

STATE OF MINNESOTA
SEVENTY-SEVENTH SESSION — 1991

TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 25, 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 Rabbi Marcia Zimmerman, Temple of Israel, Minneapolis, 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	Frederick	Knickerbocker	Olson, K.	Smith
Anderson, I.	Frerichs	Koppendrayner	Omann	Solberg
Anderson, R.	Garcia	Krinkie	Onnen	Sparby
Anderson, R. H.	Girard	Krueger	Orenstein	Stanias
Battaglia	Goodno	Lasley	Orfield	Steensma
Bauerly	Greenfield	Leppik	Osthoff	Sviggum
Beard	Gruenes	Lieder	Ostrom	Swenson
Begich	Gutknecht	Limmer	Ozment	Thompson
Bertram	Hanson	Long	Pauly	Tompkins
Bettermann	Hartle	Lourey	Pellow	Trimble
Bishop	Haukoos	Lynch	Pelowski	Tunheim
Blatz	Hausman	Macklin	Peterson	Uphus
Bodahl	Heir	Mariani	Pugh	Valento
Boo	Henry	Marsh	Reding	Vellenga
Brown	Hufnagle	McEachern	Rest	Wagenius
Carlson	Hugoson	McGuire	Rice	Waltman
Carruthers	Jacobs	McPherson	Rodosovich	Weaver
Clark	Janezich	Morrison	Rukavina	Wejcman
Cooper	Jefferson	Munger	Runbeck	Welker
Dauner	Jennings	Murphy	Sarna	Welle
Davids	Johnson, A.	Nelson, K.	Schafer	Wenzel
Dawkins	Johnson, R.	Nelson, S.	Scheid	Winter
Dempsey	Johnson, V.	Newinski	Schreiber	Spk. Vanasek
Dille	Kahn	O'Connor	Seaberg	
Dorn	Kalis	Ogren	Segal	
Erhardt	Kelso	Olsen, S.	Simoneau	
Farrell	Kinkel	Olson, E.	Skoglund	

A quorum was present.

Hasskamp, Jaros and Milbert were excused.

The Chief Clerk proceeded to read the Journal of the preceding

day. Carlson 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

S. F. No. 132 and H. F. No. 465, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Mariani moved that S. F. No. 132 be substituted for H. F. No. 465 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 68, A bill for an act relating to metropolitan government; extending the date for the international airport plan; amending Minnesota Statutes 1990, section 473.616, subdivision 1.

Reported the same back with the recommendation that 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. 100, A bill for an act relating to health; establishing the emergency medical services personnel account; establishing an incentive plan for ambulance service personnel; setting plan requirements; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 353E.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1990, section 171.06, is amended by adding a subdivision to read:

Subd. 2b. [FEES INCREASED.] The fees for classified drivers

license and classified under 21 drivers licenses in subdivision 2 are increased by \$2. This increase does not apply to duplicate drivers licenses. The additional fees must be paid into the state treasury and credited to the emergency medical services personnel account established in section 2."

Page 1, line 12, after "of" insert "all funds deposited in the"

Page 1, line 13, delete "appropriations" and insert "from the additional drivers license fee"

Page 2, line 33, delete "general fund appropriations" and insert "money from the additional drivers license fee imposed by section 1"

Pages 6 and 7, delete section 11

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 2, after the semicolon insert "imposing an additional fee on classified drivers licenses;"

Page 1, line 5, delete "appropriating money" and insert "amending Minnesota Statutes 1990, section 171.06, by adding a subdivision"

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

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 106, A bill for an act relating to towns; providing for money from town road account to be distributed to towns by March 1, annually; amending Minnesota Statutes 1990, section 162.081, subdivisions 3 and 4.

Reported the same back with the following amendments:

Page 2, line 23, delete "1991" and insert "1992"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 178, A bill for an act relating to occupations and professions; increasing minimum insurance coverage required for abstracters; abolishing requirement of seals by impression; repealing an obsolete provision; amending Minnesota Statutes 1990, sections 386.66 and 386.67; repealing Minnesota Statutes 1990, section 386.65, subdivision 3.

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

The report was adopted.

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

H. F. No. 224, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 5; permitting the payment of bonuses to veterans of the Iraq conflict.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [PERSIAN GULF CONFLICT BONUS.]

An amendment to the Minnesota Constitution, article XIII, section 8, is proposed to the people. If the amendment is adopted the section will read:

Sec. 8. The state may pay an adjusted compensation to persons who served in the armed forces of the United States during the period of the Vietnam conflict or the Persian Gulf conflict. Whenever authorized and in the amounts and on the terms fixed by law, the state may expend monies and pledge the public credit to provide money for the purposes of this section. The duration of the Vietnam ~~conflict~~ conflicts may be defined by law.

Sec. 2. [QUESTION.]

The proposed amendment shall be submitted at the 1992 general election. The question submitted shall be:

“Shall the Minnesota Constitution be amended to permit the payment of bonuses to veterans serving during the period of the Persian Gulf conflict?”

Yes
No”

Delete the title and insert:

“A bill for an act proposing an amendment to the Minnesota Constitution article XIII, section 8; permitting the payment of bonuses to Persian Gulf conflict veterans.”

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, line 19, after “establish” insert “or contract for establishment of”

Page 2, line 28, after “establish” insert “or contract for establishment of”

Page 3, line 5, after “reduction” insert “, reuse,”

Page 3, line 10, after “reduction” insert “, reuse,”

Page 3, line 25, after "establish" insert "or contract for establish-
ment of"

Page 4, delete lines 4 to 7

Page 4, line 8, delete everything before "The"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 3

Page 1, line 4, delete everything before "requiring"

Page 1, line 9, delete everything after the first comma and insert
"section"

Page 1, line 10, delete "subdivision;"

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

The report was adopted.

Anderson, I., from the Committee on Local Government and
Metropolitan Affairs to which was referred:

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.

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

The report was adopted.

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

H. F. No. 408, A bill for an act relating to animal health; providing
alternative methods for the disposal of certain animal carcasses;
amending Minnesota Statutes 1990, section 35.82, subdivisions 1b
and 2.

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

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 415, A bill for an act relating to commerce; regulating farm equipment dealerships; amending Minnesota Statutes 1990, sections 325E.061, subdivisions 2, 4, and 5; 325E.063; 325E.064; 325E.068, subdivisions 2, 4, and 5; 325E.0682; and 325E.0683.

Reported the same back with the following amendments:

Page 2, line 27, strike "or attempt to coerce"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 424, A bill for an act relating to interscholastic athletics; providing that persons who assault a sports official may be excluded from certain events; proposing coding for new law in Minnesota Statutes, chapter 128C.

Reported the same back with the following amendments:

Page 2, delete lines 13 to 27, and insert:

"Subd. 3. [PROCEDURE.] An individual may be excluded from any interscholastic athletic activity upon a finding, pursuant to subdivision 2, by the Minnesota state high school league or an authorized superintendent that the individual engaged in disruptive behavior by assaulting a sports official in connection with an activity. An individual alleged to have engaged in disruptive activity by assaulting a sports official shall be invited to an informal hearing on the matter by the Minnesota state high school league or authorized superintendent. Upon finding that an individual has engaged in such disruptive behavior the Minnesota state high school league or authorized superintendent shall notify the individual in writing and shall indicate any activity from which, and the period of time for which, the individual is excluded."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 466, A bill for an act relating to traffic regulations; defining "wrecker" to include new variations of tower vehicles; requiring the use of amber lights on wreckers after January 1, 1992; exempting wreckers from weight requirements under certain circumstances; amending Minnesota Statutes 1990, sections 169.01, subdivision 52; 169.64, subdivision 5; and 169.825, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 1990, section 169.58, subdivision 2, is amended to read:

Subd. 2. Upon obtaining a permit from the commissioner of public safety, any motor vehicles operated by an active member of a volunteer fire department authorized by or contracting with any city, town, or township in this state and upon obtaining a permit therefor from the commissioner of public safety, an emergency medical first responder, or an ambulance crew member may be equipped with a lamp emitting a red light to the front of such vehicle. The lens of such lamp shall be not more than three inches in diameter. Such lamp shall be lighted only when the member of the volunteer fire department, ambulance crew member, or emergency medical first responder is responding to an emergency call in connection with duties as a volunteer firefighter, ambulance crew member, or responder. The commissioner of public safety is hereby authorized to issue permits on applications of a member of a volunteer fire department properly certified to by the chief of said volunteer fire department, and it shall be the duty of the chiefs of all volunteer fire departments to notify on applications for emergency medical first responders or ambulance crew members. The commissioner of public safety must be notified immediately upon the termination of such membership in a volunteer fire department or when an ambulance or permitted emergency medical first responder ceases operations."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "allowing use of red lights on vehicles of certain emergency response personnel;"

Page 1, line 7, after the semicolon insert "169.58, subdivision 2;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 471, A resolution memorializing the International Special Olympics Committee in support of the 1991 International Special Olympics Games.

Reported the same back with the following amendments:

Page 2, line 13, after the first "the" insert "Governor and the"

Page 2, line 14, delete "it encourages" and insert "they encourage"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 515, A bill for an act relating to drivers' licenses; clarifying procedure for review of driver's license revocation or disqualification under implied consent law; defining farm truck for purposes of driver's license classifications; restricting exemption for drivers of certain federal vehicles from requirement to possess commercial driver's license; clarifying offenses for which driver may be disqualified from holding commercial driver's license; amending Minnesota Statutes 1990, sections 169.123, subdivision 5c; 171.01, by adding a subdivision; 171.02, subdivision 2; 171.03; and 171.165, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 169.01, subdivision 75, is amended to read:

Subd. 75. [COMMERCIAL MOTOR VEHICLE.] (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of ~~26,001 or~~ more than 26,000 pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined gross vehicle weight of more than 26,000 pounds;

(3) is a bus;

(4) is of any size and is used in the transportation of hazardous materials ~~defined in section 221.033,~~ except for those vehicles having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and liquid fertilizer; or

(5) is outwardly equipped and identified as a school bus, except for school buses defined in section 169.44, subdivision 15.

(b) For purposes of sections 169.1211, 169.1215, and 169.123, subdivisions 2 and 4, a commercial motor vehicle does not include a farm truck, firefighting equipment, or recreational equipment being operated by a person within the scope of section 171.02, subdivision 2, paragraph (a).

Sec. 2. Minnesota Statutes 1990, section 169.01, is amended by adding a subdivision to read:

Subd. 76. [HAZARDOUS MATERIALS.] "Hazardous materials" means those materials found to be hazardous for the purposes of the federal Hazardous Materials Transportation Act and that require the motor vehicle to be placarded under Code of Federal Regulations, title 49, part 172, subpart F.

Sec. 3. Minnesota Statutes 1990, section 169.121, subdivision 8, is amended to read:

Subd. 8. [ALCOHOL CHEMICAL USE ASSESSMENT.] When the evidentiary test shows an alcohol concentration of 0.07 or more, that result shall be reported to the commissioner of public safety. The commissioner shall record that fact on the driver's record. When the driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report,

the commissioner may require that the driver have ~~an alcohol problem~~ a chemical use assessment meeting the commissioner's requirements. The assessment shall be at the driver's expense. In no event shall the commissioner deny the license of a person who refuses to take the assessment or to undertake treatment, if treatment is indicated by the assessment, for longer than 90 days. If an assessment is made pursuant to this section, the commissioner may waive the assessment required by section 169.126.

Sec. 4. Minnesota Statutes 1990, section 169.123, subdivision 5c, is amended to read:

Subd. 5c. [PETITION FOR JUDICIAL REVIEW.] Within 30 days following receipt of a notice and order of revocation or disqualification pursuant to this section, a person may petition the court for review; ~~unless the person is entitled to review under section 171.166.~~ The petition shall be filed with the district court administrator in the county where the alleged offense occurred, together with proof of service of a copy on the commissioner of public safety, and accompanied by the standard filing fee for civil actions. No responsive pleading shall be required of the commissioner of public safety, and no court fees shall be charged for the appearance of the commissioner of public safety in the matter.

The petition shall be captioned in the full name of the person making the petition as petitioner and the commissioner of public safety as respondent. The petition must include the petitioner's date of birth, driver's license number, and date of the offense. The petition shall state with specificity the grounds upon which the petitioner seeks rescission of the order of revocation, disqualification, or denial and state the facts underlying each claim asserted.

The filing of the petition shall not stay the revocation, disqualification, or denial. The reviewing court may order a stay of the balance of the revocation or disqualification if the hearing has not been conducted within 60 days after filing of the petition upon terms the court deems proper. Judicial reviews shall be conducted according to the rules of civil procedure.

Sec. 5. Minnesota Statutes 1990, section 169.123, subdivision 8, is amended to read:

Subd. 8. [NOTICE OF ACTION TO OTHER STATES.] When ~~it has been finally determined that~~ a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the commissioner of public safety shall give information in writing of the action taken to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which the person has a license.

Sec. 6. Minnesota Statutes 1990, section 171.01, is amended by adding a subdivision to read:

Subd. 24. [FARM TRUCK.] For purposes of this chapter only, "farm truck" means a single-unit truck, including a pickup truck as defined in section 168.011; truck-tractor; tractor; semitrailer; or trailer, used by its owner:

(1) to transport from the farm to the market agricultural, horticultural, dairy, or other farm products, including livestock, produced or finished by the owner of the farm truck;

(2) to transport the owner's other personal property from the farm to market; or

(3) to transport property and supplies to the farm of the owner.

Sec. 7. Minnesota Statutes 1990, section 171.01, is amended by adding a subdivision to read:

Subd. 25. [HAZARDOUS MATERIALS.] "Hazardous materials" means those materials found to be hazardous for the purposes of the federal Hazardous Materials Transportation Act and that require the motor vehicle to be placarded under Code of Federal Regulations, title 49, part 172, subpart F.

Sec. 8. Minnesota Statutes 1990, section 171.02, subdivision 2, is amended to read:

Subd. 2. [DRIVER'S LICENSE CLASSIFICATIONS, ENDORSEMENTS, EXEMPTIONS.] Drivers' licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license. The commissioner may, as appropriate, subdivide the classes listed in this subdivision and issue licenses classified accordingly. No class of license shall be valid to operate a motorcycle, school bus, tank vehicle, double-trailer or triple-trailer combination, vehicle transporting hazardous materials, or bus, unless so endorsed. There shall be four general classes of licenses as follows:

(a) Class C; valid for:

(1) all farm trucks as defined in section 168.011, subdivision 17, operated by (i) the owner, (ii) an immediate family member of the owner, (iii) an employee of the owner not primarily employed to operate the farm truck, within 150 miles of the farm, or (iv) an employee of the owner employed during harvest to operate the farm truck for the first, continuous transportation of agricultural products from the production site or on-farm storage site to any other location within 50 miles of that site;

(2) fire trucks and emergency fire equipment, whether or not in excess of 26,000 pounds gross vehicle weight, operated by a fire-fighter while on duty, or a tiller operator employed by a fire department who drives the rear portion of a midmount aerial ladder truck;

(3) recreational equipment as defined in section 168.011, subdivision 25, that is operated for personal use; and

(4) all single unit vehicles except vehicles with a gross vehicle weight of ~~26,001 or more than~~ 26,000 pounds, vehicles designed to carry more than 15 passengers including the driver, and vehicles that carry hazardous materials.

The holder of a class C license may also tow vehicles ~~under 10,000 pounds~~ if the combination of vehicles has a gross vehicle weight of 26,000 pounds or less.

(b) Class CC; valid for:

(1) operating class C vehicles;

(2) with a hazardous materials endorsement, transporting hazardous materials in class C vehicles; and

(3) with a school bus endorsement, operating school buses designed to transport 15 or fewer passengers, including the driver.

(c) Class B; valid for all vehicles in class C, class CC, and all other single unit vehicles including, with a passenger endorsement, buses.

(d) Class A; valid for any vehicle or combination thereof.

Sec. 9. Minnesota Statutes 1990, section 171.02, is amended by adding a subdivision to read:

Subd. 2a. [EXCEPTION.] Notwithstanding subdivision 2, a hazardous materials endorsement is not required to operate a vehicle having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and liquid fertilizer.

Sec. 10. Minnesota Statutes 1990, section 171.03, is amended to read:

171.03 [PERSONS EXEMPT.]

