

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION — 1991

THIRTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 14, 1991

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 Father Fred Mertz, College of St. Catherine, St. Paul, Minnesota.

The roll was called and the following members were present:

Abrams	Garcia	Kinkel	Olson, E.	Skoglund
Anderson, I.	Girard	Knickerbocker	Olson, K.	Smith
Anderson, R.	Goodno	Koppendrayner	Omann	Solberg
Anderson, R. H.	Greenfield	Krinkie	Onnen	Sparby
Battaglia	Gruenes	Krueger	Orenstein	Stanius
Bauerly	Gutknecht	Lasley	Orfield	Steensma
Beard	Hanson	Leppik	Ostrom	Sviggun
Bertram	Hartle	Lieder	Ozment	Swenson
Bettermann	Hasskamp	Limmer	Pauly	Thompson
Bishop	Haukoos	Long	Pellow	Tompkins
Blatz	Hausman	Lourey	Pelowski	Trimble
Bodahl	Heir	Lynch	Peterson	Tunheim
Boo	Henry	Macklin	Pugh	Uphus
Brown	Hufnagle	Mariani	Reding	Valento
Carlson	Hugoson	McEachern	Rest	Vellenga
Carruthers	Jacobs	McGuire	Rice	Wagenius
Clark	Janezich	McPherson	Rodosovich	Waltman
Cooper	Jaros	Morrison	Rukavina	Weaver
Dawkins	Jefferson	Munger	Runbeck	Wejzman
Dempsey	Jennings	Murphy	Sarna	Welker
Dille	Johnson, A.	Nelson, K.	Schafer	Welle
Dorn	Johnson, R.	Nelson, S.	Scheid	Wenzel
Erhardt	Johnson, V.	Newinski	Schreiber	Winter
Farrell	Kahn	O'Connor	Seaberg	Spk. Vanasek
Frederick	Kalis	Ogren	Segal	
Frerichs	Kelso	Olsen, S.	Simoneau	

A quorum was present.

Begich, Dauner, Marsh, Milbert and Osthoff were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Winter 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 STANDING COMMITTEES

Sarna from the Committee on Commerce to which was referred:

H. F. No. 104, A bill for an act relating to consumer protection; regulating automatic garage door opening systems; amending Minnesota Statutes 1990, sections 325F.82, subdivision 2, and by adding a subdivision; and 325F.83, subdivisions 1 and 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 325F.82, subdivision 2, is amended to read:

Subd. 2. [AUTOMATIC GARAGE DOOR OPENING SYSTEM.] “Automatic garage door opening system” means a system of devices and equipment that, when connected to a garage door, automatically opens and closes a garage door.

Sec. 2. Minnesota Statutes 1990, section 325F.82, is amended by adding a subdivision to read:

Subd. 5. [AUTOMATIC REVERSING REQUIREMENT.] “Automatic reversing requirement” means the requirements specified in paragraphs 30.1 and 30.2 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a residential automatic garage door opening system or the requirements specified in paragraph 29.1 of Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988, for a commercial vehicular door operator.

Sec. 3. Minnesota Statutes 1990, section 325F.83, subdivision 1, is amended to read:

Subdivision 1. [MANUFACTURING, SALES, PURCHASES, REPAIRS, OR INSTALLATIONS OF SYSTEMS.] ~~(a)~~ No person shall manufacture, sell, offer for sale, purchase, or install in this state an automatic garage door opening system for residential buildings that does not comply with subdivision 3.

~~(b)~~ Subd. 1a. [SERVICE OR REPAIR OF SYSTEMS.] No person shall service or repair an automatic garage door opening system for residential buildings that does not comply with subdivision 3, paragraph (a) the automatic reversing requirement after the repair or service. This paragraph does not prevent the servicing or repair of an automatic garage door opening system if the system will be in

compliance with subdivision 3, paragraph (a), the automatic reversing requirement after the repair or service.

The person servicing or repairing the automatic garage door opening system shall determine whether or not the system complies with the automatic reversing requirement by conducting an on-site test of the system.

Subd. 1b. [WARNING LABEL.] If the automatic garage door opening system does not pass the on-site test required by subdivision 1a, the person conducting the test shall complete and conspicuously attach to the automatic garage door opening system, a red label that states the following:

"DANGER

This garage door opener was tested and does not meet the requirements for a working safety reverse feature. This can be dangerous and may cause serious injury or death. You are advised to disconnect the opener from the door immediately and operate the door manually until the opener has been repaired or replaced with one that meets current safety standards relating to automatic reversal as provided for in Minnesota Statutes, section 325F.83, subdivision 1a.

.....
Model

.....
Name of Tester

.....
Manufacturer

.....
Firm Name

.....
Serial Number

.....
Firm Address/Phone Number

.....
Date"

The firm of the agent or employee who attached the red label shall notify within ten working days in writing the occupant of the residence that the system did not comply with subdivision 1a.

Sec. 4. Minnesota Statutes 1990, section 325F.83, subdivision 3, is amended to read:

Subd. 3. [MINIMUM STANDARDS.] (a) No later than January 1, 1991, all automatic garage door opening systems subject to subdivision 1, 1a, or 2 must conform to the applicable requirements of

Underwriters Laboratories, Inc., Standards for Safety-UL 325, third edition, as revised May 4, 1988.

