; 10A.33; 97A.485, by adding a subdivision; 201.071, subdivision 3; 203B.08, subdivision 3; 204B.08, subdivision 3; 204B.09, subdivision 1; 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; 211A.01, subdivision 6; 290.06, by adding a subdivision; and 383B.055, subdivisions 1 and 2; and Minnesota Statutes 1989 Supplement, sections 205A.10, subdivisions 2 and 3; and 209.021, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 10A and 204D; repealing Minnesota Statutes 1988, sections 10A.27, subdivision 5; 10A.32, subdivisions 1, 2, 3, and 4; and 211B.11, subdivision 2; and

Minnesota Statutes 1989 Supplement, section 10A.32, subdivision 3a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“ARTICLE 1

ETHICS IN GOVERNMENT LAW; CAMPAIGN PRACTICES

Section 1. Minnesota Statutes 1988, section 10A.04, subdivision 2, is amended to read:

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the board by the following dates:

- (a) January 15;
- (b) April 15; and
- (c) July 15; and
- (d) October 15.

Sec. 2. [10A.065] [CONTRIBUTIONS AND SOLICITATIONS DURING LEGISLATIVE SESSION.]

Subdivision 1. [REGISTERED LOBBYIST CONTRIBUTIONS; LEGISLATIVE SESSION.] A candidate for the legislature, the candidate's principal campaign committee, any other political committee with the candidate's name or title, or any committee authorized by the candidate for the benefit of the candidate, shall not solicit or accept a contribution on behalf of the candidate's principal campaign committee, any other political committee with the candidate's name or title, or any committee authorized by the candidate for the benefit of the candidate, from a registered lobbyist, political committee, or political fund during a regular session of the legislature.

Subd. 2. [DEFINITION.] For purposes of this section, "regular session" does not include a special session or the interim between the two annual sessions of a biennium.

Subd. 3. [CIVIL PENALTY.] A candidate or political committee that violates this section is subject to a civil fine of up to \$500. If the board makes a public finding that there is probable cause to believe a violation of this section has occurred, the board shall bring an

action, or transmit the finding to a county attorney who shall bring an action, in the district court of Ramsey county, to impose a civil fine as prescribed by the board. Fines paid under this section must be deposited in the general fund in the state treasury.

Subd. 4. [SPECIAL ELECTION.] This section does not apply to a candidate or a candidate's principal campaign committee in a legislative special election during the period beginning when the person becomes a candidate in the special election and ending on the day of the special election.

Subd. 5. [POLITICAL COMMITTEE.] This section does not apply to a political committee established by a political party as defined in section 10A.27, subdivision 4, or to a member of that political committee acting solely on behalf of the committee.

Sec. 3. Minnesota Statutes 1988, section 10A.20, subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$100 for legislative or statewide candidates or ballot questions, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, identification of the ballot question which the expenditure is intended to promote or defeat, and in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The name and address of each individual or association to whom aggregate transfers or disbursements in excess of \$100 have been made within the year by or on behalf of a political fund or political committee, other than a major political party, minor political party, or principal campaign committee, together with the amount, date, and purpose of each transfer or disbursement;

(i) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(j) (j) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(k) (k) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(l) (l) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(m) (m) For principal campaign committees only, the sum of noncampaign disbursements made in each category listed in section 10A.01, subdivision 10c, during the reporting period; and

(n) (n) The sum of all noncampaign disbursements made by the

political committee, political fund, or principal campaign committee during the reporting period.

Sec. 4. Minnesota Statutes 1988, section 10A.24, is amended to read:

10A.24 [DISSOLUTION OR TERMINATION.]

Subdivision 1. [REQUIREMENTS FOR DISSOLUTION.] No political committee or political fund shall dissolve until it has settled all of its debts and disposed of all its assets in excess of \$100 and filed a termination report. The termination report may be made at any time and shall include all information required in periodic reports.

Subd. 2. [LIQUIDATION OF INACTIVE FUNDS.] (a) An inactive principal campaign committee, or other political committee or political fund with the name or title of a candidate or authorized by a candidate for the candidate's benefit, must be dissolved and its assets liquidated and deposited in the general account of the state elections campaign fund within 30 days of becoming inactive. A principal campaign committee becomes inactive on the later of the following dates:

(1) when four years have elapsed since the last election for the office sought or held at the time the principal campaign committee registered with the board; or

(2) when four years have elapsed since the last day on which the individual for whom it exists served in an elective office subject to this chapter.

A committee or fund other than a principal campaign committee becomes inactive when two years have elapsed since the committee or fund was last required to file a report under this chapter.

(b) If a committee or fund becomes inactive when it still has unpaid debts, the committee or fund shall liquidate the available assets to pay the debts. If insufficient assets exist to pay the debts, the ethical practices board may set up a payment schedule to allow the committee or fund to defer dissolution until all debts are paid.

Sec. 5. Minnesota Statutes 1988, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. Except as provided in subdivisions 2 and 6, no candidate shall permit the candidate's principal campaign committee to accept contributions from any individual, political committee, or political fund in excess of the following:

(a) To candidates for governor and lieutenant governor running

together, \$60,000 in an election year for the office sought and \$12,000 in other years;

(b) To a candidate for attorney general, \$10,000 in an election year for the office sought and \$2,000 in other years;

(c) To a candidate for the office of secretary of state, state treasurer or state auditor, \$5,000 in an election year for the office sought and \$1,000 in other years;

(d) To a candidate for state senator, \$1,500 in an election year for the office sought and \$300 in other years; and

(e) To a candidate for state senator, \$300 in other years;

(f) To a candidate for state representative, \$750 in an election year for the office sought; and \$150 in the other year

(g) To a candidate for state representative, \$150 in the other years.

Sec. 6. Minnesota Statutes 1988, section 10A.27, subdivision 4, is amended to read:

Subd. 4. For the purposes of this section, a political party means the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts, and all or part of the party organization within either house of the legislature, except for individual members.

Sec. 7. [10A.271] [CONTRIBUTION LIMIT ADJUSTMENT.]

The dollar amounts in section 10A.27, subdivision 1, paragraphs (e) and (g), must be adjusted for 1991 and subsequent nonelection years as provided in this section. By June 1 of each general election year, the executive director of the board shall determine the percentage increase in the consumer price index from December of the year in which the last determination was made, or December 1987, for the adjustment made in 1991, to December of the year preceding the current year. The dollar amounts used for the current year must be multiplied by that percentage. The product of the calculation must be added to each dollar amount to produce the dollar limitations to be in effect for the next nonelection year. The product must be rounded up to the next highest number of dollars evenly divisible by 25. The index used must be the revised consumer price index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor with 1982 as a base year.

Sec. 8. Minnesota Statutes 1988, section 10A.275, is amended to read:

10A.275 [MULTICANDIDATE POLITICAL PARTY EXPENDITURES.]

Subdivision 1. [EXCEPTIONS.] Notwithstanding any other provisions of this chapter, the following expenditures by a state political party or, a substate unit of a state political party as described in section 10A.27, subdivision 4, or two or more substate units of a state political party acting together, with at least one substate unit being either: the state party organization or the party organization within congressional districts, counties, or legislative districts, shall not be considered contributions to or expenditures on behalf of any candidate for the purposes of section 10A.25 or 10A.27, and shall not be allocated to any candidates pursuant to section 10A.22, subdivision 5:

(a) expenditures on behalf of candidates of that party generally without referring to any of them specifically in any advertisement published, posted or broadcast;

(b) expenditures for the preparation, display, mailing or other distribution of an official party sample ballot listing the names of three or more individuals whose names are to appear on the ballot;

(c) expenditures for any telephone conversation including the names of three or more individuals whose names are to appear on the ballot; or

(d) expenditures for any political party fundraising effort on behalf of three or more candidates; or

(e) expenditures for party committee staff member services that benefit three or more candidates. This paragraph applies only to staff members paid from the political committee of a political party as defined in section 10A.27, subdivision 4.

Subd. 2. [SUBSTATE UNIT OF STATE POLITICAL PARTY.] For purposes of this section, "substate unit of a state political party" means all or part of the party organization within each house of the legislature; the state party organization; or the party organization within a congressional district, county, legislative district, municipality, or precinct.

Sec. 9. Minnesota Statutes 1988, section 97A.485, is amended by adding a subdivision to read:

Subd. 1a. [DEER LICENSE; ABSENTEE BALLOT APPLICATION.] The commissioner shall include with every license to take

deer with firearms or by archery, sold or issued during a general election year, an application for absentee ballots and a voter registration card. The commissioner shall obtain absentee ballot application forms from the secretary of state.

Sec. 10. Minnesota Statutes 1988, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. [CANDIDATES IN STATE AND COUNTY GENERAL ELECTIONS.] Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period. Candidates for presidential electors may file petitions on or before the state primary day. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing. Affidavits and petitions for offices to be voted on in only one county shall be filed with the county auditor of that county. Affidavits and petitions for offices to be voted on in more than one county shall be filed with the secretary of state.

Sec. 11. Minnesota Statutes 1988, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. [STATE PRIMARY.] The state primary shall be held on the first Tuesday after the ~~second~~ first Monday in September August in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 12. [204D.165] [SAMPLE BALLOTS TO SCHOOLS.]

Notwithstanding any contrary provisions in section 204D.09 or 204D.16, the county auditor, two weeks before the applicable primary or general election, shall provide one copy of the sample partisan primary, nonpartisan primary, canary, white, or pink ballot to a school district upon request. The school district may have the sample ballots reproduced at its expense for classroom educational purposes.

Sec. 13. Minnesota Statutes 1988, section 290.06, is amended by adding a subdivision to read:

Subd. 23. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] A taxpayer may take a credit against the tax due under this chapter equal to the amount of the taxpayer's contribu-

tions to candidates for elective state public office and to any political party. The maximum credit for an individual shall not exceed \$50 and, for a married couple filing jointly, shall not exceed \$100. No credit is allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office, who has not signed an agreement to limit campaign expenditures as provided in section 10A.32. The credit allowed under this subdivision must be available on the short form. This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue prescribes.

For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a. A major political party or minor political party includes the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts. A qualifying political party must provide each contributor with a tax credit receipt form indicating that the contributor may be eligible to receive a credit against state income tax equal to the amount of the contribution but not more than \$50 for an individual or \$100 for a married couple filing a joint return.

Sec. 14. Minnesota Statutes 1988, section 383B.055, subdivision 1, is amended to read:

Subdivision 1. The state ethical practices board shall:

(a) Develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054 and furnish the forms to the county filing officer in Hennepin county;

(b) (1) issue and publish advisory opinions concerning the requirements of sections 383B.041 to 383B.057 upon application in writing by the county filing officer of Hennepin county or any individual or association who wishes to use the opinion to guide the applicant's own conduct; and

(e) (2) exempt any individual or association required to disclose information under sections 383B.046 to 383B.05 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under chapter 10A. An individual or association exempted from the disclosure provisions of chapter 10A, shall also be exempt from the disclosure provisions of sections 383B.046 to 383B.05.