The following persons are exempt from license hereunder:

(1) ~~any~~ a person in the employ or service of the United States federal government while driving or operating a motor vehicle owned by or leased to the United States federal government, except that only a noncivilian operator of a commercial motor vehicle owned or leased by the United States Department of Defense or the Minnesota national guard is exempt from the requirement to possess a valid commercial motor vehicle driver's license;

(2) any person while driving or operating any farm tractor, or implement of husbandry temporarily operated or moved on a highway, and for purposes of this section an all-terrain vehicle, as defined in section 84.92, subdivision 8, is not an implement of husbandry;

(3) a nonresident who is at least 15 years of age and who has in immediate possession a valid driver's license issued to the nonresident in the home state or country may operate a motor vehicle in this state only as a driver;

(4) a nonresident who has in immediate possession a valid commercial driver's license issued by a state in compliance with the Commercial Motor Vehicle Safety Act of 1986, United States Code, title 49, sections 521, 2304, and 2701 to 2716, and who is operating in Minnesota the class of commercial motor vehicle authorized by the issuing state;

(5) any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of drivers may operate a motor vehicle as a driver, only for a period of not more than 90 days in any calendar year if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of such nonresident;

(6) any person who becomes a resident of the state of Minnesota and who has in possession a valid driver's license issued to the person under and pursuant to the laws of some other state or province or by military authorities of the United States may operate a motor vehicle as a driver, only for a period of not more than 60 days after becoming a resident of this state without being required to have a Minnesota driver's license as provided in this chapter;

(7) any person who becomes a resident of the state of Minnesota and who has in possession a valid commercial driver's license issued by another state in compliance with the Commercial Motor Vehicle Safety Act of 1986, United States Code, title 49, sections 521, 2304, and 2701 to 2716, for not more than 30 days after becoming a resident of this state; and

(8) any person operating a snowmobile, as defined in section 84.81.

Sec. 11. Minnesota Statutes 1990, section 171.165, subdivision 3, is amended to read:

Subd. 3. [GRAVE OR MULTIPLE OFFENSES.] Subject to section 171.166, the commissioner shall disqualify a person from operating commercial motor vehicles for:

(1) not less than three years, for a conviction or revocation set forth in subdivision 1 or 2 committed during the transportation of hazardous materials;

(2) not less than ten years, if the person is convicted a second or subsequent time of an offense set forth in subdivision 1 or if ~~the person's license is revoked more than once under section 169.123 or 2,~~ a statute of another state or ordinance in conformity with it, or any combination of ~~them~~ those offenses; or

(3) life, if the person is convicted under chapter 152 of a felony involving the manufacture, sale, or distribution of a controlled substance, or involving the possession of a controlled substance with intent to manufacture, sell, or distribute it, and the person is found to have used a commercial motor vehicle in the commission of the felony.

Sec. 12. Minnesota Statutes 1990, section 171.29, subdivision 1, is amended to read:

Subdivision 1. No person whose ~~drivers~~ driver's license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 171.17 or 65B.67, or revoked under section 169.123 or 169.792 shall be issued another license unless and until that person shall have successfully passed an examination as required for an initial license.

Sec. 13. Minnesota Statutes 1990, section 171.30, subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE.] In any case where a person's license has been suspended under section 171.18 or revoked under section 65B.67, 169.121, 169.123, 169.792, or 171.17, the commissioner may issue a limited license to the driver including under the following conditions:

(1) if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of the driver's license;

(2) if the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker; or

(3) if attendance at a post-secondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

The commissioner in issuing a limited license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

For purposes of this subdivision, "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

If the person's driver's license or permit to drive, or nonresident operating privileges, have been revoked under section 65B.67 or 169.792, the commissioner may only issue a limited license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months."

Delete the title and insert:

"A bill for an act relating to drivers' licenses; making technical changes; clarifying procedure for review of driver's license revocation or disqualification under implied consent law; defining hazardous materials, commercial motor vehicle, and farm truck; allowing class C driver's license holder to tow when the gross weight of the vehicles is 26,000 pounds or less; restricting exemption for drivers of certain federal vehicles from requirement to possess commercial driver's

license; clarifying offenses for which driver may be disqualified from holding commercial driver's license; requiring person whose driver's license has been revoked to pass examination under certain circumstances; permitting qualified driver to obtain limited license following revocation for failure to have vehicle insurance; amending Minnesota Statutes 1990, sections 169.01, subdivision 75, and by adding a subdivision; 169.121, subdivision 8; 169.123, subdivisions 5c and 8; 171.01, by adding subdivisions; 171.02, subdivision 2, and by adding a subdivision; 171.03; 171.165, subdivision 3; 171.29, subdivision 1; and 171.30, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Transportation to which was referred:

H. F. No. 606, A bill for an act relating to transportation; authorizing state departments to cancel uncollectible debts up to \$200 in certain cases; allowing department of transportation to employ debt collection services; allowing department of transportation to make direct expenditures from state aid funds for administrative expenses; providing penalty for failure to pay fee for sign permit more than 30 days after fee is due; providing when estimates of certain construction projects are nonpublic data; providing for laying fiber optic cable or conduits along highways; directing the commissioner of transportation to adopt rules governing the location and break-away standards for mailbox installations; allowing white strobe lamps to be used on highway maintenance vehicles; authorizing exchange of lands with Grand Portage Band of Chippewa Indians; abolishing conflicting requirements related to market artery highways; providing a penalty; amending Minnesota Statutes 1990, sections 10.12; 13.72, subdivision 1; 161.20, subdivision 4; 161.45, subdivision 1; 161.46, subdivisions 1 and 2; 162.06, subdivision 2; 162.12, subdivision 2; 169.64, subdivision 7; and 173.13, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.833.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 10.12, is amended to read:

10.12 [UNCOLLECTIBLE DRAFTS CANCELED.]

Subdivision 1. [~~OVER \$100~~ \$200.] When any draft or account for a sum in excess of ~~\$100~~ \$200 due to the state is found to be uncollectible by any department, it shall report such fact to the executive council, and the executive council may cancel such draft or account upon the approval of the attorney general.

Subd. 2. [TO ~~\$100~~ \$200.] When any draft or account for a sum of not more than ~~\$100~~ \$200 due to the state is found to be uncollectible by an agency, the agency head may cancel the draft or account upon the approval of the attorney general. When drafts or accounts are canceled under this subdivision the head of the canceling agency shall send a certified list of them to the commissioner of finance, who shall enter the cancellations on the department of finance's records.

Subd. 3. [TO \$100.] When any draft or account for a sum of not more than \$100 due to the state is found to be uncollectible by an agency, the agency head or authorized representative may cancel the draft or account. When drafts or accounts are canceled under this subdivision the agency head shall send a certified list of them to the commissioner of finance, who shall enter the cancellations on the department of finance's records.

Sec. 2. Minnesota Statutes 1990, section 13.72, subdivision 1, is amended to read:

Subdivision 1. [ESTIMATES FOR CONSTRUCTION PROJECTS.] ~~Estimates~~ An estimate of the cost of a construction ~~projects~~ project of the Minnesota department of transportation prepared by department employees ~~are is~~ nonpublic data and ~~are is~~ not available to the public from the time of ~~final~~ preliminary design until the ~~bids are opened for the project is~~ awarded.

Sec. 3. Minnesota Statutes 1990, section 161.20, subdivision 4, is amended to read:

Subd. 4. [DEBT COLLECTION.] The commissioner shall make reasonable and businesslike efforts to collect money owed for licenses, fines, penalties, and permit fees or arising from damages to state-owned property or other causes related to the activities of the department of transportation. ~~When a debt has been reduced to a money judgment,~~ The commissioner may contract for debt collection services for the purpose of collecting ~~the a money judgment or legal indebtedness.~~ The commissioner may enter into an agreement with the commissioner of public safety to use debt collection services authorized by this subdivision when civil penalties relating to the use of highways have been reduced to money judgment. Money received as full or partial payment shall be deposited to the appropriate fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contrac-

tual collection costs is appropriated from the fund in which money so collected is deposited.

Sec. 4. Minnesota Statutes 1990, section 162.06, subdivision 2, is amended to read:

Subd. 2. ~~[REIMBURSEMENT OF ADMINISTRATIVE COSTS OF STATE DEPARTMENT OF TRANSPORTATION.]~~ From the total of such sums the commissioner shall deduct a sum equal to 1-1/2 percent of the total sum. The sum so deducted shall be set aside in a separate account and shall be used ~~to reimburse the trunk highway fund~~ for administrative costs incurred by the state transportation department in carrying out the provisions relating to the county state-aid highway system. On the 31st day of December of each year any money remaining in the account not needed ~~to reimburse the trunk highway fund as heretofore provided for administrative costs~~ shall be transferred to the county state-aid highway fund.

Sec. 5. Minnesota Statutes 1990, section 162.12, subdivision 2, is amended to read:

Subd. 2. ~~[ADMINISTRATIVE COSTS OF STATE TRANSPORTATION DEPARTMENT.]~~ From the total of such sums the commissioner, each year, shall deduct a sum of money equal to one and one-half percent of the total sums. The sum so deducted shall be set aside in a separate account and shall be used ~~to reimburse the trunk highway fund~~ for administration costs incurred by the state transportation department in carrying out the provisions relating to the municipal state-aid street system. On the 31st day of December of each year, any money remaining in the account not needed ~~to reimburse the trunk highway fund as heretofore provided for administrative costs~~ shall be transferred to the municipal state-aid street fund.

Sec. 6. [169.072] [UNAUTHORIZED MAILBOX INSTALLATIONS.]

Subdivision 1. [PUBLIC HAZARD.] A mailbox installation or support on a public highway that does not meet the breakaway and location standards contained in rules adopted under subdivision 2 is declared to be a public nuisance, a road hazard, and a danger to the health and safety of the traveling public.

Subd. 2. [STANDARDS; RULEMAKING.] The commissioner shall by January 1, 1993, adopt rules that provide for standards and permissible locations of mailbox installations and supports on a street or highway. The commissioner shall base the rules substantially on federal highway administration regulations or recommendations, or other national standards or recommendations regarding the location and construction of safe, breakaway mailbox installa-

tions or supports. In adopting the rules, the commissioner shall consider the safety of the traveling public relative to the convenience and expense of owners of nonconforming mailbox installations or supports. The commissioner may provide for alternative standards to allow variances from the rules.

Subd. 3. [REMOVAL, NOTICE.] (a) After adoption of the rules authorized under subdivision 2, the commissioner or a road authority as defined in section 160.02, subdivision 9, may remove and replace a mailbox installation or support that is (1) located on a street or highway under the jurisdiction of the commissioner or road authority, and (2) does not conform to the rules adopted under subdivision 2. The commissioner or road authority may remove and replace a nonconforming mailbox installation or support not less than 60 days after giving notice, by personal notice or certified mail to the owner or the resident at the address served by the mailbox, of its intent to remove and replace the installation or support. The commissioner or road authority may charge the owner or resident not more than \$75 for the cost of the removal and replacement.

(b) The notice must at a minimum:

(1) inform the owner of the nonconforming installation or support;

(2) inform the owner or resident of the applicable law and rules, including the rules that contain the standards for mailbox installations and supports on public streets and highways;

(3) inform the owner or resident that the owner or resident must remove the installation or support or bring it into compliance with the rules within 60 days of the date of the notice;

(4) inform the owner or resident of the applicable laws and rules and the standards for mailbox installations and supports on public streets and highways, and provide plans or diagrams of examples of conforming installations or supports;

(5) inform the owner or resident that if the nonconforming installation or support is not removed or replaced within 60 days of the date of the notice, the commissioner or road authority may remove and replace the installation or support at a cost of up to \$75 to the owner or resident; and

(6) inform the owner or resident that where the replacement is made in conjunction with certain federally aided highway construction projects the replacement may be made at partial or no cost to the owner or resident.

Sec. 7. Minnesota Statutes 1990, section 169.64, is amended by adding a subdivision to read:

Subd. 6a. [WHITE STROBE LAMPS ON MAINTENANCE VEHICLES.] Notwithstanding any law to the contrary, a road maintenance vehicle owned or under contract to the commissioner or a road authority as defined in section 160.02, subdivision 9, may be equipped with a 360-degree flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes per minute. The strobe lamp must be a double flash type certified to the commissioner of public safety as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blendel-Ray formula. The strobe lamp may be operated on the road maintenance vehicle only when the vehicle is actually engaged in snow removal during daylight hours.

Sec. 8. Minnesota Statutes 1990, section 173.13, subdivision 7, is amended to read:

Subd. 7. A penalty equal to one-half the annual fee shall be charged upon failure to pay the annual permit fee for renewal on or before August July 1 of each year.

Sec. 9. [LAND EXCHANGE WITH CHIPPEWA INDIANS.]

Subdivision 1. [AUTHORITY; CONSIDERATION.] Notwithstanding contrary provisions of Minnesota Statutes, sections 94.341 to 94.349, 161.20, 161.23, and 161.44, or other law, and subject to approval of the land exchange board, the commissioner of the department of transportation shall convey a part of State Pit 174, as described in subdivision 3, to the United States of America, on behalf of and as trustee for the Grand Portage Band of Chippewa Indians and with the concurrence of the Grand Portage Reservation Business Committee, for a consideration of lands and interests in real property described in subdivision 4. Upon executing the necessary deeds, grants, resolutions, or other forms required by Minnesota Statutes, sections 161.20, subdivision 2, and 161.44, subdivision 1, and Code of Federal Regulations, title 25, parts 151, 152, and 169, the parties shall exchange lands and interests in lands, described in subdivisions 3 and 4, without additional monetary consideration and in recognition of the substantially equal values of the parcels being exchanged.

Subd. 2. [FORM.] The conveyance authorized by this section must be in a form approved by the attorney general, after the attorney general has determined, in the manner provided for in Minnesota Statutes, section 94.343, subdivision 9, that the title to the land proposed to be conveyed to the state is good and marketable.

Subd. 3. [LAND TO BE CONVEYED.] In exchange and for consideration of lands and interests in real property described in subdivision 4, the commissioner of transportation shall convey that part of tract A of State Pit 174, S.P. 1604 (61=1-47-3), in Cook county, described as follows:

That part of Tract A described below:

Tract A. Government Lot 8 of Section 6, Township 62 North, Range 5 East, Cook County, Minnesota;

which lies southerly of a line run parallel with and distant 200 feet southeasterly of Line 1 described below:

Line 1. Beginning at a point on the east line of said Section 6, distant 150.9 feet north of the east quarter corner thereof; thence run southwesterly at an angle of 72 degrees 08 minutes 00 seconds from said east section line (measured from south to west) for 25.7 feet; thence deflect to the left on a 00 degree 30 minute 00 second curve (delta angle 06 degrees 48 minutes 00 seconds) for 1360 feet; thence on tangent to said curve for 200 feet and there terminating;

containing 19.16 acres, more or less.

Subd. 4. [LAND AND INTERESTS TO BE ACQUIRED.] The commissioner of transportation shall convey the land described in subdivision 3 in exchange for land and property interests in certain tracts in parcel 301, S.P. 1604 (61-1-47-4), in Cook county, described as follows:

All of Tracts A and B described below:

Tract A. That part of Government Lots 2 and 3 of Section 4, Township 63 North, Range 6 East, Cook County, Minnesota, which lies northerly of the northwesterly right-of-way line of Trunk Highway No. 61 as now located and established and easterly of a line run parallel with and distant 650 feet westerly of the east line of said Government Lot 3; excepting therefrom that part contained within the following described tract: Beginning at the northwest corner of said Government Lot 2; thence east 363 feet; thence south 360 feet; thence west 363 feet; thence north 360 feet to the point of beginning;

Tract B. The southerly 450 feet of the Southwest Quarter of the Southeast Quarter and the southerly 450 feet of the easterly 650 feet of the Southeast Quarter of the Southwest Quarter, both in Section 33, Township 64 North, Range 6 East, Cook County, Minnesota; excepting therefrom the right-of-way of Trunk Highway No. 61 as now located and established;

containing 22.09 acres, more or less;

together with a grant of Right-of-Way for sewer and water purposes in perpetuity over that part of Tract C described below:

Tract C. The North Half of the Southwest Quarter of the Northeast

Quarter and that part of Government Lot 2, lying southerly of the southerly right of way line of Trunk Highway No. 61 as now located and established, both in Section 4, Township 63 North, Range 6 East, Cook County, Minnesota;

which lies within a distance of 50 feet southwesterly and westerly and 60 feet northeasterly and easterly of Line 1 described below:

Line 1. Beginning at a point on the north line of said Section 4, distant 335 feet east of the north quarter corner thereof; thence run southeasterly at an angle of 52 degrees 40 minutes 00 seconds from said north section line (measured from east to south) for 660 feet; thence run southerly along a line which intersects the south line of said Government Lot 2 at a point thereon, distant 680 feet east of the southwest corner thereof, for 1240 feet and there terminating;

together with that part of Tract C hereinbefore described, adjoining and northeasterly of the last above described strip, which lies westerly of a line run parallel with and distant 60 feet easterly of the following described line: Beginning at a point on Line 1 described above, distant 1140 feet north of its point of termination; thence run north on said Line 1 for 100 feet; thence continue north on the last described course for 400 feet and there terminating;

containing 4.26 acres, more or less.