(b) No later than January 1, 1993, all automatic garage door opening systems subject to subdivision 1 or 2 must include an attached edge sensor, safety beam, or similar device that when activated causes a closing door to open and prevents an open door from closing. This device is to be designed and built so that a failure of the device prevents the door from closing.

Sec. 5. Minnesota Statutes 1990, section 325F.83, subdivision 4, is amended to read:

Subd. 4. [MANUFACTURER'S LABELING REQUIREMENTS.] On and after January 1, 1991, a manufacturer selling or offering for sale automatic garage door opening systems in this state shall clearly identify on the container and on the system, the month or week and year the system was manufactured, and its conformance with UL 325, as required under subdivision 3, paragraph (a). The display of the UL logo or listing mark and compliance with the date marking requirements of UL 325 on both the container and the system fulfills the manufacturer's labeling requirements specified under this subdivision.

Sec. 6. [STATUTE OF LIMITATIONS.]

Minnesota Statutes, section 325F.83, subdivision 8, applies to actions pending on or begun on or after the effective date of that subdivision.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment. Section 6 is effective August 1, 1990."

Delete the title and insert:

"A bill for an act relating to consumer protection; regulating automatic garage door opening systems; amending Minnesota Statutes 1990, sections 325F.82, subdivision 2, and by adding a subdivision; and 325F.83, subdivisions 1, 3, and 4."

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 172, A bill for an act relating to manufactured home parks; providing for notice and right to purchase for conversion or the closing of a park under certain circumstances; amending Minnesota Statutes 1990, section 327C.095, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 327C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 327C.095, subdivision 1, is amended to read:

Subdivision 1. [CONVERSION OF USE; MINIMUM NOTICE.] At least nine months before the conversion of all or a portion of a manufactured home park to another use, or before closure of a manufactured home park or cessation of use of the land as a manufactured home park, the park owner must prepare a closure statement and provide a copy to the local planning agency and a copy to a resident of each manufactured home where the residential use is being converted. A resident may not be required to vacate until 60 days after the conclusion of the public hearing required under subdivision 4. If a lot is available in another section of the park that will continue to be operated as a park, the park owner must allow the resident to relocate the home to that lot unless the home, because of its size or local ordinance, is not compatible with that lot.

Sec. 2. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 6. [INTENT TO CONVERT USE OF PARK AT TIME OF PURCHASE.] Before the execution of an agreement to purchase a manufactured home park, the purchaser must notify the park owner, in writing, if the purchaser intends to close the manufactured home park or convert it to another use within one year of the execution of the agreement. The park owner shall provide a resident of each manufactured home with a written notice of the purchaser's intent to close the park or convert it to another use. The notice must be sent by first class mail to a resident of each manufactured home in the park. The notice period begins on the postmark date affixed to the notice and ends 45 days after it begins. The residents or a nonprofit organization which has the written permission of 51 percent of the residents to represent them in the acquisition of the park shall have 45 days to meet the cash price and to execute an agreement to purchase the park for the purposes of keeping the park as a manufactured housing community. The park owner must accept the offer if it meets the cash price and the same terms and conditions

set forth in the purchaser's offer except that the seller is not obligated to provide owner financing. For purposes of this section, cash price means the cash price offer or equivalent cash offer as defined in section 500.24, subdivision 6, paragraph (d).

Sec. 3. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 7. [INTENT TO CONVERT USE OF PARK AFTER PURCHASE.] If the purchaser of a manufactured home park decides to convert the park to another use within one year after the purchase of the park, the purchaser must offer the park for purchase by the residents of the park. The purchaser must provide the residents with a written notice of the intent to close the park and the residents, or a nonprofit organization which has the written permission of 51 percent of the residents to represent them in the acquisition of the park, shall have 45 days to execute an agreement for the purchase of the park at a price equal to the original purchase price paid by the purchaser plus any documented expenses relating to the acquisition and improvement of the park property, together with any increase in value due to appreciation of the park. The purchaser must execute the purchase agreement at the price specified in this subdivision. The notice must be sent by first class mail to a resident of each manufactured home in the park. The notice period begins on the postmark date affixed to the notice and ends 45 days after it begins. Subdivision 6 and this subdivision do not apply in the case of a taking by eminent domain.

Sec. 4. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 8. [EFFECT OF NONCOMPLIANCE.] If a manufactured home park is sold or converted to another use in violation of subdivision 6 or 7, the residents do not have any continuing right to purchase the park as a result of that sale or conversion. Any violation of subdivision 6 or 7 shall be subject to section 8.31, subdivision 1, except that relief shall be limited so that questions of marketability of title shall not be affected.

Sec. 5. [327C.096] [NOTICE OF SALE.]

When a park owner offers to sell a manufactured home park to the public through advertising in a newspaper, or by listing the park with a realtor licensed by the department of commerce, the owner must provide concurrent written notice to a resident of each manufactured home in the park that the park is being offered for sale. The notice provided by the park owner to a resident of each manufactured home does not grant any property rights in the park. This section does not apply in the case of a taking by eminent domain, a transfer by a corporation to an affiliate, a transfer by a partnership to one of its partners, or a sale or transfer to a person

who would be an heir of the owner if the owner were to die intestate. If at any time a manufactured home park owner receives an unsolicited bona fide offer to purchase the park that the owner intends to consider or make counter offer to, the owner is under no obligation to notify the residents and shall be free to execute an agreement to purchase the park."