Sec. 15. Minnesota Statutes 1988, section 383B.055, subdivision 2, is amended to read:

Subd. 2. The county filing officer of Hennepin county shall develop forms for all statements and reports required to be filed under sections 383B.041 to 383B.054. The filing officer shall furnish sufficient copies of the forms provided by the ethical practices board to all officers with whom candidates file affidavits or applications of candidacy and nominating petitions.

Sec. 16. [REPEALER.]

Minnesota Statutes 1988, section 211B.11, subdivision 2, is repealed.

Sec. 17. [SEVERABILITY.]

If a provision of this article is found to be unconstitutional and void, the remaining provisions of this article remain valid.

Sec. 18. [EFFECTIVE DATE.]

Section 7 is effective the day following final enactment. Section 11 is effective for the state primary in 1992 and thereafter. Section 13 is effective for taxable years beginning after December 31, 1989.

ARTICLE 2

STATE CAMPAIGN FINANCING

Section 1. Minnesota Statutes 1988, section 10A.01, subdivision 7, is amended to read:

Subd. 7. "Contribution" means a transfer of funds or a donation in kind.

Contribution includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity individual or an association other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Contribution does not include services provided without compensation by an individual volunteering personal time on behalf of a

candidate, ballot question, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 2. Minnesota Statutes 1988, section 10A.01, subdivision 10b, is amended to read:

Subd. 10b. "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate, which expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent. An independent expenditure is not a contribution to that candidate.

Sec. 3. Minnesota Statutes 1988, section 10A.04, subdivision 4a, is amended to read:

Subd. 4a. If in any reporting period the lobbyist's reportable disbursements total not over \$100 and no honorarium, gift, loan, item or benefit equal in value to \$50 or more was given or paid to any public official, a statement to that effect in lieu of the report may be filed for that period. The unreported disbursements shall be included in the report for the following period, unless the total for that period, including the carryover, is not over \$100. The ~~October~~ January 15 report shall include all previously unreported disbursements, even though the total for the year is not over \$100.

Sec. 4. Minnesota Statutes 1988, section 10A.25, is amended by adding a subdivision to read:

Subd. 2a. [AGGREGATED EXPENDITURES.] If a candidate makes expenditures from more than one principal campaign committee for nomination or election to statewide office in the same election year, the amount of expenditures from all of the candidate's principal campaign committees for statewide office for that election year must be aggregated for purposes of determining the limits on campaign expenditures under subdivision 2, clauses (a) to (c).

Sec. 5. Minnesota Statutes 1988, section 10A.25, subdivision 10, is amended to read:

Subd. 10. The expenditure limits imposed by this section apply only to candidates whose major political party opponents agree to be bound by the limits and who themselves agree to be bound by the limits as a condition of receiving a public subsidy for their campaigns in the form of an allocation of money from the state elections campaign fund.

A candidate of a major political party who agrees to be bound by

the limits and receives a public subsidy, who has an opponent who: (1) is a candidate of a major political party; and (2) does not agree to be bound by the limits but is otherwise eligible to receive a public subsidy, is no longer bound by the limits but is still eligible to receive a public subsidy.

Sec. 6. Minnesota Statutes 1988, section 10A.255, is amended by adding a subdivision to read:

Subd. 3. [PUBLICATION OF EXPENDITURE LIMIT.] By June 15 of each year the board shall publish in the State Register the expenditure limit for each office for that calendar year under section 10A.25 as adjusted by this section.

Sec. 7. Minnesota Statutes 1988, section 10A.28, subdivision 1, is amended to read:

Subdivision 1. [CANDIDATE EXCEEDING EXPENDITURE LIMITS.] A candidate subject to the expenditure limits of in section 10A.25 who permits the candidate's principal campaign committee to make expenditures or permits approved expenditures to be made on the candidate's behalf in excess of the limits imposed by section 10A.25 shall be, as adjusted by section 10A.255, is subject to a civil fine up to four times the amount which the expenditures exceeded the limit.

Sec. 8. Minnesota Statutes 1988, section 10A.30, subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained a separate political party account for the candidates of each political party and a general account.

Sec. 9. [10A.315] [SPECIAL ELECTION SUBSIDY.]

(a) Each eligible candidate for a legislative office in a special election must be paid a public subsidy equal to the sum of:

(1) the party account money at the last general election for the candidate's party for the office the candidate is seeking; and

(2) the general account money paid to candidates for the same office at the last general election.

(b) If the filing period for the special election does not coincide with the filing period for the general election, a candidate who wishes to receive this public subsidy must submit a signed agreement under section 11 to the board not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office. The special election subsidy must be distributed in the

same manner as money in the general account is distributed to legislative candidates in a general election.

(c) The amount necessary to make the payments required by this subdivision is appropriated from the general fund to the state treasurer.

Sec. 10. [10A.321] [ESTIMATES OF MINIMUM AMOUNTS TO BE RECEIVED.]

Subdivision 1. [CALCULATION AND CERTIFICATION OF ESTIMATES.] The commissioner of revenue shall calculate and certify to the board before July 1 in an election year an estimate of the total amount in the state general account of the state elections campaign fund and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign fund. This estimate must be based upon the allocations and formulas in section 10A.31, subdivision 5, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivision 5, and the amount of money expected to be available after 100 percent of the tax returns have been processed.

Subd. 2. [PUBLICATION, CERTIFICATION, AND NOTIFICATION PROCEDURES.] Before the first day of filing for office, the board shall publish and forward to all filing officers the estimates calculated and certified under subdivision 1. Within seven days after the last day for filing for office, the secretary of state shall certify to the board the name, address, office sought, and party affiliation of each candidate who has filed with that office an affidavit of candidacy or petition to appear on the ballot. The auditor of each county shall certify to the board the same information for each candidate who has filed with that county an affidavit of candidacy or petition to appear on the ballot. Within seven days afterward, the board shall estimate the minimum amount to be received by each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7. By August 15 the board shall notify all candidates of their minimum amount. The board shall include with the notice a form for the agreement provided in section 11.

Sec. 11. [10A.322] [PUBLIC SUBSIDY AGREEMENTS.]

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy from the state elections campaign fund, a candidate shall sign and file with the board a written agreement in which the candidate agrees that:

(1) the aggregate of expenditures made by the principal campaign committee of the candidate and approved expenditures made on behalf of the candidate will not exceed the expenditure limits in

section 10A.25, as adjusted by section 10A.255, except as otherwise provided by section 10A.25, subdivision 10; and

(2) except for an amount equal to 25 percent of the expenditure limits set forth in section 10A.25, but not exceeding \$15,000, the candidate will not accept contributions or allow approved expenditures to be made on the candidate's behalf for the period beginning with January 1 of the election year or with the registration of the candidate's principal campaign committee, whichever occurs later, and ending December 31 of the election year, that exceed the difference between the amount that may legally be expended by or for the candidate, and the amount that the candidate receives from the state elections campaign fund.

(b) Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought must be considered contributions accepted by that candidate in that year for the purposes of this subdivision. The portion of contributions accepted by a candidate in an election year that equals the amount of noncampaign disbursements and contributions and expenditures to promote or defeat a ballot question that are made by that candidate in that year do not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision.

(c) Except for an amount equal to 25 percent of the expenditure limits set forth in section 10A.25, but not exceeding \$15,000, any amount by which the aggregate contributions and approved expenditures agreed to exceed the difference must be returned to the state treasurer, deposited in the state treasury, and credited to the general fund. The amount returned must not exceed the amount received from the state elections campaign fund.

Subd. 2. [SUBMISSION OF AGREEMENT.] Before the first day of filing for office, the board shall forward agreement forms to all filing officers. The candidate may sign an agreement and submit it to the filing officer on the day of filing an affidavit of candidacy or petition to appear on the ballot, in which case the filing officer shall without delay forward signed agreements to the board. Alternatively, the candidate may submit the agreement directly to the board by September 1. An agreement may not be rescinded after September 1. The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

Subd. 3. [HOW LONG AGREEMENT IS EFFECTIVE.] The agreement, insofar as it relates to the expenditure limits in section 10A.25, as adjusted by section 10A.255, remains effective for candidates until the dissolution of the principal campaign committee of the candidate or the opening of filing for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first.

Subd. 4. [ESTIMATE; ACTUAL AMOUNT.] For the purposes of subdivisions 1 to 3 only, the total amount to be distributed to each candidate is calculated to be the candidate's share of the total estimated funds in the candidate's party account as provided in section 10, subdivision 1, plus the total amount estimated as provided in section 10, subdivision 1, to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than the candidate's share of the estimate, and the contributions thereby exceed the difference, the agreement must not be considered violated.

Sec. 12. [10A.323] [TAX CREDIT; PENALTY.]

As a condition of receiving a public subsidy for the candidate's election campaign in the form of tax credits against the tax due from individuals who contribute to the candidate's principal campaign committee, a candidate shall agree by stating in writing to the board at any time, beginning with the registration of the candidate's principal campaign committee, that the candidate's expenditures and approved expenditures will not exceed the expenditure limits in section 10A.25, except as otherwise provided by section 10A.25, subdivision 10. The agreement must remain effective until the dissolution of the principal campaign committee of the candidate or the opening of filing for the next election for the office held or sought at the time of agreement, whichever occurs first.

The commissioner of revenue shall not allow any credit under article 1, section 13, for any contribution to a candidate for legislative or statewide office who has not signed an agreement under this subdivision. Nothing in this subdivision may be construed to limit the campaign expenditure of any candidate who does not sign an agreement under this subdivision but accepts a contribution for which the contributor claims a credit against tax due. The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

The board shall make available to any candidate signing an agreement a supply of official tax credit receipt forms which state in boldface type that: (1) a contributor who is given a receipt form is eligible to receive a credit against tax due in an amount equal to the amount of the contributions, but not more than \$50 for an individual or not more than \$100 for a married couple filing jointly; and (2) the candidate to whom the contribution was made has voluntarily agreed to abide by campaign expenditure limits. A candidate who does not sign an agreement under this subdivision may not issue an official tax credit receipt form or any facsimile of one to any of the candidate's contributors.

Any candidate who does not voluntarily agree to abide by the expenditure limits imposed in section 10A.25 and who willfully issues official tax credit receipt forms or any facsimiles of tax credit receipt forms to any contributor is guilty of a misdemeanor.

Sec. 13. [10A.324] [MATCHING REQUIREMENT.]

In addition to the requirements of section 11, to be eligible to receive a public subsidy from the state elections campaign fund a candidate shall file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions, including unexpended balances from the year before, or has made contributions to self, equal to 20 percent or more of the minimum amount that the board estimates, on August 15 of the general election year, would be received by the candidate from the state elections campaign fund. The candidate or the candidate's treasurer shall submit the affidavit required by this subdivision to the board in writing by October 1 of the general election year.