Subd. 5. [LEGISLATIVE FINDINGS AND DECLARATION.] The legislature finds that the department of transportation has constructed a tourist information center under permit adjacent to trunk highway marked No. 61 at Grand Portage, Minnesota (Grand Portage Bay rest area) and requires certain lands within the reservation of the Grand Portage Band of Chippewa Indians, now owned by the United States in trust for the Grand Portage Band, for a rest area site together with a sewer and water easement in perpetuity; that the United States presently owns land in trust for the Grand Portage Band on both sides of that part of State Pit 174 lying southeasterly of trunk highway marked No. 61 and wishes to obtain ownership of that part of State Pit 174, now owned by the state, for the benefit of the Grand Portage Band; and, that a land exchange would be mutually beneficial. The legislature declares that the exchange authorized by this section is in the public interest and for a public purpose.

Sec. 10. [TRUNK HIGHWAY SYSTEM; NEW ROUTE SUBSTITUTED FOR EXISTING ROUTE.]

Subdivision 1. [ADDITIONAL ROUTE.] There is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 297. Beginning at a point on Route No. 392 northwest of Fergus Falls; thence extending in a general southeasterly direction to a point at or near the intersection of West Fir Avenue and North Oak Street in the city of Fergus Falls; thence in a general northwesterly direction into and through the grounds of the Fergus Falls Regional Treatment Center; thence in a general southeasterly direction to a point at or near the intersection of West Fir Avenue and North Union Avenue in the city of Fergus Falls.

Subd. 2. [SUBSTITUTION; AGREEMENT REQUIRED.] The route established in subdivision 1 is substituted for Route 297 as contained and described in Minnesota Statutes, section 161.115. Route No. 297 as contained and described in that section is discontinued and removed from the trunk highway system when an agreement to transfer jurisdiction of a portion of the old route has been signed by the commissioner of transportation, the county of Otter Tail, and the city of Fergus Falls and filed in the office of the commissioner.

Subd. 3. [REVISOR INSTRUCTION.] The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system according to subdivision 2.

Sec. 11. [TRUNK HIGHWAY SYSTEM; ROUTE NO. 336 ADDED.]

Subdivision 1. [ADDITIONAL ROUTE.] On execution of the agreement required by subdivision 2, there is added to the trunk highway system a new route in Minnesota Statutes, section 161.115, described as follows:

Route No. 336. Beginning at a point on Route No. 2 at or near Dilworth; thence extending in a general southerly direction following generally the location of present County State-Aid Highway No. 11 to a point on Route No. 392.

Subd. 2. [AGREEMENT REQUIRED.] Legislative Route No. 336 is added to the trunk highway system only when an agreement to transfer jurisdiction has been approved by the commissioner of transportation and the Clay county board and a copy of the agreement, signed by the commissioner and the chair of the Clay county board, has been filed in the office of the commissioner.

Subd. 3. [REVISOR INSTRUCTION.] Following execution of the agreement required in subdivision 2, the revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes, shall add the route identified in subdivision 1.

Sec. 12. [REPEALER.]

Minnesota Statutes 1990, section 169.833, is repealed.

Sec. 13. [EFFECTIVE DATE.]

Sections 10 and 11 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; authorizing state departments to cancel uncollectible debts up to \$200 in certain cases; allowing department of transportation to employ debt collection services; allowing department of transportation to make direct expenditures from state aid funds for administrative expenses; providing penalty for failure to pay fee for sign permit more than 30 days after fee is due; providing when estimates of certain construction projects are nonpublic data; directing the commissioner of transportation to adopt rules governing the location and breakaway standards for mailbox installations; allowing white strobe lamps to be used on highway maintenance vehicles; authorizing exchange of lands with Grand Portage Band of Chippewa Indians; abolishing conflicting requirements related to market artery highways; adding a route and changing the description of a route in the state highway system; providing a penalty; amending Minnesota Statutes 1990, sections 10.12; 13.72, subdivision 1; 161.20, subdivision 4; 162.06, subdivision 2; 162.12, subdivision 2; 169.64, by adding a subdivision; and 173.13, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, section 169.833."

With the recommendation that when so amended the bill pass.

The report was adopted.

Rodosovich from the Committee on Redistricting to which was referred:

H. F. No. 635, A bill for an act relating to elections; setting certain redistricting goals and deadlines; authorizing certain actions by voters; amending Minnesota Statutes 1990, sections 204B.135; 204B.14, subdivision 3, and by adding a subdivision; and 375.025, subdivision 2.

Reported the same back with the following amendments:

Page 2, lines 12 to 14, delete “and no later than 18 weeks before the state primary election in the year ending in two”

Page 2, lines 17 to 19, delete “and no later than 14 weeks before the state primary election in the year ending in two”

Page 3, lines 27 to 29, delete “and no later than 14 weeks before the state primary election in the year ending in two”

With the recommendation that when so amended the bill pass and be re-referred to the Committee on General Legislation, Veterans Affairs and Gaming.

The report was adopted.

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

H. F. No. 637, A bill for an act relating to the environment; clarifying and correcting provisions relating to the legislative commission on Minnesota resources and the Minnesota environmental and natural resources trust fund; amending Minnesota Statutes 1990, sections 116P.05; 116P.06; 116P.07; 116P.08, subdivisions 3 and 4; 116P.09, subdivisions 2, 4, 5, and 7; repealing Minnesota Statutes 1990, section 116P.04, subdivision 5.

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. 660, A bill for an act relating to public safety; requiring commissioner of public safety to implement a state hazardous materials incident response plan; creating the hazardous materials incident response account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reported the same back with the following amendments:

Page 3, line 25, after the third comma insert “emergency medical services personnel,”

With the recommendation that when so amended the bill pass and

be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Sarna from the Committee on Commerce to which was referred:

H. F. No. 674, A bill for an act relating to commerce; regulating irrevocable funeral trusts; excluding certain trusts from the asset limitation requirements for medical assistance; amending Minnesota Statutes 1990, sections 149.11; and 256B.056, subdivision 3.

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

The report was adopted.

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

H. F. No. 694, A bill for an act relating to the environment; establishing an environmental enforcement account; establishing a field citation pilot project for unauthorized disposal of solid waste; authorizing background investigations of environmental permit applicants; expanding current authority to impose administrative penalties for air and water pollution and solid waste management violations; imposing criminal penalties for knowing violations of standards related to hazardous air pollutants and toxic pollutants in water; providing that certain property is subject to forfeiture in connection with convictions for water pollution and air pollution violations; imposing criminal penalties for unauthorized disposal of solid waste; authorizing prosecution of environmental crimes by the attorney general; providing for environmental restitution as part of a sentence; increasing criminal penalties for false statements on documents related to permits and record keeping; requiring reports; amending Minnesota Statutes 1990, sections 18D.331, subdivision 4; 115.071, by adding a subdivision; 115.072; 115C.05; 116.07, subdivision 4d; 116.072, subdivisions 1, 2, and 6; 609.531, subdivision 1; and 609.671; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
CIVIL ENFORCEMENT

Section 1. [CITATION.]

Articles 1 and 2 may be cited as the "environmental enforcement act of 1991."

Sec. 2. Minnesota Statutes 1990, section 115.071, is amended by adding a subdivision to read:

Subd. 6. [ADMINISTRATIVE PENALTIES.] A provision of law that may be enforced under this section may also be enforced under section 116.072.

Sec. 3. Minnesota Statutes 1990, section 115.072, is amended to read:

115.072 [RECOVERY OF LITIGATION COSTS AND EXPENSES.]

In any action brought by the attorney general, in the name of the state, pursuant to the provisions of this chapter and chapter 116, for civil penalties, injunctive relief, or in an action to compel compliance, if the state shall finally prevail, and if the proven violation was willful, the state, in addition to other penalties provided in this chapter, may be allowed an amount determined by the court to be the reasonable value of all or a part of the litigation expenses incurred by the state. In determining the amount of such litigation expenses to be allowed, the court shall give consideration to the economic circumstances of the defendant.

All Amounts recovered under the provisions of this section and section 115.071, subdivisions 3 to 5, shall be paid into the environmental enforcement account in the environmental fund in the state treasury to the extent provided in section 4. Any amounts remaining must be deposited in the general fund.

Sec. 4. [115.073] [ENFORCEMENT FUNDING.]

Subdivision 1. [ENVIRONMENTAL ENFORCEMENT ACCOUNT.] An environmental enforcement account is created in the environmental fund in the state treasury.

Subd. 2. [REVENUE SOURCES.] Revenue from the following sources must be deposited in the state treasury and credited to the environmental enforcement account:

(1) except as provided in sections 115B.20, subdivision 4, clause (2); 115C.05; and 473.845, subdivision 8, all money recovered by the state under this chapter and chapters 115A and 116, including civil penalties and money paid under an agreement, stipulation, or settlement, excluding money paid for past due fees or taxes, up to a maximum of \$.... per year; and

(2) all interest attributable to investment of money deposited in the account.

Subd. 3. [PURPOSES FOR WHICH MONEY MAY BE SPENT.] Subject to appropriation by the legislature, the money in the account may be spent only for the following purposes:

(1) paying the costs of sampling, laboratory testing, and monitoring necessary to support enforcement actions;

(2) establishing or improving data management systems necessary to monitor compliance with the requirements of this chapter or chapter 115A or 116;

(3) training of enforcement personnel including legal, technical, and investigative staff of the state and of local units of government;

(4) paying the costs of equipment and other expenses necessary to investigate violations of this chapter and chapters 115A and 116;

(5) providing information to regulated entities and to the public on the requirements of this chapter and chapters 115A and 116;

(6) paying the costs of studies required under sections 16 and 17; and

(7) paying the costs of hearings related to enforcement actions.

Sec. 5. [115.074] [FIELD CITATION PILOT PROJECT.]

Subdivision 1. [AUTHORITY TO ISSUE.] Agency personnel designated by the commissioner and department of natural resources conservation officers may issue citations to a person who disposes of solid waste as defined in section 116.06, subdivision 10, at a location on publicly owned land not authorized by law for the disposal of solid waste.

Subd. 2. [PENALTY AMOUNT.] The citation must impose the following penalty amounts:

(1) \$250 per major appliance, as defined in section 115A.03, subdivision 17a, up to a maximum of \$2,000;

(2) \$25 per waste tire, as defined in section 115A.90, subdivision 11, up to a maximum of \$2,000;

(3) \$25 per lead acid battery governed by section 115A.915 up to a maximum of \$2,000;

(4) \$1 per pound of other solid waste or \$20 per cubic foot up to a maximum of \$2,000; and

(5) up to \$200 for any amount of waste that escapes from a vehicle used for the transportation of solid waste.

Subd. 3. [APPEALS.] Citations may be appealed under the procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying the commissioner within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. [ENFORCEMENT OF FIELD CITATIONS.] Field citations may be enforced under section 116.072, subdivisions 9 and 10.

Subd. 5. [CUMULATIVE REMEDY.] The authority of the agency and of conservation officers to issue field citations is in addition to other remedies available under statutory or common law, except that the state may not seek penalties under any other provision of law for the incident subject to a field citation.

Sec. 6. [115.075] [INFORMATION AND MONITORING.]

A person may not:

(1) make a material false statement, representation, or certification in; omit material information from; or alter, conceal, or fail to file or maintain a notice, application, record, report, plan, manifest, or other document required under section 103F.701 or this chapter or chapter 115A or 116; or

(2) falsify, tamper with, render inaccurate, or fail to install a monitoring device or method required to be maintained or followed for the purpose of compliance with sections 103F.701 to 103F.761 or this chapter or chapter 115A or 116.

Sec. 7. [115.076] [BACKGROUND OF PERMIT APPLICANTS.]

Subdivision 1. [AUTHORITY OF COMMISSIONER.] The agency may refuse to issue or to authorize the transfer of a permit to construct or operate a commercial waste facility as defined in section 115A.03, subdivision 6, if the agency determines that the permit applicant does not possess sufficient expertise and compe-

tence to operate the facility in conformance with the requirements of chapters 115 and 116, or if other circumstances exist that demonstrate that the permit applicant may not operate the facility in conformance with the requirements of chapters 115 and 116. In making this determination, the agency may consider:

(1) the experience of the permit applicant in constructing and operating commercial waste facilities;

(2) the expertise of the permit applicant;

(3) the past record of the permit applicant in operating commercial waste facilities in Minnesota and other states;

(4) any felony convictions in state or federal court during the past five years that bear on the likelihood that the permit applicant will operate the facility in conformance with the requirements of chapters 115 and 116; and

(5) in the case of a corporation or business entity, any felony convictions in state or federal court during the past five years of any of its officers, partners, or facility managers that bear on the likelihood that the facility will be operated in conformance with the requirements of chapters 115 and 116.

Subd. 2. [INVESTIGATION.] The commissioner may conduct an investigation to assist in making determinations under subdivision 1. The reasonable costs of any investigation must be paid by the permit applicant.

Subd. 3. [NOTICE OF PERMIT DENIAL.] The agency may not refuse to issue or transfer a permit under this section without first providing the permit applicant with the relevant information and with an opportunity to respond by commenting on the information or submitting additional information. The agency shall consider the permit applicant's response prior to making a final decision on the permit.

Subd. 4. [HEARING.] If the agency proposes to deny a permit under this section, the permit applicant may request a hearing under chapter 14. The permit applicant may request that the hearing be held under Minnesota Rules, parts 1400.8510 to 1400.8612.

Sec. 8. Minnesota Statutes 1990, section 115C.05, is amended to read:

115C.05 [CIVIL PENALTY.]

The agency may enforce section 115C.03 using the actions and

remedies authorized under ~~section~~ sections 115.071, subdivision 3, and 116.072. The civil penalties recovered by the state must be credited to the fund.

Sec. 9. Minnesota Statutes 1990, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. [PERMIT FEES.] The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. The agency shall adopt rules under section 16A.128 establishing the amounts and methods of collection of any permit fees collected under this subdivision. The fee schedule must include a base fee covering routine permitting, implementation, and enforcement costs and an additional enforcement fee to be collected for a period of two years from permittees against whom final enforcement actions have been concluded by the agency, in which the agency has prevailed. Any money collected under this subdivision shall be deposited in the special revenue account.

Sec. 10. Minnesota Statutes 1990, section 116.072, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO ISSUE PENALTY ORDERS.] The commissioner may issue an order requiring violations to be corrected and administratively assessing monetary penalties for ~~hazardous waste violations under sections 115.061 and 116.07, and Minnesota Rules, chapter 7045 of this chapter and chapters 115, 115A, and 115D; section 115B.17, subdivision 3; and any rules, standards, orders, stipulation agreements, schedules of compliance, or permits promulgated or issued under those chapters or that section.~~ The order must be issued as provided in this section.

Sec. 11. Minnesota Statutes 1990, section 116.072, subdivision 2, is amended to read:

Subd. 2. [AMOUNT OF PENALTY; CONSIDERATIONS.] (a) The commissioner may issue an order assessing a penalty up to \$10,000 for all violations identified during an inspection or other compliance review.

(b) In determining the amount of a penalty the commissioner may consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;

- (3) the history of past violations;
- (4) the number of violations;
- (5) the economic benefit gained by the person by allowing or committing the violation; and
- (6) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.