Amend the title as follows:

Page 1, line 5, after the second comma insert "subdivision 1, and"

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. 245, A bill for an act relating to education; providing for school consolidation in Kittson and Marshall counties in certain circumstances.

Reported the same back with the following amendments:

Page 2, after line 11, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 104, 172 and 245 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

O'Connor introduced:

H. F. No. 292, A bill for an act relating to local government; authorizing the city of St. Paul and independent school district No. 625 to impose residency requirements.

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

Rodosovich, Jaros and Sviggum introduced:

H. F. No. 293, A bill for an act relating to health; establishing a traumatic brain injury and spinal cord injury registry; requiring reporting of injuries; providing for use of information; amending Minnesota Statutes 1990, sections 171.29, subdivision 2; and 268A.03; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Rukavina and Janezich introduced:

H. F. No. 294, A bill for an act relating to liquor; authorizing municipalities to permit on-sale nonintoxicating malt liquor licensees to sell intoxicating malt liquor; amending Minnesota Statutes 1990, section 340A.403, subdivision 3.

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

Cooper, Greenfield, Welle and Lourey introduced:

H. F. No. 295, A bill for an act relating to occupations and professions; establishing the professional counseling licensing board; requiring professional counselors to be licensed; providing penalties; appropriating money; amending Minnesota Statutes 1990, sections 148A.01, subdivision 5; 148B.01, subdivision 6, and by adding a subdivision; 148B.02, subdivision 1; 148B.40, subdivision 3; 214.01, subdivision 2; 214.04, subdivision 3; and 609.341, subdivision 17; proposing coding for new law in Minnesota Statutes, chapter 148B.

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

Newinski, Bertram, Leppik, Beard and Gutknecht introduced:

H. F. No. 296, A resolution memorializing the Congress of the United States to enact H.R. 3603 which relates to the disclosure of information concerning POW/MIAs.

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

Dempsey, Bertram and Uphus introduced:

H. F. No. 297, A resolution memorializing the President and Congress of the United States to enact full veteran benefits for military personnel called to active service, including those called from reserve and National Guard units.

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

Nelson, K.; Mariani; Kinkel; Ozment and Hasskamp introduced:

H. F. No. 298, A bill for an act relating to education; establishing a state loan program for minority teachers; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Reding, Jefferson, Knickerbocker, O'Connor and Johnson, R., introduced:

H. F. No. 299, A bill for an act relating to retirement; local police and salaried firefighters relief associations; providing for the continuation of surviving spouse benefits in the event of remarriage; amending Minnesota Statutes 1990, sections 69.48; 353B.11, subdivision 6; 423.387, subdivision 1; 423.58, subdivision 1; 423.810, subdivision 1; and 424.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 423A.

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

Bodahl, Hanson, Kelso, Long and Nelson, K., introduced:

H. F. No. 300, A bill for an act relating to taxation; reducing the property tax class rate applied to certain homesteads; amending Minnesota Statutes 1990, section 273.13, subdivision 22.

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

Jacobs, Osthoff, Janezich, Ozment and Kelso introduced:

H. F. No. 301, A bill for an act relating to utilities; providing that certain telephone companies, when changing the rate for a service subject to emerging competition or adding a new service, provide an incremental cost study demonstrating that the new rate is above the incremental cost; amending Minnesota Statutes 1990, section 237.60, subdivision 2.

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

O'Connor and Sarna introduced:

H. F. No. 302, A bill for an act relating to consumer protection; sales; regulating the disclosure of certain personal identification and credit card information; providing a penalty; amending Minnesota Statutes 1990, section 332.50, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Wagenius; Munger; Ozment; Anderson, R., and Long introduced:

H. F. No. 303, A bill for an act relating to waste management; making changes to state and local government responsibility and authority for waste management; placing emphasis on waste reduction and recycling; adjusting waste facility siting processes; amending Minnesota Statutes 1990, sections 3.887, subdivision 5; 16B.122, subdivision 2; 16B.61, subdivision 3a; 115A.02; 115A.03, subdivision 17a; 115A.06, subdivision 2; 115A.14, subdivision 4; 115A.15, subdivisions 7 and 9; 115A.151; 115A.411, subdivision 1; 115A.46, subdivision 1, and by adding a subdivision; 115A.49; 115A.53; 115A.551, subdivisions 1 and 4; 115A.552, subdivisions 1, 2, and by adding a subdivision; 115A.554; 115A.557, subdivision 4; 115A.64, subdivision 2; 115A.67; 115A.83; 115A.84, subdivision 2; 115A.86, subdivision 5, and by adding a subdivision; 115A.882; 115A.9162, subdivision 2; 115A.919; 115A.923, subdivisions 1 and 1a;

115A.931; 115A.94, subdivision 4; 115A.9561; 115A.96, subdivision 6; 115B.04, subdivision 4; 115B.22, subdivision 8; 116.07, subdivision 4j; 325E.042, subdivision 2; 325E.115, subdivision 1; 325E.1151, subdivision 3; 400.08, subdivision 1; 473.803, subdivisions 2 and 3; 473.811, subdivisions 1, 3, and 5; 473.823, subdivision 5; 473.845, subdivision 4; 473.848, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115A; 325E; and 473; repealing Minnesota Statutes 1990, sections 325E.045; and 473.844, subdivision 3; Laws 1989, chapter 325, section 72, subdivision 2.