Sec. 14. [10A.325] [RETURN OF PUBLIC SUBSIDY.]

Subdivision 1. [WHEN RETURN REQUIRED.] A candidate shall return all or a portion of the public subsidy received from the state elections campaign fund under the circumstances in paragraph (a) or (b).

(a) To the extent that the amount of public subsidy received by the candidate exceeds the expenditure limits for the office held or sought, as provided in section 10A.25 and as adjusted by section 10A.255, the treasurer of the candidate's principal campaign committee shall return the excess to the board.

(b) To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee shall return an amount equal to the difference to the board.

Subd. 2. [HOW RETURN DETERMINED.] Whether or not a candidate is required under subdivision 1 to return all or a portion of the public subsidy received from the state elections campaign fund must be determined from the report required to be filed with the board by that candidate by January 31 of the year following an election. Any amount required to be returned must be submitted in the form of a check or money order and must accompany the report filed with the board. The board shall forward the check or money order to the state treasurer for deposit in the general fund. The amount returned must not exceed the amount of public subsidy received by the candidate from the state elections campaign fund.

Sec. 15. [10A.326] [POLITICAL PARTY NOT HAVING CERTAIN CANDIDATES.]

If money has been accumulated in the state elections campaign fund for the candidates of a political party, and the party does not have a candidate in a general election for the office of state senator or state representative, the party account money allocated for the office for which there is no candidate must be returned to the general fund of the state. If that party does not have a candidate in a general election for any state constitutional office, the party account money allocated for that office must be transferred to the state general account of the state elections campaign fund for reallocation to all of the candidate offices as provided in section 10A.31, subdivision 5, and for distribution in that election year to candidates as provided under section 10A.31, subdivision 7.

Sec. 16. Minnesota Statutes 1988, section 10A.33, is amended to read:

10A.33 [APPLICATION.]

Except as otherwise provided in section 9, the provisions of sections 10A.30 to 10A.32 shall 10A.325 apply only in general elections and primaries preceding general elections and shall do not apply to special elections or special primaries.

Sec. 17. [REPEALER.]

Minnesota Statutes 1988, sections 10A.27, subdivision 5; and 10A.32, subdivisions 1, 2, 3, and 4; and Minnesota Statutes 1989 Supplement, section 10A.32, subdivision 3a, are repealed.

Sec. 18. [SEVERABILITY.]

If a provision of this article is found to be unconstitutional and void, the remaining provisions of this article remain valid.

Sec. 19. [EFFECTIVE DATE.]

This article is effective July 1, 1990.

ARTICLE 3

CONGRESSIONAL CAMPAIGN FINANCING

Section 1. [10A.41] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section

apply to sections 1 to 12. The definitions in section 10A.01 also apply to sections 1 to 12, except as they are superseded by the definitions in this section.

Subd. 2. [AUTHORIZED COMMITTEE.] "Authorized committee" means the principal campaign committee or another political committee designated and authorized by a congressional candidate under United States Code, title 2, section 432, subsection (e)(1), to receive contributions or make expenditures on behalf of that congressional candidate.

Subd. 3. [CAMPAIGN EXPENDITURE; EXPENDITURE.] "Campaign expenditure" or "expenditure" means "expenditure" as that term is defined under United States Code, title 2, section 431, paragraph (9).

Subd. 4. [CONGRESSIONAL CANDIDATE.] "Congressional candidate" means an individual who seeks nomination or election to the United States Senate or House of Representatives and who is a "candidate" as that term is defined under United States Code, title 2, section 431, paragraph (2). A congressional candidate is not a "candidate" as defined in section 10A.01, subdivision 5.

Subd. 5. [CONTRIBUTION.] "Contribution" means a "contribution" as that term is defined under United States Code, title 2, section 431, paragraph (8).

Subd. 6. [INDEPENDENT EXPENDITURE.] "Independent expenditure" means "independent expenditure" as that term is defined under United States Code, title 2, section 431, paragraph (17).

Subd. 7. [POLITICAL COMMITTEE.] "Political committee" means a "political committee" as that term is defined under United States Code, title 2, section 431, paragraph (4). Political committee includes a major political party, a minor political party, a principal campaign committee, and an authorized committee.

Subd. 8. [PRINCIPAL CAMPAIGN COMMITTEE.] "Principal campaign committee" means a political committee designated and authorized by that congressional candidate under United States Code, title 2, section 432, subsection (e)(1).

Sec. 2. [10A.42] [LIMITATION ON APPLICATION.]

The provisions of sections 10A.11 to 10A.24 relating to the organization, registration, and administration of and reporting and disclosure by political funds and political committees, including principal campaign committees, do not apply to congressional candidates and authorized committees of congressional candidates. The organization, registration, and administration of and reporting and

disclosure by authorized committees of congressional candidates are governed by United States Code, title 2, chapter 14.

Sec. 3. [10A.43] [PUBLIC SUBSIDY AGREEMENT.]

Subdivision 1. [AGREEMENT.] As a condition of receiving a public subsidy, a congressional candidate shall sign and file with the board a written agreement in which the candidate agrees that the aggregate of expenditures made by the authorized committees of the congressional candidate may not exceed the expenditure limits in section 4.

Subd. 2. [SUBMISSION OF AGREEMENT.] Before the first day of filing for office, the board shall forward agreement forms to all filing officers. The congressional candidate may sign an agreement and submit it to the filing officer on the day of filing an affidavit of candidacy or petition to appear on the ballot, in which case the filing officer shall without delay forward signed agreements to the board. Alternatively, the congressional candidate may submit the agreement directly to the board by September 1. An agreement may not be rescinded after September 1. The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

Subd. 3. [HOW LONG AGREEMENT IS EFFECTIVE.] The agreement, insofar as it relates to the expenditure limits in section 4, remains effective for congressional candidates until the termination of the authorized committees of the congressional candidate, as provided under United States Code, title 2, section 433(d), or the opening of filing for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first.

Sec. 4. [10A.44] [CONGRESSIONAL CAMPAIGN SPENDING LIMITS.]

Subdivision 1. [LIMITS.] In a year in which an election is held for an office sought by a congressional candidate, no expenditures may be made by the authorized committees of that congressional candidate that result in an aggregate amount in excess of the following:

- (1) for United States senator, \$3,000,000; and
- (2) for representative in Congress, \$300,000.

Subd. 2. [ADJUSTMENT BY CONSUMER PRICE INDEX.] (a) The dollar amounts provided in subdivision 1 must be adjusted for general election years as provided in this subdivision. By June 1 of the general election year, the executive director of the board shall determine the percentage increase in the consumer price index from December of the year preceding the last general election year to

December of the year preceding the year in which the determination is made. The dollar amounts used for the last general election year must be multiplied by that percentage. The product of the calculation must be added to each dollar amount to produce the dollar limitations to be in effect for the next general election. The product must be rounded up to the next highest whole dollar. The index used must be the revised consumer price index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor with 1982 as a base year.

(b) The dollar amounts in subdivision 1 must be adjusted for the 1992 races for representative in Congress and the 1994 race for United States senate, and subsequent general elections for those offices in the manner provided in paragraph (a), except that the last general election year must be considered to be 1986 and the dollar amounts used for the last general election year for the offices of United States senator and representative in Congress must be \$3,000,000 and \$300,000 respectively.

(c) By June 15 of each year, the board shall publish in the State Register the expenditure limit for each office for that calendar year as adjusted under this subdivision.

Subd. 3. [CONTESTED PRIMARY RACES.] Notwithstanding the limits imposed by subdivisions 1 and 2, the winning congressional candidate in a contested race in a primary who receives less than twice as many votes as any one of the candidate's opponents in that primary may make aggregate expenditures equal to 120 percent of the applicable amount under subdivisions 1 and 2.

Subd. 4. [POSTELECTION YEAR EXPENDITURES.] In a year following an election year for the office held or sought, the aggregate amount of expenditures on behalf of a congressional candidate for or holder of that office must not exceed 20 percent of the expenditure limit in subdivisions 1 and 2.

Subd. 5. [LIMITATION CONDITIONAL.] (a) The expenditure limits imposed by this section apply only to congressional candidates whose major political party opponents agree to be bound by the limits and who themselves agree to be bound by the limits as a condition of receiving a public subsidy for their campaigns.

(b) If a congressional candidate of a major political party agrees to be bound by the limits and has an opponent who is a congressional candidate of a major political party who is otherwise eligible to receive a subsidy, then:

(1) if the opponent agrees to be bound by the limits, both candidates are bound by the limits but neither may receive a public subsidy and the amount that both candidates would have received must be canceled to the general fund; and

(2) if the opponent does not agree to be bound by the limits, the congressional candidate is no longer bound by the limits but is still eligible to receive a public subsidy.

Sec. 5. [10A.45] [CONTRIBUTION AND LOAN LIMITS.]

Contributions by or to a congressional candidate and loans to a congressional candidate are governed by United States Code, title 2, chapter 14.

Sec. 6. [10A.46] [MULTICANDIDATE POLITICAL PARTY EXPENDITURES.]

Multicandidate political party expenditures with respect to congressional candidates are governed by United States Code, title 2, section 431, paragraph (9).

Sec. 7. [10A.47] [PENALTY FOR EXCEEDING LIMITS.]

Subdivision 1. [EXPENDITURE LIMITS.] A congressional candidate subject to the expenditure limits in section 4 who permits the candidate's authorized committees to make aggregate expenditures on the candidate's behalf in excess of the limits imposed by section 4 is subject to a civil fine up to four times the amount by which the expenditures exceed the limit.

Subd. 2. [CONTRIBUTION LIMITS.] A congressional candidate who permits the candidate's authorized committees to accept contributions in excess of the limits imposed under United States Code, title 2, chapter 14, is subject to the penalties imposed by United States Code, title 2, section 437g.

Subd. 3. [CONCILIATION AGREEMENTS.] If the board finds that there is reason to believe that excess expenditures have been made or excess contributions accepted contrary to subdivision 1 or 2, the board shall make every effort, for not less than 14 days after its finding, to correct the matter by informal methods of conference and conciliation and to enter a conciliation agreement with the person involved. A conciliation agreement made under this subdivision is a matter of public record. Unless violated, a conciliation agreement bars any civil proceeding under subdivision 4.

Subd. 4. [CIVIL ACTION.] If the board is unable after a reasonable time to correct by informal methods any matter that constitutes probable cause to believe that excess expenditures have been made or excess contributions accepted contrary to subdivision 1 or 2, the board shall make a public finding of probable cause in the matter. After making a public finding, the board shall bring an action or transmit the finding to a county attorney who shall bring an action to impose a civil fine as prescribed by the board under subdivision 1

or 2. An action filed against a congressional candidate for United States senator must be brought in the district court of Ramsey county. An action filed against a congressional candidate for representative in Congress must be brought in the district court of a county within the congressional candidate's congressional district. All money recovered under this section must be deposited in the state treasury and credited to the general fund.