(c) For a violation after an initial violation, the commissioner shall, in determining the amount of a penalty, consider the factors in paragraph (b) and the:

- (1) similarity of the most recent previous violation and the violation to be penalized;
- (2) time elapsed since the last violation;
- (3) number of previous violations; and
- (4) response of the person to the most recent previous violation identified.

Sec. 12. Minnesota Statutes 1990, section 116.072, subdivision 6, is amended to read:

Subd. 6. [EXPEDITED ADMINISTRATIVE HEARING.] (a) Within 30 days after receiving an order or within 20 days after receiving notice that the commissioner has determined that a violation has not been corrected or appropriate steps have not been taken, the person subject to an order under this section may request an expedited hearing, utilizing the procedures of Minnesota Rules, parts 1400.8510 to 1400.8612, to review the commissioner's action. The hearing request must specifically state the reasons for seeking review of the order. The person to whom the order is directed and the ~~director~~ commissioner are the parties to the expedited hearing. The commissioner must notify the person to whom the order is directed of the time and place of the hearing at least 20 days before the hearing. The expedited hearing must be held within 30 days after a request for hearing has been filed with the commissioner unless the parties agree to a later date.

(b) All written arguments must be submitted within ten days following the close of the hearing. The hearing shall be conducted under the ~~conference contested case rules of the office of administrative hearings~~ Minnesota Rules, parts 1400.8510 to 1400.8612, as modified by this subdivision. ~~The office of administrative hearings~~

may, in consultation with the agency, adopt rules specifically applicable to cases under this section.

(c) The administrative law judge shall issue a report making recommendations about the commissioner's action to the commissioner within 30 days following the close of the record. The administrative law judge may not recommend a change in the amount of the proposed penalty unless the administrative law judge determines that, based on the factors in subdivision 2, the amount of the penalty is unreasonable.

(d) If the administrative law judge makes a finding that the hearing was requested solely for purposes of delay or that the hearing request was frivolous, the commissioner may add to the amount of the penalty the costs charged to the agency by the office of administrative hearings for the hearing.

(e) If a hearing has been held, the commissioner may not issue a final order until at least five days after receipt of the report of the administrative law judge. The person to whom an order is issued may, within those five days, comment to the commissioner on the recommendations and the commissioner will consider the comments. The final order may be appealed in the manner provided in sections 14.63 to 14.69.

(f) If a hearing has been held and a final order issued by the commissioner, the penalty shall be paid by 30 days after the date the final order is received unless review of the final order is requested under sections 14.63 to 14.69. If review is not requested or the order is reviewed and upheld, the amount due is the penalty, together with interest accruing from 31 days after the original order was received at the rate established in section 549.09.

Sec. 13. Minnesota Statutes 1990, section 116.072, subdivision 10, is amended to read:

Subd. 10. [REVOCATION AND SUSPENSION OF PERMIT.] If a person fails to pay a penalty owed under this section, the agency has grounds to revoke or refuse to reissue or renew a ~~hazardous waste~~ permit issued by the agency.

Sec. 14. Minnesota Statutes 1990, section 116.072, subdivision 11, is amended to read:

Subd. 11. [CUMULATIVE REMEDY.] The authority of the agency to issue a corrective order assessing penalties is in addition to other remedies available under statutory or common law, except that the state may not seek penalties under any other provision of law for the violations covered by the administrative penalty order. The payment of a penalty does not preclude the use of other enforcement

provisions in connection with the violation for which the penalty was assessed.

Sec. 15. [PLAN FOR USE OF ADMINISTRATIVE PENALTY ORDERS.]

The commissioner shall prepare a plan for using the administrative penalty authority. The commissioner must provide a 30-day period for public comment on the plan. The plan must be submitted to the agency for approval by October 1, 1991.

Sec. 16. [STUDY OF FIELD CITATION PILOT PROGRAM.]

The pollution control agency, in consultation with the department of natural resources and the attorney general, shall prepare a study on the effectiveness and limitations of the field citation pilot program. The study must make recommendations about the continued use of field citations. The study must be submitted to the legislative commission on waste management by November 15, 1992.

Sec. 17. [STUDY OF THE ROLE OF LOCAL GOVERNMENTAL UNITS IN ENVIRONMENTAL PROGRAMS.]

The pollution control agency and the attorney general shall conduct a study of the role that local governmental units should play in enforcing the requirements of state environmental programs within the jurisdiction of the pollution control agency. The study must involve representatives of local governmental units, environmental organizations, and businesses. Public meetings must be held in at least four locations in the state prior to the completion of the study. The study must identify which environmental programs, or parts of programs, could be enforced by local government units; criteria for approving local enforcement programs; resources needed to support local enforcement programs; sources of funding to ensure adequate resources are available; the ability of local governmental units to enforce the laws; and the training and testing needs of local governmental units to support enforcement. If the study concludes that additional elements of the state's environmental programs should be enforced by local governmental units, the study report must include a recommended strategy for involving local governmental units in the enforcement of program elements. The strategy must consider methods of maintaining consistent enforcement throughout the state of environmental program elements that may be enforced by local governmental units. The study must be submitted to the committees on environment and natural resources of the legislature by October 1, 1992.

Sec. 18. [REPORT TO THE LEGISLATURE.]

The pollution control agency and the attorney general shall monitor the use of the new enforcement authority provided in the 1991 legislative session and the use of the environmental enforcement account, and report the results to the committees on environment and natural resources of the legislature by November 15, 1992. The report must also contain recommendations on establishing a permanent system for reporting progress in achieving compliance with environmental laws to the legislature and to the public.

Sec. 19. [INSTRUCTION TO REVISOR.]

In Minnesota Statutes 1992 and subsequent editions, the revisor of statutes shall, in each of the following sections, before "115.071" delete "section" and insert "sections" and after "115.071" insert "and 116.072":

18D.325, subdivision 2;

115A.906, subdivision 2;

115A.915;

115A.916;

115A.9561;

116.07, subdivision 4i;

116.83, subdivision 2; and

473.845, subdivision 8.

Sec. 20. [COMPLEMENT.]

The complement of the office of the attorney general is increased by three positions.

ARTICLE 2

CRIMINAL ENFORCEMENT

Section 1. Minnesota Statutes 1990, section 18D.331, subdivision 4, is amended to read:

Subd. 4. [DISPOSAL THAT BECOMES HAZARDOUS WASTE.]
A person who knowingly, ~~or with reason to know,~~ disposes of an

agricultural chemical so that the product becomes hazardous waste is subject to the penalties in section ~~115.071~~ 609.671, subdivision 4.

Sec. 2. [116.90] [CITIZEN REPORTS OF ENVIRONMENTAL VIOLATIONS.]

The agency shall maintain and publicize a toll-free number to enable citizens to report information about potential environmental violations. The agency, in consultation with the attorney general, may establish a program to pay awards to persons who provide information that leads to the conviction for an environmental crime.

Sec. 3. Minnesota Statutes 1990, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5317, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a weapon used in the furtherance of a crime and defined as a dangerous weapon under section 609.02, subdivision 6.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the Minnesota state patrol, a county sheriff's department, the suburban Hennepin regional park district park rangers, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter;

(2) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to

(e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.671, subdivisions 3, 4, and 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 237.73; 617.246; or a gross misdemeanor or felony violation of section 609.891.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 4. Minnesota Statutes 1990, section 609.671, is amended to read:

609.671 [ENVIRONMENT; CRIMINAL PENALTIES.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Agency" means the pollution control agency.

(b) "Deliver" or "delivery" means the transfer of possession of hazardous waste, with or without consideration.

(c) "Dispose" or "disposal" has the meaning given it in section 115A.03, subdivision 9.

(d) "Hazardous air pollutant" means an air pollutant listed under United States Code, title 42, section 7412(b).

(e) "Hazardous waste" means any waste identified as hazardous under the authority of section 116.07, subdivision 4, except for those wastes exempted under Minnesota Rules, part 7045.0120, wastes generated under Minnesota Rules, part 7045.0213 or 7045.0304, and household appliances.

(f) "Permit" means a permit issued by the pollution control agency ~~or interim status for a treatment, storage, or disposal facility under chapter 115 or 116 or the rules promulgated under those chapters including interim status for hazardous waste that qualifies under the agency rules facilities.~~

(g) "Solid waste" has the meaning given in section 116.06, subdivision 10.

(h) "Toxic pollutant" means a toxic pollutant on the list established under United States Code, title 33, section 1317.

Subd. 2. [PROOF OF KNOWING STATE OF MIND DEFINITION OF KNOWING.] (a) Knowledge possessed by a person other than the defendant but not by the defendant may not be attributed

to the defendant. In proving a defendant's actual knowledge, circumstantial evidence may be used, including evidence that the defendant took affirmative steps to shield the defendant from relevant information.

(b) Proof of a defendant's reason to know may not consist solely of the fact that the defendant held a certain job or position of management responsibility. If evidence of the defendant's job or position is offered, it must be corroborated by evidence of defendant's reason to know. Corroborating evidence must include evidence that the defendant had information regarding the offense for which the defendant is charged, that the information pertained to hazardous waste management practices directly under the defendant's control or within the defendant's supervisory responsibilities, and that the information would cause a reasonable and prudent person in the defendant's position to learn the actual facts. For purposes of this section, the terms "knowing" or "knowingly" have the meanings given them under United States Code, title 42, section 6928.

Subd. 3. [HAZARDOUS WASTE; KNOWING ENDANGERMENT.] (a) A person is guilty of a felony if the person:

(1) knowingly, or with reason to know, transports, treats, stores, or disposes of hazardous waste in violation of commits an act described in subdivision 4 or, 5, 8, paragraph (a), or 12; and

(2) at the time of the violation knowingly places, or has reason to know that the person's conduct places, another person in imminent danger of death, great bodily harm, or substantial bodily harm.

(b) A person convicted under this subdivision may be sentenced to imprisonment for not more than ten years, or to pay payment of a fine of not more than \$100,000, or both, except that a defendant that is an organization may be sentenced to pay payment of a fine of not more than \$1,000,000.

Subd. 4. [HAZARDOUS WASTE; UNLAWFUL DISPOSAL OR ABANDONMENT.] A person who knowingly, or with reason to know, disposes of or abandons hazardous waste or arranges for the disposal of hazardous waste at a location other than one authorized by the pollution control agency or the United States Environmental Protection Agency, or in violation of any material term or condition of a hazardous waste facility permit, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to pay payment of a fine of not more than \$50,000, or both.

Subd. 5. [HAZARDOUS WASTE; UNLAWFUL TREATMENT, STORAGE, TRANSPORTATION, OR DELIVERY; FALSE STATEMENTS.] (a) A person is guilty of a felony who knowingly, or with reason to know, does any of the following:

(1) delivers hazardous waste to any person other than a person who is authorized to receive the waste under rules adopted under section 116.07, subdivision 4, or under United States Code, title 42, sections ~~9601 6921~~ to ~~9675 6938~~;

(2) treats or stores hazardous waste without a permit if a permit is required, or in violation of a material term or condition of a permit held by the person, unless:

(i) the person notifies the agency prior to the time a permit would be required that the person will be treating or storing waste without a permit; or

(ii) for a violation of a material term or condition of a permit, the person immediately notifies the agency issuing the permit of the circumstances of the violation as soon as the person becomes aware of the violation;

(3) transports hazardous waste to any location other than a facility that is authorized to receive, treat, store, or dispose of the hazardous waste under rules adopted under section 116.07, subdivision 4, or under United States Code, title 42, sections ~~9601 6921~~ to ~~9675 6938~~;

(4) transports hazardous waste without a manifest as required by the rules under sections 116.07, subdivision 4, and 221.172; or

(5) transports hazardous waste without a license required for the transportation of hazardous waste by chapter 221;

~~(6) makes a false material statement or representation, or a material omission, in an application for a permit or license required by chapter 116 or 221 to treat, transport, store, or dispose of hazardous waste; or~~

~~(7) makes a false material statement or representation, or a material omission, in or on a label, manifest, record, report, or other document filed, maintained, or used for the purpose of compliance with chapter 116 or 221 in connection with the generation, transportation, disposal, treatment, or storage of hazardous waste.~~

(b) A person convicted under this subdivision may be sentenced to imprisonment for not more than three years, or to ~~pay~~ payment of a fine of not more than \$25,000, or both. A person convicted for a second or subsequent offense may be sentenced to imprisonment for not more than five years, or to ~~pay~~ payment of a fine of not more than \$50,000, or both.

Subd. 6. [NEGLIGENT VIOLATION AS GROSS MISDEMEANOR.] A person who commits any of the acts set forth in subdivision 4 ~~or~~, 5, or 12 as a result of the person's gross negligence

is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year, or to pay payment of a fine of not more than \$15,000, or both.

Subd. 7. [AGGREGATION PROSECUTION.] When two or more offenses in violation of subdivision 4 this section are committed by the same person in two or more counties within a two-year period, ~~the offenses may be aggregated and~~ the accused may be prosecuted in any county in which one of the offenses was committed.

Subd. 8. [WATER POLLUTION.] (a) A person is guilty of a felony who knowingly:

(1) causes the violation of an effluent standard or limitation for a toxic pollutant in a national pollutant discharge elimination system permit or state disposal system permit;

(2) introduces into a sewer system or into a publicly owned treatment works a hazardous substance that the person knew or reasonably should have known could cause personal injury or property damage; or

(3) except in compliance with all applicable federal, state, and local requirements and permits, introduces into a sewer system or into a publicly owned treatment works a hazardous substance that causes the treatment works to violate an effluent limitation or condition of the treatment works national pollutant discharge elimination system permit.

(b) For purposes of paragraph (a), "hazardous substance" means a substance on the list established under United States Code, title 33, section 1321(b).

(c) A person convicted under paragraph (a) may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$50,000 per day of violation, or both.

(d) A person is guilty of a gross misdemeanor who ~~willfully commits any of the following acts~~ knowingly:

(1) violates any effluent standard or limitation, or any water quality standard ~~adopted~~ promulgated by the agency;

(2) violates any material term or condition of a national pollutant discharge elimination system permit or ~~any term or condition of the state disposal system permit;~~

(3) fails to ~~permit or~~ carry out any recording, reporting, monitoring, sampling, or information entry, ~~access, copying, or other inspection or investigation~~ gathering requirement provided for under

chapter 115 or; ~~with respect to pollution of the waters of the state, chapter 116; or~~

(4) ~~fails to comply with any file a discharge monitoring report or other document required by a national pollutant discharge elimination system filing requirement or state disposal system permit.~~

~~(b) (c)~~ A person convicted under ~~this subdivision paragraph (d)~~ may be sentenced to imprisonment for not more than one year, or to ~~pay~~ payment of a fine of not less than \$2,500 and not more than ~~\$40,000~~ ~~\$25,000~~ per day of violation, or both. A person convicted for a second or subsequent offense may be sentenced to imprisonment for not more than two years, or to ~~pay~~ payment of a fine of not more than \$50,000 per day of violation, or both.

Subd. 9. ~~[INFORMATION AND MONITORING FALSE STATEMENTS; TAMPERING.]~~ (a) ~~Except as provided in subdivision 5, paragraph (a), clauses (6) and (7),~~ A person is guilty of a gross misdemeanor felony who knowingly:

(1) makes any ~~material~~ materially false statement, representation, or certification in ~~any; omits material information from; or alters, conceals, or fails to file or maintain a notice, application, record, report, plan, manifest, permit, license, or other document filed, maintained, or used for the purpose of compliance with required under sections 103F701 to 103F761; or; chapter 115, 115A, or; with respect to pollution of the waters of the state, chapter 116; or the hazardous waste transportation requirements of chapter 221;~~ or

(2) falsifies, tampers with, ~~or renders inaccurate, or fails to install any monitoring device or method required to be maintained or used followed for the purpose of compliance with sections 103F701 to 103F761; or chapter 115, 115A, or; with respect to pollution of the waters of the state, chapter 116.~~

(b) A person convicted under this subdivision may be sentenced to imprisonment for not more than ~~six months~~ two years, or to ~~pay~~ payment of a fine of not more than \$20,000 per day of violation ~~\$10,000~~, or both.