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

Anderson, I.; Beard; Rukavina; Battaglia and Begich introduced:

H. F. No. 304, A bill for an act relating to labor; providing that certain hiring practices by an employer during a strike or lockout are unfair labor practices; amending Minnesota Statutes 1990, sections 179.12; and 179A.13.

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

Johnson, A.; Ozment; Jaros and Hausman introduced:

H. F. No. 305, A bill for an act relating to education; establishing grants for parent-to-parent support programs; appropriating money; amending Minnesota Statutes 1990, section 120.17, by adding a subdivision.

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

Bishop, Dempsey and Carruthers introduced:

H. F. No. 306, A bill for an act relating to probate; modifying the common law rule against perpetuities and repealing the statutory rule; proposing coding for new law in Minnesota Statutes, chapter 501B; repealing Minnesota Statutes 1990, sections 501A.01 to 501A.07.

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

Osthoff, Scheid, Kelso, Milbert and Abrams introduced:

H. F. No. 307, A bill for an act relating to horse racing; increasing per diem rate for members of the racing commission; requiring that pari-mutuel clerks at county fairs be licensed; specifying apportionment and uses of the Minnesota breeders' fund; specifying person who may supervise administration of certain medications; reducing state tax withholding on pari-mutuel winnings; amending Minnesota Statutes 1990, sections 240.02, subdivision 3; 240.09, subdivision 2; 240.18; 240.24, subdivision 2; and 290.92, subdivision 27.

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

Henry, Goodno, Dauner, Welle and Jennings introduced:

H. F. No. 308, A bill for an act relating to human services; general assistance; requiring that social security numbers and proof of citizenship status be provided as a condition of eligibility for general assistance, general assistance medical care, and work readiness; proposing coding for new law in Minnesota Statutes, chapter 256D.

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

Greenfield; Clark; Welle; Anderson, R., and Gruenes introduced:

H. F. No. 309, A bill for an act relating to human services; authorizing counties to retain one-half of the nonfederal share of child support recoveries that are directly attributable to county effort; amending Minnesota Statutes 1990, section 256.019.

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

Greenfield, Segal, Dawkins, Jaros and Bishop introduced:

H. F. No. 310, A bill for an act relating to health; modifying medical assistance coverage of abortion services; appropriating money; amending Minnesota Statutes 1990, section 256B.0625, subdivision 16.

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

McEachern, Janezich, Welle, Garcia and Pauly introduced:

H. F. No. 311, A bill for an act relating to commerce; providing that cost of doing business by cigarette wholesalers does not include discounts for purposes of the Minnesota unfair cigarette sales act; requiring use of cigarette distributor fees for administration of that act; appropriating money; amending Minnesota Statutes 1990, sections 325D.32, subdivision 10; and 325D.415.

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

Anderson, I.; Beard; Sarna; Garcia and Osthoff introduced:

H. F. No. 312, A bill for an act relating to labor; regulating wages paid on Sundays and legal holidays; amending Minnesota Statutes 1990, section 177.25, by adding a subdivision.

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

Pugh, Welle, Dorn, Reding and Tompkins introduced:

H. F. No. 313, A bill for an act relating to health; clarifying requirements for licensing consulting psychologists and psychological associates; describing duties of the board of psychology; establishing requirements for the independent practice of psychology; amending Minnesota Statutes 1990, sections 62A.152, subdivisions 2 and 3; 148.88; 148.89; 148.90; 148.91; 148.93; 148.95; 148.96; 148.97; 148.975, subdivisions 1 and 5; 148.976, subdivision 1; 148.98; and 253B.02, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1990, sections 148.92; and 148.97, subdivision 4.

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

Lourey, Rukavina, Dawkins, Orfield and Lynch introduced:

H. F. No. 314, A bill for an act relating to the environment; recognizing the hydrological cycle of water purification through the atmosphere; establishing a list of toxic air pollutants; requiring the pollution control agency to monitor toxic emissions and to require reductions of toxic air emissions; requiring mercury emission reductions; requiring reports to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Farrell, Skoglund, Orfield, Mariani and Trimble introduced:

H. F. No. 315, A bill for an act relating to insurance; accident and health; defining full-time students for purposes of dependent coverage; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Segal, Hausman, Clark, Scheid and Rukavina introduced:

H. F. No. 316, A bill for an act relating to education; requiring school districts to offer sexuality education programs; amending Minnesota Statutes 1990, section 121.203, subdivision 2, and by adding a subdivision.

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

Wagenius, Vellenga, Smith, Brown and Blatz introduced:

H. F. No. 317, A bill for an act relating to marriage dissolution; clarifying procedure for modification of certain custody orders; providing for additional child support payments; providing an alternative form of satisfaction of child support obligation; imposing a fiduciary duty and providing for compensation in cases of breach of that duty; clarifying certain mediation procedures; providing for attorneys' fees in certain cases; clarifying language concerning certain motions; imposing penalties; amending Minnesota Statutes 1990, sections 518.18; 518.551, subdivision 5; 518.57, by adding a subdivision; 518.58, subdivision 1, and by adding a subdivision; 518.619, subdivision 6; and 518.64, subdivision 2.