Sec. 8. [10A.48] [MATCHING REQUIREMENTS.]

In order to be eligible to receive a public subsidy, a congressional candidate must provide evidence to the board of nonpublic contributions equal to the public subsidy.

Sec. 9. [10A.49] [CERTIFICATION AND DISTRIBUTION.]

Subdivision 1. [CERTIFICATION OF ELIGIBLE CANDIDATES.] Within one week after certification by the state canvassing board of the results of the primary, the ethical practices board shall certify to the state treasurer the name of each congressional candidate who is eligible to receive a public subsidy.

Subd. 2. [DISTRIBUTION OF MONEY AFTER PRIMARY.] Within two weeks after certification by the state canvassing board of the results of the primary, the state treasurer shall pay a public subsidy of up to \$1,000,000 to any congressional candidate of a major political party for the office of senator who has signed an agreement as required under section 3 and is eligible to receive a public subsidy; and up to \$100,000 to each congressional candidate of a major political party for the office of representative who has signed an agreement as required under section 3 and is eligible to receive a public subsidy.

Sec. 10. [10A.50] [RETURN OF PUBLIC SUBSIDY.]

Subdivision 1. [WHEN REQUIRED.] A congressional candidate shall return all or a portion of the public subsidy received under the circumstances in paragraphs (a) and (b).

(a) To the extent that the public subsidy received by the congressional candidate exceeds the expenditure limits for the office held or sought, as provided in section 4, the treasurer of the congressional candidate's principal campaign committee shall return the excess to the board.

(b) To the extent that the public subsidy received exceeds the aggregate of actual expenditures made by the authorized committees of the congressional candidate, the treasurer of the congressional candidate's principal campaign committee shall return an amount equal to the difference to the board.

Subd. 2. [HOW RETURN DETERMINED.] Whether or not a congressional candidate is required under subdivision 1 to return all or a portion of the public subsidy received must be determined from the report required to be filed with the board by that congressional candidate by January 31 of the year following an election. Any amount required to be returned must be submitted in the form of a check or money order and must accompany the report filed with the board. The board shall forward the check or money order to the state treasurer for deposit in the general fund. The amount returned must not exceed the amount of public subsidy received by the congressional candidate.

Sec. 11. [10A.51] [CAMPAIGN REPORTS.]

A congressional candidate who agrees to be bound by the expenditure limits in section 4, as a condition of receiving a public subsidy for the candidate's campaign, shall file with the board copies of all reports that the candidate or the candidate's principal campaign committee treasurer acting for the candidate is required to file under United States Code, title 2, chapter 14. The reports must be filed with the board at the times required under United States Code, title 2, section 434.

Sec. 12. [10A.52] [CONTRIBUTION LIMITATION.]

Notwithstanding any other law, a congressional candidate may receive no more than 40 percent of the candidate's campaign contributions from political action committees.

Sec. 13. [SEVERABILITY.]

If a provision of this article is found to be unconstitutional and void, the remaining provisions of this article remain valid.

Sec. 14. [EFFECTIVE DATE.]

This article is effective January 1, 1991."

Delete the title and insert:

"A bill for an act relating to elections; limiting campaign expenditures by congressional candidates who choose to receive a public subsidy for their campaigns; clarifying and modifying certain exceptions to multicandidate political party expenditure limitations; modifying lobbyist reporting requirements; expanding certain reports by certain political committees and political funds; discontinuing the state ethical practices board's responsibility for developing and furnishing certain forms; providing an income tax credit for contributions to state candidates and political parties; limiting

contributions and solicitations during a regular legislative session; providing a public subsidy for legislative candidates in special elections; requiring candidates to match funds received from the state elections campaign fund; requiring deer licenses to include an application for absentee ballots; requiring county auditors to provide a sample ballot for classroom use; specifying a time period for preparing a candidate's affidavit; providing penalties; amending Minnesota Statutes 1988, sections 10A.01, subdivisions 7 and 10b; 10A.04, subdivisions 2 and 4a; 10A.20, subdivision 3; 10A.24; 10A.25, subdivision 10, and by adding a subdivision; 10A.255, by adding a subdivision; 10A.27, subdivisions 1 and 4; 10A.275; 10A.28, subdivision 1; 10A.30, subdivision 2; 10A.33; 97A.485, by adding a subdivision; 204B.09, subdivision 1; 204D.03, subdivision 1; 290.06, by adding a subdivision; and 383B.055, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 10A; and 204D; repealing Minnesota Statutes 1988, sections 10A.27, subdivision 5; 10A.32, subdivisions 1, 2, 3, and 4; and 211B.11, subdivision 2; Minnesota Statutes 1989 Supplement, section 10A.32, subdivision 3a."

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. 2683, A bill for an act relating to the city of Upsala; permitting the establishment of a boundary commission.

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

The report was adopted.

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

H. F. No. 2689, A bill for an act relating to health; allowing a waiver of restrictions that may be placed upon controlling persons of a nursing home; amending Minnesota Statutes 1988, section 144A.04, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1988, section 144A.04, subdivision 4, is amended to read:

Subd. 4. [CONTROLLING PERSON RESTRICTIONS.] (a) The controlling persons of a nursing home may not include any person who was a controlling person of another nursing home during any period of time in the previous two-year period:

(a) (1) during which time of control that other nursing home incurred the following number of uncorrected or repeated violations:

(1) (i) two or more uncorrected violations or one or more repeated violations which created an imminent risk to direct resident care or safety; or

(2) (ii) four or more uncorrected violations or two or more repeated violations of any nature for which the fines are in the four highest daily fine categories prescribed in rule; or

(b) (2) who was convicted of a felony or gross misdemeanor punishable by a term of imprisonment of more than 90 days that relates to operation of the nursing home or directly affects resident safety or care, during that period.

(b) The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions related to the operation of the nursing home which incurred the uncorrected violations.

Sec. 2. Minnesota Statutes 1988, section 144A.04, is amended by adding a subdivision to read:

Subd. 4a. [STAY OF ADVERSE ACTION REQUIRED BY CONTROLLING PERSON RESTRICTIONS.] (a) In lieu of revoking, suspending, or refusing to renew the license of a nursing home with a controlling person disqualified by subdivision 4, paragraph (a), clause (1), the commissioner may issue an order staying the revocation, suspension, or nonrenewal of the nursing home license. The order may, but need not, be contingent upon the nursing home's compliance with restrictions and conditions imposed on the license to ensure the proper operation of the nursing home and to protect the health, safety, comfort, treatment, and well-being of the residents in the home. The decision to issue an order for stay must be made within 90 days of the commissioner's determination that a controlling person is disqualified by subdivision 4, paragraph (a), clause (1), from operating a nursing home.

(b) In determining whether to issue a stay and to impose conditions and restrictions, the commissioner shall consider the following factors:

(1) the ability of the controlling persons to operate other nursing homes in accordance with the licensure rules and laws;

(2) the conditions in the facility that received the number and type of uncorrected or repeated violations described in subdivision 4, paragraph (a), clause (1); and

(3) the conditions and compliance history of each of the nursing homes operated by the controlling persons.

(c) The commissioner's decision to exercise the authority under this subdivision in lieu of revoking, suspending, or refusing to renew the license of the nursing home is not subject to administrative or judicial review.

(d) The order for the stay of revocation, suspension, or nonrenewal of the nursing home license must include any conditions and restrictions on the nursing home license that the commissioner deems necessary based upon the factors listed in paragraph (b).

(e) Prior to issuing an order for stay of revocation, suspension, or nonrenewal, the commissioner shall inform the controlling persons, in writing, of any conditions and restrictions that will be imposed. The controlling persons shall, within ten working days, notify the commissioner in writing of their decision to accept or reject the conditions and restrictions. If the nursing home rejects any of the conditions and restrictions, the commissioner shall either modify the conditions and restrictions or take action to suspend, revoke, or not renew the nursing home license.

(f) Upon issuance of the order for stay of revocation, suspension, or nonrenewal, the controlling persons shall be responsible for compliance with the conditions and restrictions contained therein. Any time after the conditions and restrictions have been in place for 180 days, the controlling persons may petition the commissioner for removal or modification of the conditions and restrictions. The commissioner shall respond to the petition within 30 days of the receipt of the written petition. If the commissioner denies the petition, the controlling persons may request a hearing under the provisions of chapter 14. Any hearing shall be limited to a determination of whether the conditions and restrictions shall be modified or removed. At the hearing, the controlling persons will have the burden of proof.

(g) The failure of the controlling persons to comply with the conditions and restrictions contained in the order for stay shall result in the immediate removal of the stay and the commissioner shall take action to suspend, revoke, or not renew the license.

(h) The conditions and restrictions are effective for two years after the date they are imposed.

(i) Nothing in this subdivision shall be construed to limit in any way the commissioner's ability to impose other sanctions against a nursing home license under the standards set forth in state or federal law whether or not a stay of revocation, suspension, or nonrenewal is issued.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. The provisions of section 2 apply to any contested case proceeding that is pending on the date of enactment as well as to licensing actions and contested case hearings commenced on or after that date."

Amend the title as follows:

Page 1, line 5, before the period insert ", and by adding a subdivision"

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. 2704, A bill for an act relating to commerce; removing a real estate licensing prohibition; amending Minnesota Statutes 1988, section 82.20, subdivision 4.

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. 2769, A bill for an act relating to the state building code; accessibility for the physically disabled; establishing an access review board; providing for review of applications for permission to provide accessibility by means of stairway chair lifts; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 471.

Reported the same back with the following amendments:

Page 1, line 10, after "board" insert "is created and"

Page 1, line 23, delete "council" and insert "board"

Page 2, line 8, before "The" insert "(a)"

Page 2, line 10, delete "stairway chair lifts" and insert "devices, equipment, or building modifications not sanctioned by the code"

Page 2, line 13, delete "feasible" and insert "possible"

Page 2, line 16, delete "a stairway chair" and insert "devices, equipment, or building modifications not sanctioned by the code"

Page 2, line 18, delete "feasible" and insert "possible"

Page 2, delete lines 26 and 27

Page 2, line 28, delete "(4)" and insert "(3)"

Page 2, line 31, delete "(5)" and insert "(4)"

Page 2, line 32, delete "(6)" and insert "(5)"

Page 2, line 35, delete "(7)" and insert "(6)"

Page 3, line 2, before "The" insert "The board shall consider the applicant's demonstrated inability to afford a greater degree of accessibility, but may not give greater weight to this factor than to the factors listed in clauses (1) to (6)."

Page 3, after line 6, insert:

"(b) The board shall consider applications for access-related waivers from the state building code where no appeals board exists in a local authority, as defined in section 471.465."

Amend the title as follows:

Page 1, line 6, delete "stairway chair lifts" and insert "certain devices, equipment, and building modifications"

With the recommendation that when so amended 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:

S. F. No. 443, A bill for an act relating to health; establishing standards for the use of nitrous oxide in the practice of podiatric medicine; amending Minnesota Statutes 1988, section 153.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 153.