Subd. 10. ~~[FAILURE TO REPORT A RELEASE OF A HAZARDOUS SUBSTANCE OR AN EXTREMELY HAZARDOUS SUBSTANCE.]~~ (a) A person is, upon conviction, subject to a fine of up to \$25,000 or imprisonment for up to two years, or both, who:

(1) is required to report the release of a hazardous substance under United States Code, title 42, section 9603, or the release of an extremely hazardous substance under United States Code, title 42, section 11004;

(2) knows ~~or has reason to know~~ that a hazardous substance or an extremely hazardous substance has been released; and

(3) fails to provide immediate notification of the release of a reportable quantity of a hazardous substance or an extremely hazardous substance to the state emergency response center, or a firefighting or law enforcement organization.

(b) For a second or subsequent conviction under this subdivision, the violator is subject to a fine of up to \$50,000 or imprisonment for not more than five years, or both.

(c) For purposes of this subdivision, a "hazardous substance" means a substance on the list established under United States Code, title 42, section 9602.

(d) For purposes of this subdivision, an "extremely hazardous substance" means a substance on the list established under United States Code, title 42, section 11002.

(e) For purposes of this subdivision, a "reportable quantity" means a quantity that must be reported under United States Code, title 42, section 9602 or 11002.

Subd. 11. [INFECTIOUS WASTE.] A person who knowingly, ~~or with reason to know~~, disposes of or arranges for the disposal of infectious waste as defined in section 116.76 at a location or in a manner that is prohibited by section 116.78 is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year, or to payment of a fine of not more than \$10,000, or both. A person convicted a second or subsequent time under this subdivision is guilty of a felony and may be sentenced to imprisonment for not more than two years, or to payment of a fine of not more than \$25,000, or both.

Subd. 12. [AIR POLLUTION.] (a) A person is guilty of a felony who knowingly:

(1) causes a violation of a national emission standard for a hazardous air pollutant adopted under United States Code, title 42, section 7412; or

(2) causes a violation of an emission standard, limitation, or operational limitation established in a permit issued by the pollution control agency.

(b) A person convicted under this subdivision may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$50,000 per day of violation, or both.

Subd. 13. [SOLID WASTE DISPOSAL.] (a) A person who knowingly commits any of the following acts in exchange for or in expectation of money or other consideration is guilty of a gross misdemeanor:

- (1) disposes of solid waste at an unauthorized location;
- (2) transports solid waste to an unauthorized location; or
- (3) arranges for the disposal of solid waste at an unauthorized location.

(b) A person convicted under this subdivision may be sentenced to imprisonment for not more than one year, or to payment of a fine of not more than \$15,000, or both.

Subd. 14. [PROSECUTION.] A county attorney or the attorney general may prosecute under this section. When a county attorney begins an investigation under this section, the county attorney shall notify the attorney general. When the attorney general begins an investigation under this section, the attorney general shall notify the county attorney of each county in which a substantial part of the investigation is likely to be conducted.

Sec. 5. [EFFECTIVE DATE.]

Sections 1, 3, and 4 are effective August 1, 1991, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to the environment; establishing an environmental enforcement account; establishing a field citation pilot project for unauthorized disposal of solid waste; authorizing background investigations of environmental permit applicants; expanding current authority to impose administrative penalties for air and water pollution and solid waste management violations; imposing criminal penalties for knowing violations of standards related to hazardous air pollutants and toxic pollutants in water; providing that certain property is subject to forfeiture in connection with convictions for water pollution and air pollution violations; imposing criminal penalties for unauthorized disposal of solid waste; authorizing prosecution of environmental crimes by the attorney general; providing for environmental restitution as part of a sentence; increasing criminal penalties for false statements on documents related to permits and record keeping; requiring reports; amending Minnesota Statutes 1990, sections 18D.331, subdivision 4; 115.071, by adding a subdivision; 115.072; 115C.05; 116.07, subdivision 4d; 116.072, subdivisions 1, 2, 6, 10, and 11; 609.531,

subdivision 1; and 609.671; proposing coding for new law in Minnesota Statutes, chapters 115 and 116.”

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

The report was adopted.

Skoglund from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 697, A bill for an act relating to credit unions; providing that credit unions may be designated as depositories of state funds; providing for the election of a supervisory committee; clarifying investment authority of board of directors; amending Minnesota Statutes 1990, sections 9.031, subdivision 1; 52.08; and 52.09, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

“Sec. 2. Minnesota Statutes 1990, section 52.04, subdivision 1, is amended to read:

Subdivision 1. A credit union has the following powers:

(1) to offer its members and other credit unions various classes of shares, share certificates, deposits, or deposit certificates;

(2) to receive the savings of its members either as payment on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other thrift organizations within its membership. Trust funds received by a real estate broker or the broker's salespersons in trust may be deposited in a credit union;

(3) to make loans to members for provident or productive purposes as provided in section 52.16;

(4) to make loans to a cooperative society or other organization having membership in the credit union;

(5) to deposit in state and national banks and trust companies authorized to receive deposits;

(6) to invest in any investment legal for savings banks or for trust funds in the state and, notwithstanding clause (3), to invest in and

make loans of unsecured funds (federal funds or similar unsecured loans) to financial institutions insured by an agency of the federal government and a member of the Federal Reserve System or required to maintain reserves at the Federal Reserve;

(7) to borrow money as hereinafter indicated;

(8) to adopt and use a common seal and alter the same at pleasure;

(9) to make payments on shares of and deposit with any other credit union chartered by this or any other state or operating under the provisions of the federal Credit Union Act, in amounts not exceeding in the aggregate 25 percent of its unimpaired assets. However, payments on shares of and deposit with credit unions chartered by other states are restricted to credit unions insured by the National Credit Union Administration. The restrictions imposed by this clause do not apply to share accounts and deposit accounts of the Minnesota corporate credit union in United States central credit union or to share accounts and deposit accounts of credit unions in the Minnesota corporate credit union;

(10) to contract with any licensed insurance company or society to insure the lives of members to the extent of their share accounts, in whole or in part, and to pay all or a portion of the premium therefor;

(11) to indemnify each director, officer, or committee member, or former director, officer, or committee member against all expenses, including attorney's fees but excluding amounts paid pursuant to a judgment or settlement agreement, reasonably incurred in connection with or arising out of any action, suit, or proceeding to which that person is a party by reason of being or having been a director, officer, or committee member of the credit union, except with respect to matters as to which that person is finally adjudged in the action, suit, or proceeding to be liable for negligence or misconduct in the performance of duties. The indemnification is not exclusive of any other rights to which that person may be entitled under any bylaw, agreement, vote of members, or otherwise;

(12) upon written authorization from a member, retained at the credit union, to make payments to third parties by withdrawals from the member's share or deposit accounts or through proceeds of loans made to such member, or by permitting the credit union to make those payments from the member's funds prior to deposit; to permit draft withdrawals from member accounts, but a credit union proposing to permit draft withdrawals shall notify the commissioner of commerce, in the form prescribed, of its intent not less than 90 days prior to authorizing draft withdrawals. The board of directors of a credit union may restrict one class of shares to the extent that it may not be redeemed, withdrawn, or transferred except upon termination of membership in the credit union;

(13) to inform its members as to the availability of various group purchasing plans which are related to the promotion of thrift or the borrowing of money for provident and productive purposes by means of informational materials placed in the credit union's office, through its publications, or by direct mailings to members by the credit union;

(14) to facilitate its members' voluntary purchase of types of insurance incidental to promotion of thrift or the borrowing of money for provident and productive purposes including, but not limited to the following types of group or individual insurance: Fire, theft, automobile, life and temporary disability; to be the policy holder of a group insurance plan or a subgroup under a master policy plan and to disseminate information to its members concerning the insurance provided thereunder; to remit premiums to an insurer or the holder of a master policy on behalf of a credit union member, if the credit union obtains written authorization from the member for remittance by share or deposit withdrawals or through proceeds of loans made by the members, or by permitting the credit union to make the payments from the member's funds prior to deposit; and to accept from the insurer reimbursement for expenses incurred or in the case of credit life and accident and health insurance within the meaning of chapter 62B commissions for the handling of the insurance. The amount reimbursed or the commissions received may constitute the general income of the credit union. The directors, officers, committee members and employees of a credit union shall not profit on any insurance sale facilitated through the credit unions;

(15) to contract with another credit union to furnish services which either could otherwise perform. Contracted services under this clause are subject to regulation and examination by the commissioner of commerce like other services;

(16) in furtherance of the twofold purpose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, and not in limitation of the specific powers hereinbefore conferred, to have all the powers enumerated, authorized, and permitted by this chapter, and such other rights, privileges and powers incidental to, or necessary for, the accomplishment of the objectives and purposes of the credit union;

(17) to rent safe deposit boxes to its members if the credit union obtains adequate insurance or bonding coverage for losses which might result from the rental of safe deposit boxes;

(18) notwithstanding the provisions of section 52.05, to accept deposits of public funds in an amount secured by insurance or other means pursuant to chapter 118 or section 9.031;

(19) to accept and maintain treasury tax and loan accounts of the United States and to pledge collateral to secure the treasury tax or loan accounts, in accordance with the regulations of the Department of Treasury of the United States;

(20) to accept deposits pursuant to section 149.12, notwithstanding the provisions of section 52.05, if the deposits represent funding of prepaid funeral plans of members;

(21) to sell, in whole or in part, real estate secured loans provided that:

(a) the loan is secured by a first lien;

(b) the board of directors approves the sale;

(c) if the sale is partial, the agreement to sell a partial interest shall, at a minimum:

(i) identify the loan or loans covered by the agreement;

(ii) provide for the collection, processing, remittance of payments of principal and interest, taxes and insurance premiums and other charges or escrows, if any;

(iii) define the responsibilities of each party in the event the loan becomes subject to collection, loss or foreclosure;

(iv) provide that in the event of loss, each owner shall share in the loss in proportion to its interest in the loan or loans;

(v) provide for the distribution of payments of principal to each owner proportionate to its interest in the loan or loans;

(vi) provide for loan status reports;

(vii) state the terms and conditions under which the agreement may be terminated or modified; and

(d) the sale is without recourse or repurchase unless the agreement:

(i) requires repurchase of a loan because of any breach of warranty or misrepresentation;

(ii) allows the seller to repurchase at its discretion; or

(iii) allows substitution of one loan for another;

(22) in addition to the sale of loans secured by a first lien on real estate, to sell, pledge, discount, or otherwise dispose of, in whole or in part, to any source, a loan or group of loans, other than a self-replenishing line of credit; provided, that within a calendar year beginning January 1 the total dollar value of loans sold, other than loans secured by real estate or insured by a state or federal agency, shall not exceed 25 percent of the dollar amount of all loans and participating interests in loans held by the credit union at the beginning of the calendar year, unless otherwise authorized in writing by the commissioner;

(23) to designate the par value of the shares of the credit union by board resolution;

(24) to exercise by resolution the powers set forth in United States Code, title 12, section 1757, as amended through August 1, 1985. Before exercising each power, the board must submit a plan to the commissioner of commerce detailing implementation of the power to be used;

(25) to offer self-directed individual retirement accounts and Keogh accounts and act as custodian and trustee of these accounts if:

(1) all contributions of funds are initially made to a deposit, share or share certificate account in the credit union;

(2) any subsequent transfer of funds to other assets is solely at the direction of the member and the credit union exercises no investment discretion and provides no investment advice with respect to plan assets; and

(3) the member is clearly notified of the fact that National Credit Union Share Insurance Fund coverage is limited to funds held in deposit, share or share certificate accounts of National Credit Union Share Insurance Fund-insured credit unions."

Page 2, line 1, after the period insert "The credit union must have a supervisory committee."

Page 2, line 5, delete everything after the period

Page 2, line 6, delete "director."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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. 705, A bill for an act relating to drivers' licenses; increasing fees for reinstatement of licenses after an alcohol-related revocation; amending Minnesota Statutes 1990, section 171.29, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 16, delete everything after "of" and insert "\$300"

Page 1, lines 17 and 18, delete the new language

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

The report was adopted.

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

H. F. No. 783, A bill for an act relating to health; modifying requirements for drilling, sealing, and construction of wells, borings, and elevator shafts; amending Minnesota Statutes 1990, sections 103I.005, subdivisions 2, 22, and by adding a subdivision; 103I.101, subdivisions 2, 4, 5, and 6; 103I.205, subdivisions 3, 4, 7, 8, and 9; 103I.208, subdivision 2; 103I.231; 103I.235; 103I.301, subdivision 1; 103I.311, subdivision 3; 103I.525, subdivisions 1, 4, 8, and 9; 103I.531, subdivisions 8 and 9; 103I.535, subdivisions 8 and 9; 103I.541, subdivisions 4 and 5; 103I.545, subdivision 2; 103I.621, subdivision 3; 103I.701, subdivisions 1 and 4; 103I.705, subdivisions 2, 3, 4, and 5; and 103I.711, subdivision 1; repealing Minnesota Statutes 1990, section 103I.005, subdivision 18.

Reported the same back with the following amendments:

Page 1, line 22, delete the third comma and insert "and"

Page 1, line 23, delete ", and test holes"

Page 4, after line 16, insert:

"Sec. 8. Minnesota Statutes 1990, section 103I.111, subdivision 2a, is amended to read:

Subd. 2a. [FEES.] A board of health under a delegation agreement with the commissioner may charge permit and notification fees, including a fee for well sealing, in excess of the fees specified in section 103I.208 if the fees do not exceed the total direct and indirect costs to administer the delegated duties.

Sec. 9. Minnesota Statutes 1990, section 103I.111, subdivision 2b, is amended to read:

Subd. 2b. [ORDINANCE AUTHORITY.] A political subdivision may adopt ordinances to enforce and administer powers and duties delegated under this section. The ordinances may not ~~conflict~~ be inconsistent with or be less restrictive than standards in state law or rule. Ordinances adopted by the governing body of a statutory or home rule charter city or town may not conflict be inconsistent with or be less restrictive than ordinances adopted by the county board. The commissioner shall review ordinances proposed under a delegation agreement. The commissioner shall approve ordinances if the commissioner determines the ordinances are not inconsistent with and not less restrictive than the provisions of this chapter.

Sec. 10. Minnesota Statutes 1990, section 103I.111, is amended by adding a subdivision to read:

Subd. 2c. [PERMITS.] A board of health under a delegation agreement with the commissioner may require permits in lieu of the notifications required under sections 103I.205 and 103I.301.

Sec. 11. Minnesota Statutes 1990, section 103I.111, subdivision 3, is amended to read:

Subd. 3. [PREEMPTION UNLESS DELEGATION.] Notwithstanding any other law, a political subdivision may not regulate the ~~permitting~~, construction, repair, or sealing of wells or elevator shafts unless the commissioner delegates authority under subdivisions 1 and 2.

Sec. 12. Minnesota Statutes 1990, section 103I.205, subdivision 1, is amended to read:

Subdivision 1. [NOTIFICATION REQUIRED.] (a) Except as provided in paragraphs (d) and (e), a person may not construct a well until a notification of the proposed well on a form prescribed by the commissioner is filed with the commissioner ~~with the filing fee in section 103I.208.~~ If after filing the well notification an attempt to

construct a well is unsuccessful, a new notification is not required unless the information relating to the successful well has substantially changed.

(b) The property owner, the property owner's agent, or the well contractor where a well is to be located must file the well notification with the commissioner.

(c) The well notification under this subdivision preempts local permits and notifications, and counties or home rule charter or statutory cities may not require a permit or notification for wells unless the commissioner has delegated the permitting or notification authority under section 103I.111.

(d) A person who is an individual that constructs a drive point well on property owned or leased by the individual for farming or agricultural purposes or as the individual's place of abode must notify the commissioner of the installation and location of the well. The person must complete the notification form prescribed by the commissioner and mail it to the commissioner by ten days after the well is completed. A fee may not be charged for the notification. A person who sells drive point wells at retail must provide buyers with notification forms and informational materials including requirements regarding wells, their location, construction, and disclosure. The commissioner must provide the notification forms and informational materials to the sellers.

(e) A person may not construct a monitoring well or dewatering well until a permit for the ~~monitoring well~~ is issued by the commissioner for the construction. If after obtaining a permit an attempt to construct a well is unsuccessful, a new permit is not required as long as the initial permit is modified to indicate the location of the successful well."