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

Rukavina and Begich introduced:

H. F. No. 318, A bill for an act relating to railroads; increasing penalty for blocking public roads; requiring railway corporations to ensure access to small cities and towns; amending Minnesota Statutes 1990, section 219.383, subdivisions 3 and 4.

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

Wejcman, Garcia, Welle, Lourey and Blatz introduced:

H. F. No. 319, A bill for an act relating to court fees; waiving filing fees for a person or person's spouse or children seeking protection under the Soldiers' and Sailors' Civil Relief Act of 1940; amending Minnesota Statutes 1990, section 357.021, subdivision 1a.

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

Brown, Gutknecht and Cooper introduced:

H. F. No. 320, A bill for an act relating to occupations and professions; modifying an auctioneer's exemption from real estate brokers and salespersons licensing; amending Minnesota Statutes 1990, section 82.18.

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

Vellenga, Bishop, Wagenius, Pugh and Solberg introduced:

H. F. No. 321, A bill for an act relating to marriage dissolution; requiring a summons to contain certain information; providing for court approval of certain items without a hearing; changing requirements for certain court orders; limiting joint custody; creating a summary dissolution pilot project; appropriating money for legal service to low-income persons and for marriage dissolution education and orientation; amending Minnesota Statutes 1990, sections 518.13, by adding a subdivision; 518.167, subdivision 1; and 518.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Wagenius; Munger; Ozment; Anderson, R., and Long introduced:

H. F. No. 322, A bill for an act relating to waste management expenditures; establishing a solid waste management certification and training program; requiring the state resource recovery program to establish a central materials recovery facility and centralized collection and transportation of recyclable materials from state offices and operations; appropriating money; amending Minnesota

Statutes 1990, sections 115A.07, by adding a subdivision; 115A.15, subdivision 6, and by adding subdivisions.

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

Johnson, R.; Reding; Jefferson; Knickerbocker and Simoneau introduced:

H. F. No. 323, A bill for an act relating to state government; providing certain investment options for the state deferred compensation plan; amending Minnesota Statutes 1990, section 352.96, subdivisions 2 and 3.

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

Farrell, Sarna, Beard, Begich and Rukavina introduced:

H. F. No. 324, A bill for an act relating to employment; regulating an employee's lien for wages; amending Minnesota Statutes 1990, section 514.59.

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

Murphy, Long, Dawkins, Gutknecht and Marsh introduced:

H. F. No. 325, A resolution memorializing the President and Congress of the United States to reauthorize the low-income home energy assistance program and to increase its appropriation for fiscal year 1992 and subsequent years.

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

Osthoff introduced:

H. F. No. 326, A bill for an act relating to elections; providing for time off to vote in primaries; amending Minnesota Statutes 1990, section 204C.04.

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

Jefferson and Vellenga introduced:

H. F. No. 327, A bill for an act relating to children; establishing procedures for the placement and removal of children in foster homes; proposing coding for new law in Minnesota Statutes, chapter 257.

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

Jefferson and Sarna introduced:

H. F. No. 328, A bill for an act relating to Minnesota supplemental aid; increasing the personal needs allowance for recipients of Minnesota supplemental aid who are residing in certain facilities; amending Minnesota Statutes 1990, section 256D.37.

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

Beard, Sviggum, Milbert, Gutknecht and Kinkel introduced:

H. F. No. 329, A resolution memorializing the President and Congress to propose a constitutional amendment giving the Congress and the states specific power to prohibit the physical desecration of the American flag.

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

Stanius, Jennings, Goodno, Welle and Bertram introduced:

H. F. No. 330, A bill for an act relating to human services; requiring eligibility reporting for aid to families with dependent children at least every three months; amending Minnesota Statutes 1990, section 256.73, subdivision 6.

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

Kinkel introduced:

H. F. No. 331, A bill for an act relating to education; permitting education districts and districts operating under joint powers agreements to conduct meetings via interactive television; amending Minnesota Statutes 1990, sections 122.92, subdivision 1; and 471.59, subdivision 2.

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

Steensma, Wenzel and Winter introduced:

H. F. No. 332, A resolution memorializing the President and Congress to propose an amendment to the United States Constitution giving Congress and the states the power to prohibit physical desecration of the United States flag.

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

Segal, Greenfield, Clark, Welle and Gruenes introduced:

H. F. No. 333, A bill for an act relating to health; mental health; assigning additional duties to the commissioner of human services in the area of mental health; requiring the commissioner to adopt and revise rules relating to case management services; modifying the requirement for county maintenance of effort; including community residential treatment as a service covered by medical assistance; appropriating money; amending Minnesota Statutes 1990, sections 245.461, subdivision 3, and by adding a subdivision; 245.4711, by adding a subdivision; 245.48; 245.487, by adding a subdivision; 245.4881, by adding a subdivision; and 256B.0625, by adding a subdivision.