Reported the same back with the following amendments:

Page 2, line 7, delete "inhalater" and insert "inhalator equipped with scavenging system"

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:

S. F. No. 1663, A bill for an act relating to Redwood and Lyon counties; abandoning judicial ditch number 37.

Reported the same back with the following amendments:

Page 1, after line 18, insert:

"Sec. 2. [FARIBAULT COUNTY LOCAL REDEVELOPMENT AGENCY.]

Notwithstanding Minnesota Statutes, section 469.111, subdivision 5, the board of commissioners of the Faribault county local redevelopment agency shall consist of not less than five members nor more than nine members. The county board shall fix their terms so that no more than two expire in any calendar year."

Page 1, line 20, delete "This act" and insert "Section 1"

Page 1, line 21, after the period insert "Section 2 is effective the day after the Faribault county board complies with Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 and 3 and insert:

"relating to local government; abandoning judicial ditch number 17 in Redwood and Lyon counties; authorizing the Faribault county local redevelopment agency board to have nine members."

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

The report was adopted.

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

S. F. No. 1696, A bill for an act relating to human services; including the commissioners of commerce and health in designing the demonstration project for uninsured low-income persons; clarifying eligibility and enrollee participation requirements for the demonstration project; amending Minnesota Statutes 1988, section 256B.73.

Reported the same back with the following amendments:

Delete the amendment adopted by the Committee on Insurance as reported in the House Journal, page 9839, on March 8, 1990.

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:

S. F. No. 1820, A bill for an act relating to counties; permitting a county board to assign certain duties; proposing coding for new law in Minnesota Statutes, chapter 373.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [485.27] [DUTIES; ASSIGNMENT.]

The court administrator, with approval of the county board of commissioners, may transfer to the county board of commissioners duties of the court administrator relating to vital statistics under sections 144.211 to 144.227, to notaries public under section 359.061, to hospital liens under sections 514.69 and 514.70, and to marriage licenses under chapter 517. The county board of commissioners shall assign these duties to the appropriate county department. In the event of full state funding of all court administrator's offices in the state, the functions shall become county functions.”

Delete the title and insert:

“A bill for an act relating to counties; permitting a court administrator to assign certain duties to county officers; proposing coding for new law in Minnesota Statutes, chapter 485.”

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:

House Concurrent Resolution No. 4, A house concurrent resolution relating to local government packaging ordinances.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 84, 1234, 1673, 1877, 1879, 1935, 1997, 2083, 2133, 2168, 2171, 2205, 2230, 2266, 2268, 2318, 2346, 2386, 2418, 2458, 2489, 2497, 2499, 2500, 2608, 2621, 2683, 2689 and 2704 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 443, 1663, 1696 and 1820 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Welle and Anderson, G., introduced:

H. F. No. 2784, A bill for an act relating to capital improvements; providing for capital expenses for school district projects; authorizing sale of state bonds; appropriating money.

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

Wenzel introduced:

H. F. No. 2785, A bill for an act relating to taxation; sales and use; including generators used for farm purposes in the definition of farm machinery; amending Minnesota Statutes 1988, section 297A.01, subdivision 15.

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

Janezich, Rest, Begich and Olsen, S., introduced:

H. F. No. 2786, A bill for an act relating to the environment; providing for the management and cleanup of tax-forfeited lands; requiring a report by the pollution control agency; amending Minnesota Statutes 1988, sections 115B.02, subdivision 11; 115B.03, by adding a subdivision; 115C.02, subdivision 8; 115C.021, by adding a subdivision; 116.49, by adding a subdivision; and 282.08; proposing coding for new law in Minnesota Statutes, chapter 282.

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

Munger, McDonald, Ogren, Simoneau and Anderson, R., introduced:

H. F. No. 2787, A resolution memorializing the President and Congress to adopt the song "America the Beautiful" as a new national anthem.

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

Kinkel, Wenzel, Hasskamp and Johnson, R., introduced:

H. F. No. 2788, A bill for an act relating to natural resources; appropriating funds for the acquisition of land and development of the Paul Bunyan Trail.

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

Bishop introduced:

H. F. No. 2789, A bill for an act relating to health; stating legislative policy on abortion; requiring disclosure of certain information after the 12th week of pregnancy; restricting abortions after the 23rd week of pregnancy; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Bishop introduced:

H. F. No. 2790, A bill for an act relating to health; establishing restrictions on abortion; requiring informed consent to an abortion; prohibiting certain abortions; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Kalis, Redalen, Dauner and Olson, E., introduced:

H. F. No. 2791, A bill for an act relating to taxation; providing a special levy for counties to implement comprehensive water plans; amending Minnesota Statutes Second 1989 Supplement, sections 103B.3369, subdivisions 5 and 7; and 275.50, subdivision 5.

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

Williams, Clark, Long, Kahn and McGuire introduced:

H. F. No. 2792, A resolution memorializing Congress to reduce defense spending to fund vital domestic needs.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Winter, Otis, Kahn, Krueger and Frerichs introduced:

H. A. No. 39, A proposal relating to economic development.

The advisory was referred to the Committee on Economic Development.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1555, A bill for an act relating to fees; providing for fees charged by county recorder; amending Minnesota Statutes 1988, section 357.18, subdivision 1.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 488, 2130 and 1789.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 488, A bill for an act relating to public employment; defining equitable compensation relationships; requiring an implementation report; providing for review of plans; providing for appeals from decisions of the commissioner of employee relations; requiring the commissioner to report to the legislature; amending Minnesota Statutes 1988, sections 471.991, subdivision 5; 471.992, subdivisions 1, 2, and by adding a subdivision; 471.994; 471.998, by adding a subdivision; 471.9981, subdivision 6, and by adding subdivisions; and 471.999; Minnesota Statutes 1989 Supplement, section

485.018, subdivision 7; repealing Minnesota Statutes 1988, sections 471.992, subdivision 3; 471.995; 471.996; 471.9975; and 471.9981, subdivisions 2 to 5.

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

S. F. No. 2130, A bill for an act relating to insurance; regulating the practices and record keeping of, and disclosures by, public adjusters; amending Minnesota Statutes 1988, section 72B.135, by adding subdivisions.

The bill was read for the first time.

Skoglund moved that S. F. No. 2130 and H. F. No. 2205, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1789, A bill for an act relating to health; requiring licensed health care practitioners who dispense certain legend drugs for profit to file with the practitioner's licensing board; amending Minnesota Statutes 1988, section 151.37, subdivision 2.

The bill was read for the first time.

Greenfield moved that S. F. No. 1789 and H. F. No. 1935, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 1067, A bill for an act relating to education; requiring students on all HECB advisory groups; amending Minnesota Statutes 1988, section 136A.02, by adding a subdivision; Minnesota Statutes 1989 Supplement, section 136A.02, 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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1861, A bill for an act relating to game and fish; requiring the commissioner of natural resources to adopt an order regulating the sale and use of blowguns; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

The bill was passed and its title agreed to.

H. F. No. 2204, A bill for an act relating to insurance; clarifying an insurer's duty to provide loss or claims experience data to an insured; regulating insurance fair information reporting; amending Minnesota Statutes 1989 Supplement, sections 72A.20, subdivision 26; 72A.501, subdivision 1; and 72A.502, subdivision 9, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2242, A bill for an act relating to insurance; no-fault auto; exempting certain antique automobiles and recreational vehicles from rental vehicle coverage; amending Minnesota Statutes 1989 Supplement, section 65A.49, subdivision 5a.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2685 was reported to the House.

Pelowski moved that H. F. No. 2685 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 2521, A bill for an act relating to health care; increasing the membership of the health care access commission; amending Minnesota Statutes 1989 Supplement, section 62J.02, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1952, A bill for an act relating to crimes; permitting individuals to request that the commissioner of public safety hold certain information on the individual as private; increasing penalties for certain acts of harassment; expanding the crime of terroristic threats to include threats made through an intermediary; authorizing courts to issue orders to restrain acts of harassment; amending Minnesota Statutes 1988, sections 171.12, by adding a subdivision; and 609.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 168 and 609.

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

The question was taken on the passage of the bill and the roll was called. There were 121 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Dempsey Sviggum

The bill was passed and its title agreed to.

H. F. No. 1841, A bill for an act relating to consumer protection; regulating membership travel contracts; providing a right to cancel; prescribing penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325G.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1883, A bill for an act relating to water resources; approving certain permits under certain conditions; amending Minnesota Statutes 1988, section 105.405, 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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1921, A bill for an act relating to waste; prohibiting the placement of certain dry cell batteries in mixed municipal solid waste; requiring labeling of certain batteries by electrode content; establishing maximum content levels of mercury in batteries; requiring that batteries in certain consumer products be easily removable; providing penalties; proposing coding for new law in Minnesota Statutes, chapters 115A and 325E.

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 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kostohryz	Onnen	Schreiber
Anderson, G.	Girard	Krueger	Orenstein	Segal
Anderson, R.	Greenfield	Lasley	Osthoff	Simoneau
Battaglia	Gruenes	Lieder	Ostrom	Skoglund
Bauerly	Gutknecht	Limmer	Otis	Solberg
Beard	Hartle	Long	Ozment	Sparby
Begich	Hasskamp	Lynch	Pappas	Stanius
Bennett	Haukoos	Macklin	Pauly	Steensma
Bertram	Hausman	Marsh	Pellow	Swiggum
Bishop	Heap	McDonald	Pelowski	Swenson
Blatz	Henry	McEachern	Peterson	Tjornhom
Boo	Himle	McGuire	Poppenhagen	Tompkins
Brown	Hugoson	McLaughlin	Price	Trimble
Burger	Jacobs	McPherson	Pugh	Tunheim
Carlson, D.	Janezich	Milbert	Quinn	Uphus
Carlson, L.	Jaros	Morrison	Redalen	Valento
Carruthers	Jefferson	Munger	Reding	Vellenga
Clark	Johnson, A.	Murphy	Rest	Wagenius
Cooper	Johnson, R.	Nelson, C.	Rice	Waltman
Dauner	Johnson, V.	Nelson, K.	Richter	Weaver
Dawkins	Kahn	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	Spk. Vanasek
Frederick	Knickerbocker	Omann	Scheid	

The bill was passed and its title agreed to.

H. F. No. 1964, A bill for an act relating to mining; amending certain provisions relating to operators' bonds; amending Minnesota Statutes 1988, section 93.49.

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

Pauly	Reding	Scheid	Sviggum	Wagenius
Pellow	Rest	Schreiber	Swenson	Waltman
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	
Redalen	Schafer	Steensma	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 1968, A bill for an act relating to commerce; increasing the amount of the department's general civil penalty; amending Minnesota Statutes 1988, section 45.027, subdivision 6.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1983, A bill for an act relating to insurance; regulating coverages under Medicare supplement plans; requiring insurers to submit claims experience and earned premiums data; amending Minnesota Statutes 1988, 62A.36, by adding a subdivision; Minnesota Statutes 1989 Supplement, 62A.31, subdivision 2; 62A.315; and 62A.316.