Page 6, line 32, delete "in" and insert "by"

Page 7, line 27, after the comma insert "in addition to the notification fee for wells,"

Page 7, line 28, strike everything after the comma

Page 7, line 29, delete the new language and strike "fee for wells,"

Page 11, lines 11 and 12, delete "correct" and insert "known"

Page 11, line 32, before the period insert "consistent with provisions of this chapter"

Page 11, after line 32, insert:

“Sec. 22. Minnesota Statutes 1990, section 103I.301, is amended by adding a subdivision to read:

Subd. 6. [NOTIFICATION REQUIRED.] A person may not seal a well until a notification of the proposed sealing on a form prescribed by the commissioner is filed with the commissioner.”

Page 11, line 36, strike “real”

Page 12, line 1, strike “property or”

Page 12, line 33, after “under” insert “provisions of”

Page 13, line 2, delete “in” and insert “by”

Page 13, line 31, reinstate the stricken language and before “all” insert “and”

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 68, 106, 178, 415, 424, 466, 471, 515, 606, 674 and 697 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 132 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Stanisus, Sarna, Newinski, Swenson and Smith introduced:

H. F. No. 1063, A bill for an act relating to game and fish; establishing a sportfishing zone in Lake Superior; prohibiting certain gill nets; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

Wenzel, Omann and Bertram introduced:

H. F. No. 1064, A bill for an act relating to claims; requiring compensation for land alleged to be tax-forfeited and transferred to the state; appropriating money.

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

Dawkins introduced:

H. F. No. 1065, A bill for an act relating to energy; requiring public utilities commission to establish categories for efficient and inefficient applications and end uses of electric power; requiring reports of these uses by electric utilities; amending Minnesota Statutes 1990, section 216B.241, by adding a subdivision.

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

Greenfield, Sviggum, Rodosovich, Lourey and Rest introduced:

H. F. No. 1066, A bill for an act relating to health; modifying the definition of and requirements related to review organizations; amending Minnesota Statutes 1990, sections 145.61, subdivisions 4a, 5, and by adding a subdivision; 145.63, subdivision 1; and 145.64.

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

Hugoson, Ogren, Rest, Girard and Sviggum introduced:

H. F. No. 1067, A bill for an act relating to taxation; updating references to the *Internal Revenue Code*; amending Minnesota Statutes 1990, sections 290.01, subdivisions 19, 19a, and 19d; 290.067, subdivision 1; and 290.92, subdivision 1.

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

Sparby introduced:

H. F. No. 1068, A bill for an act relating to education; allowing the Argyle school district to transfer money from the debt redemption fund to the capital expenditure fund to comply with fire safety inspection orders and make other improvements.

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

Dawkins introduced:

H. F. No. 1069, A bill for an act relating to energy use; establishing the Minnesota energy efficiency assistance program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Steensma; Winter; Sparby; Johnson, V., and Wenzel introduced:

H. F. No. 1070, A bill for an act relating to agricultural finance; changing certain provisions of the rural finance authority's beginning farmer program; amending Minnesota Statutes 1990, sections 41B.03, subdivision 3; 41B.036; and 41B.039, subdivision 2.

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

Rukavina; Munger; Hausman; Johnson, R., and Begich introduced:

H. F. No. 1071, A bill for an act relating to conservation; defining old growth forest stand; adding old growth forest stands to those that may be placed in the conservation reserve program; amending

Minnesota Statutes 1990, sections 103F.511, by adding a subdivision; and 103F.515, subdivision 2.

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

Dawkins introduced:

H. F. No. 1072, A bill for an act relating to energy; removing requirement for foundation insulation; providing for energy audits of rental property; providing less favorable tax treatment of rental property that is in substantial noncompliance with energy code standards; providing a credit for energy conservation expenditures on rental property; requiring landlords to disclose certain energy information to prospective tenants; amending Minnesota Statutes 1990, sections 216C.27, subdivision 3; 216C.31; 273.1316, subdivisions 2, 5, and 8; 290.06, by adding a subdivision; and 504.22, by adding a subdivision.

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

Lourey, Scheid and Sviggum introduced:

H. F. No. 1073, A bill for an act relating to ethics; requiring lobbyists to report campaign contributions; requiring more specific reporting of money spent on lobbying by principals; requiring elected officials to report certain gifts; reducing the limits on contributions to candidates for constitutional office; eliminating public subsidies to unopposed candidates; amending Minnesota Statutes 1990, sections 10A.04, subdivisions 4 and 6; 10A.09, subdivision 5; and 10A.27, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Scheid, Schreiber, Jacobs, Skoglund and Milbert introduced:

H. F. No. 1074, A bill for an act relating to taxation; real property; providing for the classification of vacant land; amending Minnesota Statutes 1990, section 273.13, by adding a subdivision.

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

Scheid and Schreiber introduced:

H. F. No. 1075, A bill for an act relating to taxation; real property; eliminating the three-year plat restriction on valuing real property; amending Minnesota Statutes 1990, sections 273.11, subdivision 1; and 273.12.

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

Schreiber and Scheid introduced:

H. F. No. 1076, A bill for an act relating to taxation; property; eliminating the commercial-industrial restriction of one parcel per county receiving preferred treatment except for certain state assessed properties; amending Minnesota Statutes 1990, section 273.13, subdivision 24.

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

Orenstein introduced:

H. F. No. 1077, A bill for an act relating to taxation; providing that resident's employment in a sheltered workshop does not disqualify residence of disabled tenant from homestead treatment; amending Minnesota Statutes 1990, sections 268A.01, subdivision 6; and 273.124, subdivision 15.

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

Pugh, Wejcman, Solberg, Bishop and Kahn introduced:

H. F. No. 1078, A bill for an act relating to civil legal services; making legislative findings; appropriating money to provide matching funds for qualified legal services; amending Minnesota Statutes 1990, section 480.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 480.

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

Olson, K.; Murphy; Cooper; Greenfield and Welle introduced:

H. F. No. 1079, A bill for an act relating to public employees; excluding the salaries of doctors of osteopathy from certain limita-

tions; amending Minnesota Statutes 1990, section 43A.17, subdivision 9.

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

Nelson, K.; Carlson; McEachern; Jaros and Morrison introduced:

H. F. No. 1080, A bill for an act relating to education; requiring the higher education coordinating board to make certain recommendations to the legislature.

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

Pauly, McGuire, Lourey, Hausman and Blatz introduced:

H. F. No. 1081, A bill for an act relating to natural resources; modifying the uses of state parks working capital account funds; amending Minnesota Statutes 1990, section 85.22, subdivisions 1 and 2a.

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

Pauly; Murphy; Johnson, A.; Garcia and Lynch introduced:

H. F. No. 1082, A bill for an act relating to natural resources; modifying certain provisions regarding special receipts of the department of natural resources; amending Minnesota Statutes 1990, section 84.0855.

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

Winter; Anderson, I., and Begich introduced:

H. F. No. 1083, A bill for an act relating to taxation; mortgage registry tax; providing for mortgage registration tax on reverse mortgages; amending Minnesota Statutes 1990, sections 47.58, subdivision 6; and 287.05.

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

Stanisus; Heir; Anderson, R. H.; Krinkie and Davids introduced:

H. F. No. 1084, A bill for an act relating to taxation; income; granting extensions to file income tax returns; allowing a subtraction for military pay; amending Minnesota Statutes 1990, sections 289A.39, subdivision 1; and 290.01, subdivision 19b.

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

Seaberg, Pugh and Morrison introduced:

H. F. No. 1085, A bill for an act relating to highways; directing the commissioner of transportation to construct a direct physical connection between interstate highway No. 35E and Ayd Mill Road in St. Paul.

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

Ogren; Anderson, I.; Long; Rest and Olson, E., introduced:

H. F. No. 1086, A bill for an act relating to taxation; property; modifying the newspaper publication requirements for truth-in-taxation; amending Minnesota Statutes 1990, section 275.065, subdivision 5a.

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

Brown introduced:

H. F. No. 1087, A bill for an act relating to horse racing; providing for the definition of horseperson; amending Minnesota Statutes 1990, section 240.01, by adding a subdivision.

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

Segal, Hausman, Cooper, Winter and Anderson, R. H., introduced:

H. F. No. 1088, A bill for an act relating to economic development; establishing the regional seed capital program; amending Minnesota Statutes 1990, sections 290.06, by adding a subdivision; and 469.101, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116O.

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

Segal introduced:

H. F. No. 1089, A bill for an act relating to human services; authorizing new intermediate care facilities to serve persons with Prader-Willi syndrome; appropriating money.

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

Segal, Kalis, Beard, Garcia and Lourey introduced:

H. F. No. 1090, A bill for an act relating to motor vehicles; authorizing special license plates for Persian Gulf war veterans; amending Minnesota Statutes 1990, section 168.123, subdivision 2.

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

Clark, Long, Leppik and Vanasek introduced:

H. F. No. 1091, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual orientation; amending Minnesota Statutes 1990, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Dawkins, Jaros, Wejcman and Vellenga introduced:

H. F. No. 1092, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual orientation; amending Minnesota Statutes 1990, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Orfield, Mariani, Orenstein and Jefferson introduced:

H. F. No. 1093, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual orientation; amending Minnesota Statutes 1990, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Welle, Vanasek, Simoneau, Stanius and Murphy introduced:

H. F. No. 1094, A bill for an act relating to human services; establishing an investment per bed limit for nursing homes; establishing an equipment allowance for nursing homes; establishing a capital replacement per diem for nursing homes; authorizing the recognition of debt from sales or refinancing occurring after May 22, 1983; amending Minnesota Statutes 1990, section 256B.431, subdivision 3f, and by adding a subdivision.

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

Stanius, Greenfield, Welle, Runbeck and Krinkie introduced:

H. F. No. 1095, A bill for an act relating to human services licensing; requiring the commissioner to consolidate the rules governing adult and child foster care; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Stanius, Greenfield, Pellow, Newinski and McPherson introduced:

H. F. No. 1096, A resolution memorializing Congress to increase funding for the Women, Infants, and Children (WIC) Program.

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

Stanius, Greenfield, Welle, Marsh and McPherson introduced:

H. F. No. 1097, A bill for an act relating to general assistance; authorizing recipients who reside in negotiated rate facilities to save

earnings in escrow; amending Minnesota Statutes 1990, section 256D.06, subdivision 1b.

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

Lourey, Scheid, Sviggum and Osthoff introduced:

H. F. No. 1098, A bill for an act relating to government ethics; creating a code of ethical conduct for local officials and public officials and employees; providing for enforcement of the code of conduct by the ethical practices board; providing that an advisory opinion of the ethical practices board is a defense in a criminal proceeding and is binding on the board in enforcement proceedings; amending Minnesota Statutes 1990, section 10A.02, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Segal, Vellenga, Greenfield and Macklin introduced:

H. F. No. 1099, A bill for an act relating to civil actions; increasing penalties for retaliation by employers under the child abuse and vulnerable adults reporting acts; amending Minnesota Statutes 1990, sections 626.556, subdivision 4a; and 626.557, subdivision 17.

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

Bauerly, McEachern, Scheid, Lasley and Weaver introduced:

H. F. No. 1100, A bill for an act relating to education; equalizing a portion of the debt levy; equalizing a portion of the referendum levy; limiting referendum levy amounts; increasing training and experience revenue; providing an equalized training and experience aid and levy; amending Minnesota Statutes 1990, sections 124A.04; 124A.22, subdivisions 4, 8, 9, and by adding subdivisions; 275.125, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 124 and 124A; repealing Minnesota Statutes 1990, section 124A.03.

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

Carruthers introduced:

H. F. No. 1101, A bill for an act relating to controlled substances; providing for driver's license revocation for persons convicted of or adjudicated for felony-level controlled substance offenses; proposing coding for new law in Minnesota Statutes, chapters 152 and 171.

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

Lynch, Weaver, Trimble, Rukavina and Blatz introduced:

H. F. No. 1102, A bill for an act relating to the environment; requiring the pollution control agency to adopt rules for the removal and proper management of fluids and other potentially hazardous materials from motor vehicles prior to crushing of the vehicles; 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.

Carlson, McEachern, Battaglia, Ogren and Olsen, S., introduced:

H. F. No. 1103, A bill for an act relating to taxation; exempting certain land exchange deeds and conveyances from the state deed tax; amending Minnesota Statutes 1990, section 287.22.

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

Bauerly, Kelso, Vanasek, McEachern and Ozment introduced:

H. F. No. 1104, A bill for an act relating to education; authorizing certain secondary pupils to transfer to certain schools under the high school graduation incentives program; amending Minnesota Statutes 1990, section 126.22, subdivision 3.

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

McGuire, Dawkins, Krinkie, Orenstein and Valento introduced:

H. F. No. 1105, A bill for an act relating to Ramsey county; providing for additional civil service certification of underrepresented groups; amending Minnesota Statutes 1990, section 383A.291, subdivision 2.

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

Blatz, Skoglund, Winter, Koppendraye and Dauner introduced:

H. F. No. 1106, A bill for an act relating to taxation; extending homestead treatment to certain property; amending Minnesota Statutes 1990, section 273.124, subdivision 1.

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

Janezich, Rukavina, Jaros, Begich and Hasskamp introduced:

H. F. No. 1107, A bill for an act relating to human services; requiring increases in rates for salaries of employees of intermediate care facilities for persons with mental retardation, home and community-based waived services, developmental achievement centers, and semi-independent living services programs; amending Minnesota Statutes 1990, sections 245.465; 252.24, by adding a subdivision; 252.275, by adding a subdivision; 252.28, by adding a subdivision; 256B.491, by adding a subdivision; and 268A.06, by adding a subdivision.

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

Greenfield introduced:

H. F. No. 1108, A bill for an act relating to human services; extending the exemption from the Minnesota supplemental aid rate cap to allow payments at the case mix rate for certain medical assistance certified boarding care facilities and nursing homes declared institutions for mental disease; amending Minnesota Statutes 1990, section 256I.05, subdivision 2.

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

Frerichs, Segal, Leppik, Krueger and Koppendraye introduced:

H. F. No. 1109, A bill for an act relating to economic development; creating Advantage Minnesota, Inc.; requiring a study; appropriating money for matching funds; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Lasley, Ogren, Long, Kelso and McEachern introduced:

H. F. No. 1110, A bill for an act relating to education; redefining the tax base that referendum levies are spread against to exclude certain *nonresidential* property classes; requiring all existing referendum levies to be reapproved; amending Minnesota Statutes 1990, section 124A.03, subdivision 2.

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

Kelso; Johnson, A.; Weaver; Bauerly and McEachern introduced:

H. F. No. 1111, A bill for an act relating to education; requiring districts to develop five-year facilities plans; changing the review and comment procedure; authorizing joint powers debt sharing; promoting shared facilities; requiring formation of a county facilities group; requiring an evaluation; amending Minnesota Statutes 1990, sections 121.15, subdivisions 1, 2, 3, 6, 7, 8, 9, and by adding subdivisions; and 121.155; proposing coding for new law in Minnesota Statutes, chapter 373.

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

Dawkins introduced:

H. F. No. 1112, A bill for an act relating to energy; allowing loans to be made to churches and community-based nonprofit organizations for energy conservation improvements; amending Minnesota Statutes 1990, sections 216B.241, subdivision 1; and 216C.37, subdivision 4.

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

Stanisus, Battaglia, Munger, Goodno and Runbeck introduced:

H. F. No. 1113, A bill for an act relating to state government; authorizing the state treasurer to participate in a financial institution credit card program; requiring the state's fee to be deposited in the RIM fund; proposing coding for new law in Minnesota Statutes, chapter 7.

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

Kahn; Johnson, A.; Wejcman; Segal and Vanasek introduced:

H. F. No. 1114, A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1990, section 15.0597, by adding a subdivision.

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

Stanisus, Krinkie, O'Connor and Begich introduced:

H. F. No. 1115, A bill for an act relating to health; clarifying licensing requirements and other standards for installation and servicing of water conditioning equipment; providing penalties; amending Minnesota Statutes 1990, sections 326.01, subdivision 9; 326.37; 326.38; 326.39; 326.40; 326.401, subdivisions 2, 3, and by adding a subdivision; 326.405; 326.41; 326.42; 326.44; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes, sections 326.43; 326.45; and 326.57 to 326.65.