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

Gruenes introduced:

H. F. No. 334, A bill for an act relating to education; extending shared time aid to cover pupils enrolling at eligible institutions under the post-secondary enrollment options act; amending Minnesota Statutes 1990, section 124A.034, subdivisions 1 and 2.

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

Limmer introduced:

H. F. No. 335, A bill for an act relating to the environment; providing that the petroleum tank release compensation board require proof of payment by a responsible person before reimbursement; amending Minnesota Statutes 1990, section 115C.09, subdivisions 1, 3, and 3a.

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

Swenson, Stanius, Boo, McPherson and Milbert introduced:

H. F. No. 336, A bill for an act relating to lawful gambling; treating combined receipt tax expenditures as a lawful purpose; repealing limits on expenditures on expenses; repealing authority of the gambling control board to define allowable expenses; establishing minimum percentages of gross profit which must be expended for lawful purposes; making requirements for posting of pull-tab winners applicable only at the direction of the gambling control board; amending Minnesota Statutes 1990, sections 349.12, subdivision 25; 349.15; and 349.172.

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

Marsh, Wagenius, Orenstein and Vellenga introduced:

H. F. No. 337, A bill for an act relating to traffic regulations; requiring record of all speeding violations; amending Minnesota Statutes 1990, section 169.99, subdivision 1b; repealing Minnesota Statutes 1990, section 171.12, subdivision 6.

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

Segal, Clark, Greenfield and Cooper introduced:

H. F. No. 338, A bill for an act relating to health; health maintenance organizations; requiring coverage of services of clinical specialists in psychiatric or mental health nursing; amending Minnesota Statutes 1990, section 62D.02, subdivision 7.

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

Anderson, R. H., and Newinski introduced:

H. F. No. 339, A resolution memorializing the Congress of the United States to propose an amendment to the United States Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.

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

Janezich; Lieder; Kalis; Johnson, V., and Waltman introduced:

H. F. No. 340, A bill for an act relating to signs; requiring recycling centers and junk yards to accept certain hazard signs; amending Minnesota Statutes 1990, sections 115A.555; and 161.242, subdivision 2, and by adding a subdivision.

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

Orenstein, Greenfield, Mariani, Lourey and Bishop introduced:

H. F. No. 341, A bill for an act relating to crimes; prohibiting persons from interfering with access to medical facilities; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Orfield, Bishop, Kahn, Simoneau and Long introduced:

H. F. No. 342, A resolution memorializing Congress to enact the Right To Choose Act, writing into federal statutes the standards put forth in *Roe vs. Wade*.

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

Scheid; O'Connor; Macklin; Nelson, S., and Brown introduced:

H. F. No. 343, A bill for an act relating to animals; providing for disposition of certain seized animals; requiring bond or other security for expenses of care in certain cases; proposing coding for new law in Minnesota Statutes, chapter 343.

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

Stanius; Johnson, V.; Krinkie; Pellow and Frerichs introduced:

H. F. No. 344, A resolution memorializing the Congress of the United States to propose an amendment to the United States

Constitution, for ratification by the states, specifying that Congress and the states shall have the power to prohibit the physical desecration of the flag of the United States.

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

Vellenga, Orenstein, Wagenius, Blatz and Pugh introduced:

H. F. No. 345, A bill for an act relating to sexual abuse; extending the statute of limitations for intentional torts involving the sexual abuse of a minor; eliminating the *statute of limitations in criminal sexual conduct* cases involving a minor victim; amending Minnesota Statutes 1990, sections 541.073; and 628.26.

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

Vellenga, Wagenius, Milbert, Welle and Ogren introduced:

H. F. No. 346, A bill for an act relating to taxation; allowing counties to make special levies for the unreimbursed costs of family-based services; amending Minnesota Statutes 1990, section 275.50, subdivision 2.

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

Gruenes and Goodno introduced:

H. F. No. 347, A bill for an act relating to taxation; sales; exempting certain tree removal services; amending Minnesota Statutes 1990, section 297A.25, by adding a subdivision.

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

Osthoff, Scheid and Brown introduced:

H. F. No. 348, A bill for an act relating to lawful gambling; abolishing the department of gaming and the position of commissioner of gaming; removing paddlewheels from the definition of lawful gambling; changing the membership of the gambling control board; amending Minnesota Statutes 1990, sections 15A.081, subdivision 1; 240.011; 240.02, subdivisions 1 and 2; 240.06, subdivision 8; 240.28; 349.12, subdivisions 10, 18, 21, and 24; 349.151, subdivision 2; 349.153; 349.163, subdivisions 1 and 4; 349.167, subdivision

4; 349.169, subdivision 2; 349.18, subdivision 1; 349A.01, subdivisions 5 and 9; 349A.02, subdivisions 1, 4, 5, 6, and 8; 349A.03, subdivision 1; 349A.06, subdivisions 2 and 5; 349A.08, subdivision 7; 349A.10, subdivisions 3 and 4; 349A.11; 349A.12, subdivision 4; repealing Minnesota Statutes 1990, section 240.01, subdivision 15; 349.12, subdivisions 12 and 29; 349A.01, subdivisions 3, 4, and 6; and 349B.01.

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

Vellenga, Mariani, Farrell, Orenstein and Osthoff introduced:

H. F. No. 349, A bill for an act relating to the city of St. Paul; authorizing an increase in the hotel-motel tax; amending Laws 1986, chapter 462, section 31.