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	Frerichs	Kostohryz	Omahn	Scheid
Anderson, G.	Girard	Krueger	Onnen	Schreiber
Anderson, R.	Greenfield	Lasley	Orenstein	Segal
Battaglia	Gruenes	Lieder	Osthoff	Simoneau
Bauerly	Gutknecht	Limmer	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	Sviggum
Blatz	Henry	McEachern	Pelowski	Swenson
Boo	Himle	McGuire	Peterson	Tjornhom
Brown	Hugoson	McLaughlin	Poppenhagen	Tompkins
Burger	Jacobs	McPherson	Price	Trimble
Carlson, D.	Janezich	Milbert	Pugh	Tunheim
Carlson, L.	Jaros	Morrison	Quinn	Uphus
Carruthers	Jefferson	Munger	Redalen	Valento
Clark	Johnson, A.	Murphy	Reding	Vellenga
Cooper	Johnson, R.	Nelson, C.	Rest	Wagenius
Dauner	Johnson, V.	Nelson, K.	Rice	Waltman
Dawkins	Kahn	Neuenschwander	Richter	Weaver
Dempsey	Kalis	O'Connor	Rodosovich	Welle
Dille	Kelly	Ogren	Rukavina	Wenzel
Dorn	Kelso	Olsen, S.	Runbeck	Williams
Forsythe	Kinkel	Olson, E.	Sarna	Winter
Frederick	Knickerbocker	Olson, K.	Schafer	Spk. Vanasek

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Long, from the Committee on Rules and Legislative Administration, pursuant to House Rule No. 1.9, designated the following bills as Special Orders to be acted upon immediately preceding General Orders for today, Monday, March 19, 1990:

H. F. Nos. 2081, 2103 and 1987; S. F. No. 956; H. F. Nos. 2594, 1981, 2012, 2059, 2212, 2294, 1730, 1857, 2062, 2135, 2162, 1897, 1991, 2011, 2078, 2084, 2132, 2187, 2299, 2343 and 2381; S. F. No. 2353; H. F. Nos. 1939 and 1960; S. F. No. 1922; and H. F. No. 2092.

SPECIAL ORDERS

H. F. No. 2081 was reported to the House.

Reding moved to amend H. F. No. 2081, the first engrossment, as follows:

Page 5, after line 15, insert:

"Sec. 7. Minnesota Statutes 1989 Supplement, section 43A.08, subdivision 1, is amended to read:

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

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

(j) officers and enlisted persons in the national guard;

(k) attorneys, legal assistants, examiners, and three confidential employees appointed by the attorney general or employed with the attorney general's authorization;

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

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

(n) chaplains employed by the state;

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

(p) student workers;

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

(r) employees unclassified pursuant to other statutory authority;
and

(s) intermittent help employed by the commissioner of agriculture to perform duties relating to pesticides, fertilizer, and seed regulation; and

(t) the administrator and the deputy administrator at the state academies for the deaf and blind."

Page 24, after line 19, insert:

"Sec. 38. Minnesota Statutes 1988, section 237.51, subdivision 5, is amended to read:

Subd. 5. [DUTIES.] In addition to any duties specified elsewhere in sections 237.51 to 237.56, the board shall:

(1) define economic hardship, special needs, and household criteria so as to determine the priority of eligible applicants for initial distribution of devices and to determine circumstances necessitating provision of more than one communication device per household;

(2) establish a method to verify eligibility requirements;

(3) establish specifications for communication devices to be purchased under section 237.53, subdivision 3;

(4) enter contracts for the establishment and operation of the message relay service pursuant to section 237.54;

(5) inform the public and specifically the community of communication-impaired persons of the program;

(6) prepare the reports required by section 237.55;

(7) administer the fund created in section 237.52;

(8) retain the services of a program administrator whose position is in the unclassified service;

(9) adopt rules, including emergency rules, under chapter 14 to implement the provisions of sections 237.50 to 237.56; and

(10) study the potential economic impact of the program on local communication device retailers and dispensers. Notwithstanding any provision of chapter 16B, the board shall develop guidelines for the purchase of some communication devices from local retailers and dispensers if the study determines that otherwise they will be economically harmed by implementation of sections 237.50 to 237.56."

Renumber the sections

Correct internal cross references

Amend the title as follows:

Page 1, line 12, after the semicolon insert "designating certain positions in the unclassified service;"

Page 1, line 23, after the second semicolon insert "237.51, subdivision 5;"

Page 1, line 25, after "section" insert "43A.08, subdivision 1;"

The motion prevailed and the amendment was adopted.

The Speaker called Rodosovich to the Chair.

McLaughlin and Reding moved to amend H. F. No. 2081, the first engrossment, as amended, as follows:

Page 1, after line 30, insert:

"Section 1. Minnesota Statutes 1988, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS.] The state university board, the state board for community colleges, the state board of vocational technical education, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, and the executive director of the higher education coordinating board. The respective board shall submit the proposed salary increase to the legislative commission on employee relations for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary of the governor under section 15A.082, subdivision 3. In deciding whether to recommend a salary increase, the governing board shall consider the performance of the chancellor or director, including the chancellor's or director's progress toward attaining affirmative action goals.

Page 11, line 14, after the period, insert "The performance evaluation must include a review of an incumbent's progress toward attainment of affirmative action goals."

Renumber the sections

Correct internal cross references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2081, A bill for an act relating to state government; regulating certain employment practices; permitting the transfer of vacation and sick leave for certain gubernatorial appointees; permitting employees on permanent layoff to test into new state positions; authorizing the donation of the value accrued vacation leave to other state employees under certain circumstances; making technical changes in the public employees insurance program; eliminating the authority of the board of medical examiners and the board of dentistry to set the salaries of their executive directors; designating certain positions in the unclassified service; eliminating obsolete language; appropriating money; amending Minnesota Statutes 1988, sections 15A.081, subdivision 7b, and by adding a subdivision; 15A.083, subdivisions 5 and 7; 43A.04, subdivisions 1 and 3, and by adding a subdivision; 43A.10, subdivisions 7 and 8; 43A.12, subdivision 5; 43A.13, subdivisions 2, 3, 4, 5, 6, and 7; 43A.15, subdivision 10; 43A.17, subdivisions 1 and 8; 43.18, subdivisions 4 and 5; 43A.191, subdivisions 2 and 3; 43A.23, subdivision 1; 43A.27, subdivision 4; 43A.316, subdivisions 2, 3, 5, 7, and 8; 43A.37, subdivision 1;

176.421, by adding a subdivision; 176B.02; 237.51, subdivision 5; 473.405, subdivision 12; Minnesota Statutes 1989 Supplement, section 43A.08, subdivision 1; 43A.316, subdivisions 9 and 10; 214.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 43A; repealing Minnesota Statutes 1988, section 43A.081, subdivisions 1, 2, and 5.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 2103 was reported to the House.

Reding moved to amend H. F. No. 2103, the first engrossment, as follows:

Page 1, line 15, delete “by December 31 each” and insert “within six months after the end of the fund’s fiscal”

Page 1, line 16, delete “12-month period ending with the prior June 30” and insert “most recently completed fiscal year”

The motion prevailed and the amendment was adopted.

H. F. No. 2103, A bill for an act relating to public employee retirement plans; requiring the regular reporting of investment performance results calculated on a time-weighted total rate of return basis; proposing coding for new law in Minnesota Statutes, chapter 356.

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

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

Those who voted in the affirmative were:

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

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

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 subdivisions; and 462A.223, 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 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 956 was reported to the House.

Sparby moved to amend S. F. No. 956, the unofficial engrossment, as follows:

Page 1, line 18, delete "7" and insert "6"

The motion prevailed and the amendment was adopted.

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

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

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

Those who voted in the affirmative were:

Abrams	Frerichs	Kostohryz	Orenstein	Simoneau
Anderson, G.	Girard	Krueger	Osthoff	Solberg
Anderson, R.	Greenfield	Lasley	Ostrom	Sparby
Battaglia	Gruenes	Limmer	Otis	Stanius
Bauerly	Gutknecht	Long	Ozment	Steensma
Beard	Hartle	Lynch	Pauly	Sviggum
Begich	Hasskamp	Macklin	Pellow	Swenson
Bennett	Haukoos	Marsh	Pelowski	Tjornhom
Bertram	Hausman	McDonald	Peterson	Tompkins
Bishop	Heap	McEachern	Poppenhagen	Trimble
Blatz	Henry	McGuire	Price	Tunheim
Boo	Himle	McLaughlin	Pugh	Uphus
Brown	Hugoson	McPherson	Quinn	Valento
Burger	Jacobs	Milbert	Redalen	Vellenga
Carlson, D.	Janezich	Morrison	Reding	Wagenius
Carlson, L.	Jaros	Munger	Rest	Waltman
Carruthers	Jefferson	Murphy	Rice	Weaver
Clark	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, K.	Schreiber	
Forsythe	Kinkel	Omman	Seaberg	
Frederick	Knickerbocker	Onnen	Segal	

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

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.

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

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

The bill was passed and its title agreed to.

H. F. No. 1981 was reported to the House.

Johnson, A., and Seaberg moved to amend H. F. No. 1981, as follows:

Page 2, line 18, after "person" insert "or mailing address if provided to the commissioner under section 3."

Page 3, after line 12, insert a section to read:

"Sec. 3. [168.346] [REQUEST TO USE MAILING ADDRESS IN CERTAIN CASES.]

The owner of a motor vehicle may request in writing that the owner's residence address be classified as private data on individuals, as defined in section 13.02, subdivision 12. The commissioner shall grant the classification upon receipt of reasonable evidence that the classification is required for the safety of the applicant or the applicant's family. When the classification is granted, the applicant must provide a mailing address that is a valid, existing address where the applicant consents to receive service of process and that is in the same county as the residence address. The commissioner shall use the mailing address in place of the residence address in all documents and notices pertaining to the motor vehicle. The residence address and any information provided in the classification request shall be held as private data on individuals and may be provided only to requesting law enforcement agencies."

Renumber the remaining sections

Amend the title:

Page 1, line 5, after "address" insert "or mailing address"

Page 1, line 6, after the semicolon insert "permitting motor

vehicle owners to classify residence addresses as private data and to use mailing addresses on motor vehicle registration forms;"

Page 1, line 13, after "2" insert "; proposing coding for new law in Minnesota Statutes, chapter 168"

The motion prevailed and the amendment was adopted.