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

Hugoson, Omann, Dille, Koppendrayner and Wenzel introduced:

H. F. No. 1116, A bill for an act relating to agriculture; authorizing an agricultural development bond program; changing provisions of the rural finance authority law; authorizing a program for training youth in the safe operation of farm equipment; providing for a pilot project of comprehensive farm safety audits; establishing a research center for agricultural health and safety; requiring certain reports; eliminating a restriction on small businesses eligible for agricultural and economic development board loans; exempting certain land transfers by the Minnesota agricultural and economic development board from laws reserving marginal land and wetlands; changing the primary responsibility for certain agriculture promotion functions from the department of trade and economic development to the department of agriculture; authorizing a Minnesota world trade advisory committee; appropriating money; amending Minnesota Statutes 1990, sections 17.03, subdivision 6; 41A.02, subdivision 16; 41B.03, subdivision 3; 41B.036; 41B.211; 103F.535, subdivision 1; 116J.966, subdivision 2; 474A.02, subdivisions 13a and 23a; 474A.03, subdivision 1; 474A.061, subdivisions 1, 2b, 3, and 4; 474A.081; 474A.091; 474A.14; proposing coding for new law in Minnesota Statutes, chapters 17; 41B; 116J; and 137; repealing

Minnesota Statutes 1990, sections 17.03, subdivision 8; and 116J.967, subdivision 2.

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

Murphy; Rodosovich; Anderson, R.; Jennings and Welle introduced:

H. F. No. 1117, A bill for an act relating to human services; requiring the commissioner of human services to waive certain state mandates; proposing coding for new law in Minnesota Statutes, chapter 256E.

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

Hausman, Greenfield, Segal, Lourey and Long introduced:

H. F. No. 1118, A bill for an act relating to health; appropriating money to the commissioner of health to contract for research and testing of RU 486 for family planning and treatment of disease.

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

Tunheim introduced:

H. F. No. 1119, A bill for an act relating to education; requiring the development of policies for students with disabilities in post-secondary institutions; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Stanisus, Munger, Reding, Trimble and Johnson, V., introduced:

H. F. No. 1120, A bill for an act relating to natural resources; exotic species management; establishing an interagency committee on exotic species management; requiring a plan; providing for emergency rulemaking; amending Minnesota Statutes 1990, section 86B.415, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Stanius, Bettermann, Runbeck, Reding and Johnson, R., introduced:

H. F. No. 1121, A bill for an act relating to natural resources; revising certain provisions relating to the taking, possession, and transportation of wild animals; amending Minnesota Statutes 1990, sections 97A.445, subdivision 2; 97A.535, subdivision 1; 97B.055, subdivision 3; 97B.106; and 97B.935, subdivision 3.

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

Mariani, Hausman, Morrison, Orenstein and Garcia introduced:

H. F. No. 1122, A bill for an act relating to motor vehicles; registration; abolishing authority to appoint corporations or private individuals other than persons acting on behalf of nonprofit corporations as deputy registrars; providing for the transfer of appointments of corporations as deputy registrars to private individuals in certain circumstances; requiring county auditors to accept appointments as deputy registrars except in certain situations; permitting any other county official or any statutory or home rule charter city official to be appointed as a deputy registrar; permitting counties to contract with private individuals for deputy registrar services in certain instances; requiring the registrar of motor vehicles to adopt rules governing the hours of operation of deputy registrars; permitting private individuals holding appointments as deputy registrars or qualifying for transfers of appointments held by corporations to continue to operate as deputy registrars; amending Minnesota Statutes 1990, section 168.33, subdivision 2.

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

Orenstein; Vellenga; Brown; Olson, K., and Boo introduced:

H. F. No. 1123, A bill for an act relating to human rights; limiting certain defenses; amending Minnesota Statutes 1990, section 363.02, subdivision 5.

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

Hanson and Beard introduced:

H. F. No. 1124, A bill for an act relating to taxation; permitting a special levy in the cities of Cottage Grove, Woodbury, St. Paul Park, and Newport for drug-related crime investigation and drug resis-

tance education; amending Minnesota Statutes 1990, section 275.50, subdivision 5a.

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

Koppendray, Lourey, Greenfield, Vellenga and Welker introduced:

H. F. No. 1125, A bill for an act relating to law enforcement; authorizing the Mille Lacs Band of Chippewa Indians to exercise law enforcement authority within the Mille Lacs Reservation and certain trust lands; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Peterson, Reding and Anderson, I., introduced:

H. F. No. 1126, A bill for an act relating to local government; enlarging authority to participate in certain federal loan programs; amending Minnesota Statutes 1990, section 465.73.

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

Peterson, Reding and Rodosovich introduced:

H. F. No. 1127, A bill for an act relating to utilities; prohibiting multiparty line telephone service to more than two subscribers per line; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Waltman, Begich, Anderson, I., and Pauly introduced:

H. F. No. 1128, A bill for an act relating to taxation; motor vehicle excise; exempting vehicles used by police departments or sheriffs for law enforcement; amending Minnesota Statutes 1990, section 297B.03.

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

Kahn, Dille, Krueger, Trimble and Peterson introduced:

H. F. No. 1129, A bill for an act relating to agriculture; regulating genetically engineered plants, pesticides, fertilizers, soil amendments, and plant amendments; imposing a penalty; amending Minnesota Statutes 1990, sections 18B.01, by adding subdivisions; 18C.005, by adding subdivisions; 18C.421; 18C.425, subdivision 6, and by adding a subdivision; 18D.01, subdivisions 1 and 9; 18D.301, subdivisions 1 and 2; 18D.325, subdivisions 1 and 2; 18D.331, subdivisions 1, 2, and 3; proposing coding for new law in Minnesota Statutes, chapters 18B and 18C; proposing coding for new law as Minnesota Statutes, chapter 18F.

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

Lasley, Weaver, McEachern, Tunheim and Kinkel introduced:

H. F. No. 1130, A bill for an act relating to education; changing the definition of a student's attendance area for purposes of authorizing state transportation aid; amending Minnesota Statutes 1990, section 124.223, subdivision 1.

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

Koppendrayer, Nelson, S.; Steensma; Haukoos and Newinski introduced:

H. F. No. 1131, A bill for an act relating to taxation; requiring payment of penalties and interest on delinquent property taxes on state-owned land; amending Minnesota Statutes 1990, section 279.04.

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

Blatz, Begich, Battaglia, Orenstein and Heir introduced:

H. F. No. 1132, A bill for an act relating to natural resources; providing for enforcement of sanctions for hunting while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1990, section 97B.065; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Bauerly; McEachern; Weaver; Olson, E., and Peterson introduced:

H. F. No. 1133, A bill for an act relating to public employment; requiring the commissioner of the bureau of mediation services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document and rules relating to the use of these documents; amending Minnesota Statutes 1990, section 179A.04, subdivision 3.

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

Lynch, Welle, Boo, Dorn and Gruenes introduced:

H. F. No. 1134, A bill for an act relating to human services; clarifying membership requirements for the advisory committee for regional service centers for hearing impaired persons; authorizing fees for interpreter referral services; amending Minnesota Statutes 1990, sections 256C.24, subdivisions 2 and 3; and 256C.25.

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

Reding; Johnson, V., and Waltman introduced:

H. F. No. 1135, A bill for an act relating to electric power; requiring a proposer of a large electric power generating plant to obtain a preliminary permit from the public utilities commission before the proposer can begin preliminary site analysis; amending Minnesota Statutes 1990, section 116C.57, by adding a subdivision.

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

Rodosovich; Murphy; Anderson, R.; Olson, K., and Welle introduced:

H. F. No. 1136, A bill for an act relating to the reorganization of state government; creating a new department of social services for families and children; transferring all of the duties of the commissioner of human services to the departments of health, jobs and training, public service, and the new department of social services for families and children; amending Minnesota Statutes 1990, sections 13.46, subdivision 1; 15.01; 15.06, subdivision 1; 15A.081, subdivision 1; and 43A.08, subdivision 1a; proposing coding for new law as Minnesota Statutes, chapter 256J.

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

Olson, E., introduced:

H. F. No. 1137, A bill for an act relating to education; authorizing the Bagley school district to transfer money from the debt redemption fund to the general fund without a reduction in the general education levy.

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

Jaros, Rukavina, Beard, Rodosovich and Reding introduced:

H. F. No. 1138, A bill for an act relating to education; requesting the decentralizing of University of Minnesota programs to better serve the state; proposing coding for new law in Minnesota Statutes, chapter 137.

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

Skoglund introduced:

H. F. No. 1139, A bill for an act relating to education; requiring school boards to inform parents about the qualifications of persons administering drugs or medicine; requiring school personnel to be adequately trained to administer drugs and medicine; amending Minnesota Statutes 1990, section 126.202, by adding subdivisions.

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

Runbeck, Morrison and Valento introduced:

H. F. No. 1140, A bill for an act relating to motor vehicles; defining motor vehicle to include manufactured home for purposes of the motor vehicle retail installment act; amending Minnesota Statutes 1990, section 168.66, subdivision 5.

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

Wejcman, Skoglund, Vellenga and Clark introduced:

H. F. No. 1141, A bill for an act relating to public safety; requiring tenants to covenant not to allow any controlled substances on rental property; allowing the closing of an alleged disorderly house during pretrial release of owner; lowering the threshold amount of seized controlled substance necessary to warrant unlawful detainer action; providing that certain weapons offenses and controlled substance seizures and arrests may form the basis for a nuisance action; amending Minnesota Statutes 1990, sections 504.181, subdivision 1; 609.33, by adding a subdivision; 609.5317, subdivision 4; 617.80, subdivision 8; and 617.81, subdivisions 2 and 3, and by adding a subdivision.

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

Carruthers, Vellenga, Orenstein, Onnen and Skoglund introduced:

H. F. No. 1142, A bill for an act relating to courts; directing the supreme court to establish an alternative dispute resolution program and adopt rules; proposing coding for new law in Minnesota Statutes, chapter 484; repealing Minnesota Statutes 1990, sections 484.73; and 484.74.

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

Ozment, Trimble and Weaver introduced:

H. F. No. 1143, A bill for an act relating to education; making educational policies negotiable terms and conditions of employment for professional employees; amending Minnesota Statutes 1990, sections 179A.03, subdivision 19; and 179A.07, subdivision 1.

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

Lourey, Lasley and Jennings introduced:

H. F. No. 1144, A bill for an act relating to local government; permitting the creation of library tax districts; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Scheid, Vellenga, Simoneau, McGuire and Seaberg introduced:

H. F. No. 1145, A bill for an act relating to civil actions; providing that proof of a person's failure to use seat belts is admissible in litigation; amending Minnesota Statutes 1990, sections 169.685, subdivision 4; and 604.01, by adding a subdivision.

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

Lourey, Welle, Ogren and Sviggum introduced:

H. F. No. 1146, A bill for an act relating to human services; allowing additional variances for payment rates for county funded day training and habilitation services; amending Minnesota Statutes 1990, section 252.46, subdivision 6.

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

Reding introduced:

H. F. No. 1147, A bill for an act relating to public employment; transferring certain state employees from the unclassified to the classified service; requiring rules for evaluating the performance of arbitrators; establishing deadlines for certain steps in the arbitration process; establishing a procedure for setting the dates for meetings of arbitration panels; amending Minnesota Statutes 1990, sections 11A.07, subdivision 4; 43A.08, subdivisions 1, 1a, and by adding a subdivision; 43A.18, subdivision 4; 43A.37, subdivision 1; 116K.04, subdivision 5; 136A.03; 179A.05, subdivision 6; 179A.16, subdivisions 4, 6, and 7; and 349A.02, subdivision 4; repealing Minnesota Statutes 1990, section 352D.02, subdivision 1b.

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

Rodosovich, Farrell, Lieder, Kalis and Dempsey introduced:

H. F. No. 1148, A bill for an act relating to public safety; appropriating money to commissioner of public safety for infrared search device.

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

Winter introduced:

H. F. No. 1149, A bill for an act relating to state government; administrative procedures; requiring agencies to notify members of the legislature of rulemaking proceedings; specifying the contents of the notice; amending Minnesota Statutes 1990, sections 14.14, subdivision 1a; 14.16, subdivision 1; 14.22; 14.26; 14.30; 14.32, subdivision 1; and 14.365; proposing coding for new law in Minnesota Statutes, chapter 14.

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

Bertram, McPherson and Rodosovich introduced:

H. F. No. 1150, A bill for an act relating to crimes; increasing the penalty for assaulting a correctional officer; amending Minnesota Statutes 1990, section 609.2231, subdivision 3.

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

Osthoff and Vellenga introduced:

H. F. No. 1151, A bill for an act relating to the city of Saint Paul; exempting certain port authority activities from competitive bidding; amending Minnesota Statutes 1990, section 469.084, by adding a subdivision.

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

Winter, Steensma and Olson, K., introduced:

H. F. No. 1152, A bill for an act relating to public safety; including certain commercial vehicle inspectors in the public safety officer's survivor benefit program; amending Minnesota Statutes 1990, section 299A.41, subdivision 4.

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

Garcia; Olson, K.; Hasskamp; Scheid and Rodosovich introduced:

H. F. No. 1153, A bill for an act relating to taxation; excise and sales taxes; establishing an alternative method for determining the annual permit fee for vehicles propelled in part by compressed

natural gas or propane; amending Minnesota Statutes 1990, section 296.026, subdivisions 1, 2, and by adding subdivisions.

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

Hugoson introduced:

H. F. No. 1154, A bill for an act relating to agriculture; making changes in the plant and animal pest control act; amending Minnesota Statutes 1990, sections 18.46, subdivisions 6, 9, and by adding a subdivision; 18.49, subdivision 2; 18.51; 18.52, subdivisions 1 and 5; 18.54, subdivision 2; 18.55; 18.56; 18.57; and 18.60.

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

Hausman, Clark, Munger, Dille and Dawkins introduced:

H. F. No. 1155, A bill for an act relating to the environment; defining medical waste; requiring appropriate management of the noninfectious and nonpathological waste generated by medical facilities; requiring a local permit for incineration of infectious and pathological waste in a solid waste facility; establishing a medical waste management task force; requiring rules to authorize infectious waste decontamination technologies other than incineration; placing a moratorium on permits for the incineration of infectious and pathological waste; amending Minnesota Statutes 1990, sections 116.76, by adding a subdivision; and 116.78, by adding a subdivision; 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.

Sparby; Johnson, V., and Solberg introduced:

H. F. No. 1156, A bill for an act relating to agriculture; protecting aquaculture waters from irreversible degradation; requiring certain aquatic farms to have aquaculture use permits; regulating aquatic farm operations; requiring financial assurance to restore aquaculture waters; providing a procedure to prevent and minimize impacts from aquatic farms; prescribing best management practices and, if ineffective, permit modifications; defining aquaculture therapeutics as pesticides; defining aquaculture feed as commercial feed; amending Minnesota Statutes 1990, sections 18B.01, subdivision 18; and 25.33, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Mariani introduced:

H. F. No. 1157, A bill for an act relating to housing; redefining eligibility requirement for targeted neighborhoods; appropriating money; amending Minnesota Statutes 1990, sections 466A.01, subdivision 2; 466A.02, subdivision 2; and 466A.05, subdivision 2.

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

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. 275, A bill for an act relating to commerce; prohibiting the unlawful assignment of certain motor vehicle contracts; proposing coding for new law in Minnesota Statutes, chapter 325F.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 75, 205 and 468.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 75, A bill for an act relating to metropolitan government; extending the date for the international airport plan; amending Minnesota Statutes 1990, section 473.616, subdivision 1.

The bill was read for the first time.

Lieder moved that S. F. No. 75 and H. F. No. 68, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 205, A bill for an act relating to insurance; modifying the allowable delinquency and related charges in premium finance agreements; amending Minnesota Statutes 1990, section 59A.10.

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

S. F. No. 468, A bill for an act relating to employment; changing the date for submission of recommendations by the compensation council; amending Minnesota Statutes 1990, section 15A.082, subdivision 3.

The bill was read for the first time.

Simoneau moved that S. F. No. 468 and H. F. No. 575, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 499, A bill for an act relating to education; providing for flagging of school records of missing children; proposing coding for new law in Minnesota Statutes, chapter 120.