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

McEachern; Vanasek; Nelson, K.; Bauerly and Kelso introduced:

H. F. No. 350, A bill for an act relating to public administration; providing a mission statement for public education; changing open enrollment procedures and opportunities; extending school age to 18 and lengthening the number of school days; providing for educational accountability; requiring a superintendent to serve at least 1,000 pupils; requiring school site management; authorizing chartered schools; increasing the length of the probationary period for teachers; providing revenue for parental involvement programs; providing for peer review for teachers; providing staff and faculty exchange programs; clarifying some of the duties of the board of teaching; providing for alternative licensing of school administrators; providing for students' and other consumers' evaluation of school services; providing for staff development; providing for involvement of public libraries in public schools; providing for payment for post-secondary remedial instruction; requiring certain recommendations from boards and committees; requiring the design and implementation of a new delivery system for certain components of education; requiring certain reports and planning; changing certain levies; providing a debt service equalization program and revenue; providing referendum equalization revenue; providing the amount to be raised by the general education tax rate; setting requirements for certain integration grants; establishing a business education tax on commercial-industrial property and dedicating the revenue to education aids; dedicating a portion of sales tax revenues to local government aids; changing the computation of and restructuring certain property tax and local government aids; modifying

tax increment financing and providing tax increment financing aid; changing certain assessment procedures; repealing fiscal disparities; appropriating money; amending Minnesota Statutes 1990, sections 120.062, subdivisions 4, 6, and 8a; 120.101, subdivisions 5, 9, and by adding a subdivision; 121.15, subdivision 7; 121.585, subdivision 3; 121.611, subdivision 2; 123.34, subdivision 9; 123.35, subdivision 8; 123.3514, by adding a subdivision; 123.951; 124.19, subdivisions 1, 7, and by adding a subdivision; 124.155, subdivision 2; 124.2139; 124.2713, subdivision 6; 124.2721, subdivisions 3 and 3a; 124.32, subdivision 1b; 124.575, subdivision 3a; 124.83, subdivision 4; 124A.23, subdivision 1; 124A.29, subdivision 1; 124B.03, subdivision 2; 124B.20, subdivision 2; 125.12, subdivision 3, and by adding subdivisions; 125.17, subdivision 2, and by adding subdivisions; 125.185, subdivisions 4 and 4a; 126.666, by adding subdivisions; 126.70, subdivision 1, and by adding a subdivision; 136D.27, subdivision 1; 136D.74, subdivision 2; 136D.87, subdivision 1; 260.015, subdivision 19; 270.11, subdivisions 2 and 7; 273.061, subdivisions 2, 7, 8, and 9; 273.063; 273.124, subdivision 13; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1398, subdivisions 1, 5, and 6; 274.01, subdivision 1; 275.011, subdivision 1; 275.07, subdivision 1; 275.08, subdivisions 1b and 1c; 275.125, subdivisions 4, 5, and 8b; 275.50, subdivision 5; 276.04, subdivision 2; 297A.44, subdivision 1; 415.16, subdivision 2; 428A.03, subdivision 1; 428A.05; 469.059, subdivision 13; 469.175, subdivision 3; 469.177, subdivisions 1a, 3, and 9; 469.179; 473.167, subdivision 3; 473.249, subdivision 1; 473.446, subdivision 1; 473.711, subdivision 2; 473F.08, subdivision 3a; 477A.011, subdivisions 1a, 25, and by adding subdivisions; 477A.012, subdivision 1, and by adding a subdivision; 477A.013, subdivision 3, and by adding a subdivision; 477A.014, subdivision 1; 477A.015; 477A.03, subdivision 1; and Laws 1974, chapter 175, section 1; proposing coding for new law as Minnesota Statutes, chapter 124D; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 123; 124; 124A; 125; 134; 135A; 273; and 477A; repealing Minnesota Statutes 1990, sections 120.011; 124A.03; 126.70, subdivisions 2 and 2a; 273.1398, subdivisions 2, 2a, 2b, 2c, 3, and 5a; 274.20; 275.07, subdivision 3; 275.08, subdivision 1d; 275.125, subdivisions 6e and 6i; 473F.01; 473F.02; 473F.03; 473F.05; 473F.06; 473F.07; 473F.08, subdivisions 1, 2, 3, 4, 5, 5a, 6, 7a, 8a, and 10; 473F.09; 473F.10; 473F.11; 473F.12; 473F.13; 477A.011, subdivisions 1b, 16, 17, 18, 19, 20, 21, 22, 23, 27, and 28; 477A.012, subdivisions 3, 4, and 5; 477A.013, subdivisions 2, 5, 6, and 7; Laws 1988, chapter 703, article 1, section 23, as amended; and Laws 1989, chapters 293, section 82; and 329, article 9, section 30.

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

Gruenes, Gutknecht, Tompkins, Runbeck and Stanius introduced:

H. F. No. 351, A bill for an act relating to insurance; accident and

health; requiring the commissioner of commerce to administer health care plans for Minnesota residents who are not covered by other plans; establishing minimum benefits for these plans; allowing a tax credit for premiums paid for coverage; appropriating money; amending Minnesota Statutes 1990, sections 290.01, subdivision 19a; and 290.92, subdivisions 5 and 5a; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 62K.