H. F. No. 1981, A bill for an act relating to motor vehicles; providing for temporary permit while awaiting delivery of special vehicle license plates; requiring registered owner of motor vehicle to list address or mailing address of primary residence on application for registration; permitting motor vehicle owners to classify residence addresses as private data and to use mailing addresses on motor vehicle registration forms; clarifying when inspection fee must be paid to receive certificate of inspection for salvage vehicle; clarifying disclosure requirements for motor vehicle pollution control system; amending Minnesota Statutes 1988, sections 168.09, by adding a subdivision; 168.10, subdivision 1; and 325E.0951, subdivision 3a; Minnesota Statutes 1989 Supplement, section 168A.152, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 168.

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

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

Those who voted in the affirmative were:

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

Segal	Stanius	Tompkins	Vellenga	Wenzel
Simoneau	Steensma	Trimble	Wagenius	Williams
Skoglund	Sviggum	Tunheim	Waltman	Winter
Solberg	Swenson	Uphus	Weaver	Spk. Vanasek
Sparby	Tjornhom	Valento	Welle	

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

H. F. No. 2012, A bill for an act relating to agriculture; providing for uniformity of certain food rules with federal law; amending Minnesota Statutes 1989 Supplement, section 31.101, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2059, A bill for an act relating to education; permitting special school district No. 1 to remodel the Aviation Training Center with federal funds.

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 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2212, A bill for an act relating to education; revising, updating, and making substantive changes in the laws on the county extension service; amending Minnesota Statutes 1988, sections 38.33; 38.34; 38.35; 38.36; 38.37; and 38.38; proposing coding for new law in Minnesota Statutes, chapter 38.

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 83 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Jacobs	Krueger	Murphy
Anderson, R.	Clark	Janezich	Lasley	Nelson, C.
Battaglia	Cooper	Jaros	Lieder	Nelson, K.
Bauerly	Dawkins	Jefferson	Long	Neuenschwander
Beard	Dorn	Johnson, A.	Macklin	O'Connor
Begich	Forsythe	Johnson, R.	McGuire	Ogren
Bennett	Girard	Kahn	McLaughlin	Olsen, S.
Bishop	Greenfield	Kelly	McPherson	Olsen, E.
Boo	Hausman	Kelso	Milbert	Olsen, K.
Brown	Heap	Knickerbocker	Morrison	Orenstein
Carlson, L.	Himle	Kostohryz	Munger	Osthoff

Ostrom	Pugh	Rukavina	Solberg	Vellenga
Otis	Quinn	Runbeck	Sparby	Wagenius
Pappas	Reding	Scheid	Sviggum	Williams
Pelowski	Rest	Segal	Swenson	Spk. Vanasek
Peterson	Rice	Simoneau	Trimble	
Price	Rodosovich	Skoglund	Tunheim	

Those who voted in the negative were:

Bertram	Gruenes	Kinkel	Poppenhagen	Uphus
Blatz	Gutknecht	Limmer	Redalen	Valento
Burger	Hartle	Lynch	Richter	Waltman
Carlson, D.	Hasskamp	Marsh	Schafer	Weaver
Dauner	Haukoos	McDonald	Seaberg	Welle
Dempsey	Henry	Omann	Stanius	Wenzel
Dille	Hugoson	Onnen	Steenma	Winter
Frederick	Johnson, V.	Pauly	Tjornhom	
Frerichs	Kalis	Fellow	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 2294 was reported to the House.

Bishop; Hausman; Olson, E.; Dawkins; Williams; Johnson, A.; Nelson, C.; Lasley; Ogren; Solberg; Miller; Munger; Olsen, S.; Pappas; Frederick; Scheid; Lieder; Valento; Schreiber; Long; Lynch; Dille; Orenstein; Abrams; Dorn; Milbert; Rest; Quinn; Forsythe; Haukoos; Carlson, D.; Jefferson; Anderson, G.; Johnson, R.; Hartle; Jennings; Cooper; Pugh; Skoglund; Carruthers; Frerichs; Kahn; Blatz; Olson, K.; Stanius; Price; Segal; Morrison; Himle; Boo; Brown; Welle; Swenson; Vellenga; Pelowski; Simoneau; Ostrom; Wagenius; Runbeck; Knickerbocker; Burger; Trimble; Nelson, K.; Gutknecht; Osthoff; Rukavina; Fellow; Weaver; Pauly; Clark; McGuire; Bennett; McLaughlin; Redalen; Dempsey and Kelly moved to amend H. F. No. 2294, as follows:

Page 1, after line 7, insert a section to read:

"Section 1. Minnesota Statutes 1989 Supplement, section 171.06, subdivision 3, is amended to read:

Subd. 3. [CONTENTS OF APPLICATION.] Every application ~~shall~~ must state the full name, date of birth, social security number, sex and residence address of the applicant, a description of the applicant in such manner as the commissioner may require, and ~~shall~~ must state whether or not the applicant has theretofore been licensed as a driver; and, if so, when and by what state or country and whether any such license has ever been suspended or revoked, or whether an application has ever been refused; and, if so, the date of and reason for such suspension, revocation, or refusal, together with such facts pertaining to the applicant and the applicant's ability to operate a motor vehicle with safety as may be required by the commissioner. The application form ~~shall~~ must contain a notifica-

tion to the applicant of the availability of the donor document provided pursuant to section 171.07, subdivision 5, and ~~shall~~ must contain spaces where the applicant must indicate a desire to receive or not to receive the donor document. The application form must contain a notification to the applicant of the availability of a living will designation on the license under section 171.07, subdivision 7. The application ~~shall~~ must be in the form prepared by the commissioner.

The application form must be accompanied by a pamphlet containing relevant facts relating to:

- (1) the effect of alcohol on driving ability;
- (2) the effect of mixing alcohol with drugs;
- (3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and
- (4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations."

Page 3, after line 17, insert a section to read:

"Sec. 6. Minnesota Statutes 1988, section 171.07, is amended by adding a subdivision to read:

Subd. 7. [LIVING WILL DESIGNATION.] At the written request of the applicant and on payment of the required fee, the department shall issue, renew, or reissue a driver's license or Minnesota identification card bearing the designation "Living Will" or an abbreviation thereof.

On payment of the required fee, the department shall issue a replacement or renewal license or identification card without the designation if requested by the applicant.

For the purposes of this subdivision, "living will" means a declaration made under section 145B.03."

Renumber the remaining sections

Amend the title:

Page 1, line 3, after the semicolon insert: "providing for living will designation on driver's licenses;"

Page 1, line 5, after "6" insert ", and by adding a subdivision"

Page 1, line 6, delete "section" and insert "sections 171.06, subdivision 3; and"

The motion prevailed and the amendment was adopted.

Kinkel moved to amend H. F. No. 2294, as amended, as follows:

Page 3, after line 26, insert:

"Sec. 6. Minnesota Statutes 1989 Supplement, section 171.18, is amended to read:

171.18 [SUSPENSION.]

The commissioner shall have authority to and may suspend the license of any driver without preliminary hearing upon a showing by department records or other sufficient evidence that the licensee:

(1) Has committed an offense for which mandatory revocation of license is required upon conviction; or

(2) Has been convicted by a court of competent jurisdiction for violation of a provision of the highway traffic regulation act or an ordinance regulating traffic and where it appears from department records that the violation for which the licensee was convicted contributed in causing an accident resulting in the death or personal injury of another, or serious property damage; or

(3) Is an habitually reckless or negligent driver of a motor vehicle; or

(4) Is an habitual violator of the traffic laws; or

(5) Is incompetent to drive a motor vehicle as determined and adjudged in a judicial proceeding; or

(6) Has permitted an unlawful or fraudulent use of such license; or

(7) Has committed an offense in another state which, if committed in this state, would be grounds for suspension; or

(8) Has committed a violation of section 171.22; or

(9) Has failed to appear in court as provided in section 169.92, subdivision 4; or

(10) has failed to report a medical condition that if reported would have resulted in cancellation of driving privileges.

Provided, however, that any action taken by the commissioner under subparagraphs (2) and (5) shall conform to the recommendation of the court when made in connection with the prosecution of the licensee.

Upon suspending the license of any person, as hereinbefore in this section authorized, the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at the licensee's last known address, with postage prepaid thereon, and the licensee's written request shall afford the licensee an opportunity for a hearing within not to exceed 20 days after receipt of such request in the county wherein the licensee resides, unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the commissioner, or duly authorized agent, may administer oaths and issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee. Upon such hearing the department shall either rescind its order of suspension or, good cause appearing therefor, may extend the suspension of such license or revoke such license. The department shall not suspend a license for a period of more than one year."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "allowing commissioner to suspend a driver's license for failure to report certain medical conditions;"

Page 1, line 6, delete "section" and insert "sections" and after "3" insert "; and 171.18"

The motion prevailed and the amendment was adopted.

H. F. No. 2294, A bill for an act relating to drivers' licenses; providing for electronically produced images on drivers' licenses; providing for living will designation on driver's licenses; allowing commissioner to suspend a driver's license for failure to report certain medical conditions; amending Minnesota Statutes 1988, sections 171.07, subdivisions 1a and 6, and by adding a subdivision; and 171.071; Minnesota Statutes 1989 Supplement, sections 171.06, subdivision 3; 171.07, subdivisions 1 and 3; and 171.18.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kalis

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

H. F. No. 1730, A bill for an act relating to commerce; requiring seating furniture in public occupancies to meet flammability and labeling standards; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Burger Onnen

The bill was passed and its title agreed to.

H. F. No. 1857, A bill for an act relating to transportation; providing greater restrictions on eligibility of debarred persons for certain public contracts; increasing scope of interstate motor carrier registration agreements; amending Minnesota Statutes 1988, section 161.315, subdivisions 2 and 3; Minnesota Statutes 1989 Supplement, section 221.601, 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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Sparby	Swenson	Tunheim	Wagenius	Wenzel
Stanius	Tjornhom	Uphus	Waltman	Williams
Steensma	Tompkins	Valento	Weaver	Winter
Swiggum	Trimble	Vellenga	Welle	Spk. Vanasek

The bill was passed and its title agreed to.

H. F. No. 2062 was reported to the House.

Williams moved to amend H. F. No. 2062, as follows:

Page 2, lines 11 to 13, delete the new language and strike the old language

Re-letter subsequent clauses

Amend the title as follows:

Page 1, line 2, delete "limiting" and insert "repealing"

A roll call was requested and properly seconded.