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

Begich, Rukavina, Sarna, Beard and Ogren introduced:

H. F. No. 352, A bill for an act relating to employment; regulating disbursements from the dislocated worker fund; extending the special assessment for the dislocated worker fund; amending Minnesota Statutes 1990, section 268.977, subdivision 2; repealing Laws 1990, chapter 568, article 6, section 4.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a similar committee on the part of the House to escort the Governor to the Joint Convention to be held in the House Chamber, Wednesday, February 20, 1991, said Joint Convention to be convened at 11:45 a.m. and said budget message of the Governor to be delivered at 12:00 noon.

Ms. Johnson, J. B.; Messrs. Hottinger, Finn, Halberg and Neuville have been appointed to such committee.

PATRICK E. FLAAHVEN, Secretary of the Senate

CONSENT CALENDAR

H. F. No. 153, A bill for an act relating to commerce; regulating real estate appraisers; authorizing the commissioner of commerce to issue temporary licenses.

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kelso	Olson, E.	Skoglund
Anderson, I.	Garcia	Kinkel	Olson, K.	Smith
Anderson, R.	Girard	Knickerbocker	Omann	Solberg
Anderson, R. H.	Goodno	Koppendrayer	Onnen	Sparby
Battaglia	Greenfield	Krinkie	Orenstein	Stanius
Bauerly	Gruenes	Krueger	Orfield	Steensma
Beard	Gutknecht	Lasley	Ostrom	Sviggum
Bertram	Hanson	Leppik	Ozment	Swenson
Bettermann	Hartle	Lieder	Pauly	Thompson
Bishop	Hasskamp	Limmer	Pellow	Tompkins
Blatz	Haukoos	Long	Pelowski	Trimble
Bodahl	Hausman	Lourey	Peterson	Tunheim
Boo	Heir	Lynch	Pugh	Uphus
Brown	Henry	Macklin	Reding	Valento
Carlson	Hufnagle	Mariani	Rice	Vellenga
Carruthers	Hugoson	McEachern	Rodosovich	Wagenius
Clark	Jacobs	McGuire	Rukavina	Waltman
Cooper	Janezich	McPherson	Runbeck	Weaver
Dawkins	Jaros	Morrison	Sarna	Wejzman
Dempsey	Jefferson	Munger	Schafer	Welker
Dille	Jennings	Murphy	Scheid	Welle
Dorn	Johnson, A.	Nelson, S.	Schreiber	Wenzel
Erhardt	Johnson, R.	Newinski	Seaberg	Winter
Farrell	Johnson, V.	O'Connor	Segal	Spk. Vanasek
Frederick	Kalis	Olsen, S.	Simoneau	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 82, A bill for an act relating to public contracts; modifying the criteria for businesses and firms required to file affirmative action plans; amending Minnesota Statutes 1990, sections 363.073, subdivision 1; and 473.144.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kelso	Olson, E.	Skoglund
Anderson, I.	Garcia	Kinkel	Olson, K.	Smith
Anderson, R.	Girard	Knickerbocker	Omann	Solberg
Anderson, R. H.	Goodno	Koppendrayner	Onnen	Sparby
Battaglia	Greenfield	Krinkie	Orenstein	Stanius
Bauerly	Gruenes	Krueger	Orfield	Steensma
Beard	Gutknecht	Lasley	Ostrom	Sviggum
Bertram	Hanson	Leppik	Ozment	Swenson
Bettermann	Hartle	Lieder	Pauly	Thompson
Bishop	Hasskamp	Limmer	Pellow	Tompkins
Blatz	Haukoos	Long	Pelowski	Trimble
Bodahl	Hausman	Lourey	Peterson	Tunheim
Boo	Heir	Lynch	Pugh	Uphus
Brown	Henry	Macklin	Reding	Valento
Carlson	Hugoson	Mariani	Rest	Vellenga
Carruthers	Jacobs	McEachern	Rice	Wagenius
Clark	Janezich	McGuire	Rodosovich	Waltman
Cooper	Jaros	McPherson	Rukavina	Weaver
Dawkins	Jefferson	Morrison	Runbeck	Welker
Dempsey	Jennings	Munger	Sarna	Welle
Dille	Johnson, A.	Murphy	Schafer	Wenzel
Dorn	Johnson, R.	Nelson, S.	Scheid	Winter
Erhardt	Johnson, V.	Newinski	Schreiber	Spk. Vanasek
Farrell	Kahn	O'Connor	Seaberg	
Frederick	Kalis	Olsen, S.	Segal	

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Blatz moved that the name of Pugh be added as an author on H. F. No. 265. The motion prevailed.

Anderson, I., moved that the name of Rice be added as an author on H. F. No. 268. The motion prevailed.

Blatz moved that the name of Frerichs be added as an author on H. F. No. 286. The motion prevailed.

Simoneau moved that H. F. No. 208 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

Rodosovich, Vanasek, Knickerbocker, Long and Dempsey introduced:

House Concurrent Resolution No. 2, A house concurrent resolu-

tion relating to legislative redistricting; establishing standards for redistricting plans.

The concurrent resolution was referred to the Committee on Redistricting.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 18, 1991. 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., Monday, February 18, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