The question was taken on the Williams amendment and the roll was called. There were 70 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Battaglia	Gruenes	Kostohryz	Olson, K.	Sarna
Bauerly	Hasskamp	Lasley	Orenstein	Segal
Begich	Hausman	Lieder	Ostrom	Solberg
Bertram	Jacobs	Long	Otis	Sparby
Brown	Janezich	McGuire	Pappas	Steensma
Carlson, L.	Jaros	McLaughlin	Pelowski	Trimble
Carruthers	Jefferson	Munger	Peterson	Tunheim
Clark	Johnson, A.	Murphy	Price	Vellenga
Cooper	Johnson, R.	Nelson, C.	Pugh	Wagenius
Dauner	Kahn	Nelson, K.	Quinn	Welle
Dawkins	Kalis	Neuenschwander	Reding	Wenzel
Dille	Kelly	O'Connor	Rest	Williams
Dorn	Kelso	Ogren	Rodosovich	Winter
Greenfield	Kinkel	Olson, E.	Rukavina	Spk. Vanasek

Those who voted in the negative were:

Abrams	Burger	Hartle	Krueger	Omann
Anderson, G.	Carlson, D.	Haukoos	Limmer	Onnen
Anderson, R.	Dempsey	Heap	Lynch	Ozment
Beard	Forsythe	Henry	Macklin	Pauly
Bennett	Frederick	Himle	Marsh	Pellow
Bishop	Frerichs	Hugoson	McDonald	Poppenhagen
Blatz	Girard	Johnson, V.	McPherson	Redalen
Boo	Gutknecht	Knickerbocker	Olson, S.	Rice

Richter	Seaberg	Sviggum	Uphus
Runbeck	Simoneau	Swenson	Valento
Schafer	Skoglund	Tjornhom	Waltman
Schreiber	Stanius	Tompkins	Weaver

The motion prevailed and the amendment was adopted.

H. F. No. 2062, A bill for an act relating to public employment; repealing the exclusion of graduate assistants from coverage under the public employment labor relations act; amending Minnesota Statutes 1988, section 179A.03, subdivision 14.

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

The question was taken on the passage of the bill and the roll was called. There were 90 yeas and 37 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Girard	Limmer	Redalen	Tjornhom
Bennett	Gutknecht	McDonald	Richter	Tompkins
Blatz	Haukoos	McPherson	Schafer	Valento
Carlson, D.	Heap	Onnen	Schreiber	Waltman
Dempsey	Henry	Ozment	Seaberg	Weaver
Dille	Himle	Pauly	Stanius	
Frederick	Hugoson	Pellow	Sviggum	
Frerichs	Knickerbocker	Poppenhagen	Swenson	

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

H. F. No. 2135 was reported to the House.

Olsen, S., moved to amend H. F. No. 2135, as follows:

Page 3, after line 2, insert:

“Sec. 3. [REPEALER.]

Section 1 is repealed effective one year from the effective date of section 1.”

The motion prevailed and the amendment was adopted.

H. F. No. 2135, A bill for an act relating to Anoka county; authorizing the sale or exchange of certain land.

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

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

Those who voted in the affirmative were:

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

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

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

H. F. No. 2162 was reported to the House.

Williams moved that H. F. No. 2162 be continued on Special Orders. The motion prevailed.

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

H. F. No. 1897 was reported to the House.

Stanis moved that H. F. No. 1897 be re-referred to the Committee on Appropriations.

A roll call was requested and properly seconded.

The question was taken on the Stanis motion and the roll was called. There were 38 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Macklin	Poppenhagen	Stanis
Blatz	Gruenes	Marsh	Redalen	Sviggum
Boo	Heap	McDonald	Richter	Tjornhom
Burger	Henry	McPherson	Runbeck	Tompkins
Carlson, D.	Hugoson	Olsen, S.	Schafer	Valento
Forsythe	Johnson, V.	Omann	Schreiber	Waltman
Frederick	Knickerbocker	Ozment	Seaberg	
Frerichs	Limmer	Pellow	Simoneau	

Those who voted in the negative were:

Anderson, G.	Greenfield	Lasley	Osthoff	Skoglund
Anderson, R.	Hartle	Lieder	Ostrom	Solberg
Battaglia	Hasskamp	Long	Otis	Sparby
Bauerly	Haukoos	McEachern	Pappas	Steensma
Beard	Hausman	McGuire	Pauly	Trimble
Begich	Jacobs	McLaughlin	Pelowski	Tunheim
Bennett	Janezich	Milbert	Peterson	Uphus
Bertram	Jaros	Morrison	Price	Vellenga
Brown	Jefferson	Munger	Pugh	Wagenius
Carlson, L.	Johnson, A.	Murphy	Quinn	Weaver
Carruthers	Johnson, R.	Nelson, C.	Reding	Welle
Clark	Kahn	Nelson, K.	Rest	Wenzel
Cooper	Kalis	Neuenschwander	Rice	Williams
Dauner	Kelly	O'Connor	Rodosovich	Winter
Dawkins	Kelso	Ogren	Rukavina	Spk. Vanasek
Dempsey	Kinkel	Olson, E.	Sarna	
Dille	Kostohryz	Olson, K.	Scheid	
Dorn	Krueger	Orenstein	Segal	

The motion did not prevail.

Winter moved that H. F. No. 1897 be continued on Special Orders. The motion prevailed.

The Speaker resumed the Chair.

H. F. No. 1991, A bill for an act relating to natural resources;

repealing certain pipeline review authority of the commissioner of natural resources; repealing Minnesota Statutes 1988, section 117.49.

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 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kostohryz	Omann	Schreiber
Anderson, G.	Girard	Krueger	Orenstein	Seaberg
Anderson, R.	Greenfield	Lasley	Osthoff	Segal
Battaglia	Gruenes	Lieder	Ostrom	Simoneau
Bauerly	Gutknecht	Limmer	Otis	Skoglund
Beard	Hartle	Long	Ozment	Solberg
Begich	Hasskamp	Lynch	Pappas	Sparby
Bennett	Haukoos	Macklin	Pauly	Stanius
Bertram	Hausman	Marsh	Pellow	Steenasma
Bishop	Heap	McDonald	Pelowski	Sviggum
Blatz	Henry	McEachern	Peterson	Tjornhom
Boo	Himle	McGuire	Poppenhagen	Tompkins
Brown	Hugoson	McLaughlin	Price	Trimble
Burger	Jacobs	McPherson	Pugh	Tunheim
Carlson, D.	Janezich	Milbert	Quinn	Uphus
Carlson, L.	Jaros	Morrison	Redalen	Valento
Carruthers	Jefferson	Munger	Reding	Vellenga
Clark	Johnson, A.	Murphy	Rest	Wagenius
Cooper	Johnson, R.	Nelson, C.	Rice	Waltman
Dauner	Johnson, V.	Nelson, K.	Richter	Weaver
Dawkins	Kahn	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	Spk. Vanasek
Frederick	Knickerbocker	Olson, K.	Scheid	

The bill was passed and its title agreed to.

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Skoglund moved that the name of Winter be added as an author on H. F. No. 1983. The motion prevailed.

Simoneau moved that the names of Clark and Ogren be added as authors on H. F. No. 2031. The motion prevailed.

Simoneau moved that the name of Price be added as an author on H. F. No. 2099. The motion prevailed.

Olson, K., moved that the name of Williams be added as an author on H. F. No. 2373. The motion prevailed.

Lasley moved that the names of Trimble and Kahn be added as authors on H. F. No. 2382. The motion prevailed.

McLaughlin moved that the name of Henry be added as an author on H. F. No. 2501. The motion prevailed.

Kalis moved that the name of Jefferson be added as an author on H. F. No. 2769. The motion prevailed.

McLaughlin moved that the name of Clark be added as an author on H. F. No. 2779. The motion prevailed.

Olsen, S., moved that the name of Frerichs be added as an author on H. F. No. 2783. The motion prevailed.

Bishop moved that H. F. No. 2306 be returned to its author. The motion prevailed.

Tjornhom, Battaglia, Long, Begich and Henry introduced:

House Concurrent Resolution No. 5, A house concurrent resolution congratulating the 1990 International Trans-Antarctica Expedition Team on its successful continental crossing.

SUSPENSION OF RULES

Tjornhom moved that the rules be so far suspended that House Concurrent Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 5

A house concurrent resolution congratulating the 1990 International Trans-Antarctica Expedition Team on its successful continental crossing.

Whereas, the 1990 International Trans-Antarctica Expedition team consists of: Will Steger, of the United States of America; Dr. Jean-Louis Etienne, of France; Dr. Victor Boyarsky, of the Union of Soviet Socialist Republics; Geoff Somers, of Great Britain; Keizo Funatsu, of Japan; and Qin Dahe, of the People's Republic of China; and

Whereas, the international composition of the expedition purposefully reflects the Antarctic Treaty, signed in 1961 and kept by 39 countries, that sets aside Antarctica as an international scientific laboratory; and

Whereas, logging nearly 4,000 miles in the harshest conditions on earth, the six men and their sled dogs, 40 polar huskies, traveled for seven months; and

Whereas, they began at Seal Nunataks on the Antarctic Peninsula on July 27, 1989, the middle of austral winter; and

Whereas, on the first leg of their journey, along the mountainous peninsula never before traversed in winter, the team experienced a 60-day storm with winds up to 100 miles per hour, temperatures as low as minus 45 degrees Fahrenheit, and deep snow that slowed their progress and threatened their lives; and

Whereas, in November, on top of the Antarctic Plateau, the team increased its mileage from an average of 8 miles per day to 25 miles per day and made up nearly one month of lost time; and

Whereas, the expedition reached the South Pole on December 11, 1989, becoming the first to do so by dogsled since its discovery in 1912 by Roald Amundsen, of Norway; and

Whereas, two of the huskies belonging to Will Steger, a native Minnesotan, became the first to travel to both poles; and

Whereas, the team next accomplished the first on-foot crossing of the Area of Inaccessibility, a 750-mile stretch named for its remoteness and unilateral distance from all coasts of the continent, and reached the Soviet Vostok station on January 18, 1990; and

Whereas, the last 850 miles consisted of 41 days of enduring temperatures as low as minus 54 degrees Fahrenheit, and windchills as low as minus 113 degrees Fahrenheit, before reaching Mirnyy, a Soviet base, on March 3, 1990; and

Whereas, the completion of the expedition is the first unmechanized traverse of Antarctica traveling the west to east axis; and

Whereas, a public celebration will be held at 12:00 Noon, on

Saturday, March 24, 1990, on the State Capitol lawn and will include a banner parade, songs, band music, and proclamations; *Now, Therefore,*

Be It Resolved by the House of Representatives of the State of Minnesota, the Senate concurring, that it congratulates the 1990 International Trans-Antarctica Expedition Team on its successful continental crossing.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution, to be authenticated by himself and the Speaker of the House of Representatives and by the Chair of the Senate Rules and Administration Committee and the Secretary of the Senate, and that they be presented to the members of the 1990 International Trans-Antarctica Expedition.

Tjornhom moved that House Concurrent Resolution No. 5 be now adopted. The motion prevailed and House Concurrent Resolution No. 5 was adopted.

House Resolution No. 21 was reported to the House.

SUSPENSION OF RULES

Schreiber moved that the rules be so far suspended that House Resolution No. 21 be now considered and be placed upon its adoption.

POINT OF ORDER

Long raised a point of order pursuant to rule 5.2 relating to the Introduction of Bills and Resolutions that House Resolution No. 21 was not in order. The Speaker ruled the point of order well taken and House Resolution No. 21 out of order.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 21, 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 21, 1990.

EDWARD A. BURDICK, Chief Clerk, House of Representatives