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	Carruthers	Goodno	Jennings	Limmer
Anderson, I.	Clark	Greenfield	Johnson, A.	Long
Anderson, R.	Cooper	Gruenes	Johnson, R.	Laurey
Battaglia	Dauner	Gutknecht	Johnson, V.	Macklin
Bauerly	Davids	Hanson	Kahn	Mariani
Beard	Dawkins	Hartle	Kalis	Marsh
Begich	Dempsey	Haukoos	Kelso	McEachern
Bertram	Dille	Hausman	Kinkel	McGuire
Bettermann	Dorn	Heir	Knickerbocker	McPherson
Bishop	Erhardt	Henry	Koppendraye	Morrison
Blatz	Farrell	Hufnagle	Krinkie	Munger
Bodahl	Frederick	Hugoson	Krueger	Murphy
Boo	Frerichs	Jacobs	Lasley	Nelson, K.
Brown	Garcia	Janezich	Leppik	Nelson, S.
Carlson	Girard	Jefferson	Lieder	Newinski

O'Connor	Ozment	Runbeck	Sparby	Waltman
Ogren	Pauly	Sarna	Stanis	Weaver
Olsen, S.	Pellow	Schafer	Steensma	Wejzman
Olson, E.	Pelowski	Scheid	Sviggum	Welker
Olson, K.	Peterson	Schreiber	Swenson	Welle
Omann	Pugh	Seaberg	Tompkins	Wenzel
Onnen	Reding	Segal	Trimble	Winter
Orenstein	Rest	Simoneau	Tunheim	Spk. Vanasek
Orfield	Rice	Skoglund	Uphus	
Osthoff	Rodosovich	Smith	Valento	
Ostrom	Rukavina	Solberg	Wagenius	

The bill was passed and its title agreed to.

H. F. No. 661, A resolution memorializing Canada to correct the new permit regulations for the Canada-Minnesota border, and to encourage federal, state, and provincial governments to resolve differences to the mutual benefit and satisfaction of the citizens of both countries.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 443, A bill for an act relating to civil procedure; repealing the statute requiring surety for costs in certiorari matters; repealing Minnesota Statutes 1990, section 606.03.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 236, A bill for an act relating to eminent domain; allowing entry onto land for environmental testing before beginning eminent domain proceedings; amending Minnesota Statutes 1990, section 117.041.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 239, A bill for an act relating to crime; clarifying the application of felony penalties to the act of intentionally disarming a peace officer; amending Minnesota Statutes 1990, section 609.50, subdivision 2.

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

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

Those who voted in the affirmative were:

Abrams	Carlson	Girard	Jefferson	Limmer
Anderson, I.	Carruthers	Goodno	Jennings	Long
Anderson, R.	Clark	Greenfield	Johnson, A.	Lourey
Anderson, R. H.	Cooper	Gruenes	Johnson, R.	Lynch
Battaglia	Dauner	Gutknecht	Johnson, V.	Macklin
Bauerly	Davids	Hanson	Kalis	Mariani
Beard	Dawkins	Hartle	Kelso	Marsh
Begich	Dempsey	Haukoos	Kinkel	McEachern
Bertram	Dille	Hausman	Knickerbocker	McGuire
Bettermann	Dorn	Heir	Koppendrayner	McPherson
Bishop	Erhardt	Henry	Krinkie	Morrison
Blatz	Farrell	Hufnagle	Krueger	Munger
Bodahl	Frederick	Hugoson	Lasley	Murphy
Boo	Frerichs	Jacobs	Leppik	Nelson, K.
Brown	Garcia	Janezich	Lieder	Newinski

O'Connor	Ozment	Runbeck	Sparby	Vellenga
Ogren	Pauly	Sarna	Stanisus	Wagenius
Olsen, S.	Pellow	Schafer	Steensma	Waltman
Olson, E.	Pelowski	Scheid	Sviggum	Weaver
Olson, K.	Peterson	Schreiber	Swenson	Wejcmann
Omann	Pugh	Seaberg	Thompson	Welker
Onnen	Reding	Segal	Tompkins	Welle
Orenstein	Rest	Simoneau	Trimble	Wenzel
Orfield	Rice	Skoglund	Tunheim	Winter
Osthoff	Rodosovich	Smith	Uphus	Spk. Vanasek
Ostrom	Rukavina	Solberg	Valento	

The bill was passed and its title agreed to.

H. F. No. 357, A bill for an act relating to highways; authorizing political subdivisions to require notice before constructing or repairing utility structures or equipment in, along, over, or under a road, street, or highway right-of-way; requiring subsequent restoration to a town road; amending Minnesota Statutes 1990, sections 164.36; and 222.37, 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 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Osthoff

The bill was passed and its title agreed to.

H. F. No. 365, A bill for an act relating to courts; providing that the sheriff shall not charge for certain duties performed; amending Minnesota Statutes 1990, section 563.01, subdivision 4.

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

The bill was passed and its title agreed to.

H. F. No. 472, A bill for an act relating to occupations and professions; amending the definition of high pressure piping; amending Minnesota Statutes 1990, section 326.461, 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 91 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Frederick	Lasley	Olsen, S.	Segal
Anderson, R.	Garcia	Leppik	Olson, K.	Simoneau
Battaglia	Greenfield	Lieder	Orenstein	Skoglund
Bauerly	Gruenes	Long	Orfield	Solberg
Beard	Gutknecht	Lourey	Osthoff	Stanius
Begich	Hanson	Lynch	Ostrom	Steensma
Bertram	Hausman	Macklin	Ozment	Thompson
Bishop	Heir	Mariani	Pelowski	Trimble
Bodahl	Jacobs	Marsh	Peterson	Vellenga
Boo	Janezich	McEachern	Pugh	Wagenius
Brown	Jefferson	McGuire	Reding	Weaver
Carlson	Jennings	McPherson	Rest	Wejcman
Carruthers	Johnson, A.	Munger	Rice	Wenzel
Clark	Johnson, R.	Murphy	Rodosovich	Winter
Cooper	Kahn	Nelson, K.	Rukavina	Spk. Vanasek
Dauner	Kalis	Nelson, S.	Runbeck	
Dawkins	Kinkel	Newinski	Sarna	
Dorn	Knickerbocker	O'Connor	Scheid	
Farrell	Krueger	Ogren	Seaberg	

Those who voted in the negative were:

Abrams	Frerichs	Johnson, V.	Pauly	Tompkins
Anderson, R. H.	Girard	Koppendrayner	Pellow	Tunheim
Bettermann	Goodno	Krinkie	Schafer	Uphus
Blatz	Hartle	Limmer	Schreiber	Valento
Davids	Haukoos	Morrison	Smith	Waltman
Dempsey	Henry	Olson, E.	Sparby	Welker
Dille	Hufnagle	Omann	Sviggum	Welle
Erhardt	Hugoson	Onnen	Swenson	

The bill was passed and its title agreed to.

H. F. No. 85, A bill for an act relating to health; authorizing nursing homes with 100 or fewer beds that are located within 75 miles of each other to share an administrator; amending Minnesota Statutes 1990, section 144A.04, subdivision 5.

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

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

Those who voted in the affirmative were:

Abrams	Boo	Farrell	Heir	Kelso
Anderson, I.	Brown	Frederick	Henry	Kinkel
Anderson, R.	Carlson	Frerichs	Hufnagle	Knickerbocker
Anderson, R. H.	Carruthers	Garcia	Hugoson	Koppendrayner
Battaglia	Clark	Girard	Jacobs	Krinkie
Bauerly	Cooper	Goodno	Janezich	Krueger
Beard	Dauner	Greenfield	Jefferson	Lasley
Begich	Davids	Gruenes	Jennings	Leppik
Bertram	Dawkins	Gutknecht	Johnson, A.	Lieder
Bettermann	Dempsey	Hanson	Johnson, R.	Limmer
Bishop	Dille	Hartle	Johnson, V.	Long
Blatz	Dorn	Haukoos	Kahn	Lourey
Bodahl	Erhardt	Hausman	Kalis	Lynch

Macklin	Olsen, S.	Pugh	Skoglund	Vellenga
Mariani	Olson, E.	Reding	Smith	Wagenius
Marsh	Olson, K.	Rest	Solberg	Waltman
McEachern	Omann	Rice	Sparby	Weaver
McGuire	Onnen	Rodosovich	Stanius	Wejcmán
McPherson	Orenstein	Rukavina	Steensma	Welker
Morrison	Orfield	Runbeck	Svigum	Welle
Munger	Osthoff	Sarna	Swenson	Wenzel
Murphy	Ostrom	Schafer	Thompson	Winter
Nelson, K.	Ozment	Scheid	Tompkins	Spk. Vanasek
Nelson, S.	Pauly	Schreiber	Trimble	
Newinski	Pellow	Seaberg	Tunheim	
O'Connor	Pelowski	Segal	Uphus	
Ogren	Peterson	Simoneau	Valento	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Vanasek in the Chair for consideration of bills pending on General Orders of the day. Krueger presided during a portion of the meeting of the Committee of the Whole. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 128 and 326 were recommended to pass.

H. F. No. 137 was recommended for progress until Thursday, April 4, 1991.

H. F. No. 234 was recommended for progress until Monday, April 8, 1991.

S. F. No. 132 was recommended for re-referral to the Committee on Appropriations.

H. F. No. 132, the first engrossment, which it recommended to pass with the following amendments:

Offered by Dawkins:

Page 3, line 30, delete "administration" and insert "public service"

Page 3, line 31, delete "public service" and insert "Administration"

Page 3, line 32, delete “, mechanical code, and”

Page 3, line 33, delete “electrical code”

Page 4, line 5, delete “administration” and insert “public service”

Offered by Dawkins, Kahn, Greenfield, Carlson, Rice and Battaglia:

Page 1, after line 8, insert:

“Section 1. [16B.126] [FUNDS FOR ENERGY EFFICIENT BULBS.]

State agencies in the executive, legislative, and judicial branches that purchase nonincandescent bulbs in accordance with section 16B.61, subdivision 3, paragraph (k), must use funds allocated for utility expenditures for the purchase.”

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 5, after the semicolon insert “requiring state agencies to use funds allocated for utility expenditures to buy nonincandescent bulbs;”

Page 1, line 7, before the period insert “; proposing coding for new law in Minnesota Statutes, chapter 16B”

H. F. No. 398, the first engrossment, which it recommended to pass with the following amendment offered by Scheid:

Page 2, line 15, delete “8:00” and insert “10:00”

H. F. No. 616, which it recommended to pass with the following amendment offered by Frederick:

Page 2, lines 8 and 9, delete “executive director” and insert “board”

Page 2, line 9, strike “, with the approval of the board,”

Page 2, line 16, delete "executive director" and strike "may remove an"

Page 2, line 17, strike "administrator with the approval" and insert "administrators serve at the pleasure"

H. F. No. 633, the first engrossment, which it recommended to pass with the following amendment offered by Trimble:

Page 2, line 4, delete "sunrise" and insert "8:00 a.m."

On the motion of Long the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll calls were taken in the Committee of the Whole:

Olson, K., and Dille offered an amendment to H. F. No. 633, the first engrossment.

Kahn requested a division of the Olson, K., and Dille amendment to H. F. No. 633, the first engrossment.

The second portion of the Olson, K., and Dille amendment to H. F. No. 633, the first engrossment, reads as follows:

Page 3, line 19, delete "16" and insert "13"

Page 3, line 20, delete "16" and insert "13"

The question was taken on the second portion of the Olson, K., and Dille amendment and the roll was called. There were 29 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Bertram	Heir	Krueger	Onnen	Sviggum
Bettermann	Henry	Lieder	Pauly	Swenson
Dempsey	Hufnagle	McPherson	Rodosovich	Waltman
Dille	Jacobs	Morrison	Schafer	Weaver
Gruenes	Jennings	Olsen, S.	Segal	Welker
Gutknecht	Krinkie	Omann	Sparby	

Those who voted in the negative were:

Abrams	Anderson, R.	Battaglia	Beard	Bodahl
Anderson, I.	Anderson, R. H.	Bauerly	Begich	Boo

Brown	Hartle	Limmer	Orenstein	Skoglund
Carruthers	Haukoos	Long	Orfield	Smith
Clark	Hausman	Lourey	Osthoff	Stanius
Cooper	Hugoson	Lynch	Ostrom	Steensma
Dauner	Janezich	Macklin	Ozment	Thompson
Dauids	Jefferson	Mariani	Pellow	Tompkins
Dawkins	Johnson, A.	Marsh	Pelowski	Trimble
Dorn	Johnson, R.	McEachern	Peterson	Tunheim
Erhardt	Johnson, V.	McGuire	Pugh	Uphus
Farrell	Kahn	Munger	Rest	Valento
Frederick	Kalis	Murphy	Rukavina	Vellenga
Frerichs	Kelso	Nelson, K.	Runbeck	Wagenius
Garcia	Kinkel	Nelson, S.	Sarna	Wejman
Girard	Knickerbocker	Newinski	Scheid	Welle
Goodno	Koppendrayner	O'Connor	Schreiber	Wenzel
Greenfield	Lasley	Olson, E.	Seaberg	Winter
Hanson	Leppik	Olson, K.	Simoneau	Spk. Vanasek

The motion did not prevail and the second portion of the Olson, K., and Dille amendment was not adopted.

The first portion of the Olson, K., and Dille amendment to H. F. No. 633, the first engrossment, reads as follows:

Page 2, line 32, delete "16" and insert "13"

Page 3, line 3, delete "16" and insert "13"

The question was taken on the first portion of the Olson, K., and Dille amendment and the roll was called. There were 46 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Begich	Gruenes	Koppendrayner	Pauly	Tompkins
Bertram	Gutknecht	Krinkie	Peterson	Waltman
Bettermann	Heir	Limmer	Pugh	Weaver
Brown	Henry	McPherson	Rukavina	Welker
Dauids	Hufnagle	Morrison	Schafer	Wenzel
Dempsey	Hugoson	O'Connor	Schreiber	Winter
Dille	Jacobs	Olson, E.	Simoneau	
Frederick	Jennings	Olson, K.	Sparby	
Garcia	Johnson, A.	Omann	Sviggum	
Girard	Johnson, R.	Onnen	Swenson	

Those who voted in the negative were:

Abrams	Carruthers	Hanson	Krueger	Munger
Anderson, I.	Clark	Hartle	Lasley	Murphy
Anderson, R.	Cooper	Haukoos	Leppik	Nelson, S.
Anderson, R. H.	Dauner	Hausman	Lieder	Newinski
Battaglia	Dawkins	Janezich	Long	Olsen, S.
Bauerly	Dorn	Jefferson	Lynch	Orenstein
Beard	Erhardt	Johnson, V.	Macklin	Orfield
Bishop	Farrell	Kahn	Mariani	Osthoff
Bodahl	Frerichs	Kelso	Marsh	Ostrom
Boo	Goodno	Kinkel	McEachern	Ozment
Carlson	Greenfield	Knickerbocker	McGuire	Pellow

Pelowski	Sarna	Smith	Trimble	Wagenius
Rest	Scheid	Solberg	Tunheim	Wejman
Rice	Seaberg	Stanis	Uphus	Welle
Rodosovich	Segal	Steensma	Valento	Spk. Vanasek
Runbeck	Skoglund	Thompson	Vellenga	

The motion did not prevail and the first portion of the Olson, K., and Dille amendment was not adopted.

Trimble offered an amendment to H. F. No. 633, the first engrossment.

Kinkel requested a division of the Trimble amendment to H. F. No. 633, the first engrossment.

The first portion of the Trimble amendment to H. F. No. 633, the first engrossment, reads as follows:

Page 2, line 4, delete "sunset" and insert "6:00 p.m."

The question was taken on the first portion of the Trimble amendment and the roll was called. There were 24 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Hausman	Nelson, K.	Ostrom	Trimble
Anderson, R.	Hufnagle	Nelson, S.	Ozment	Uphus
Anderson, R. H.	Jennings	Orenstein	Scheid	Vellenga
Boo	Kahn	Orfield	Segal	Welker
Dawkins	Kalis	Osthoff	Skoglund	

Those who voted in the negative were:

Abrams	Frerichs	Koppendraye	Omann	Sviggrum
Battaglia	Garcia	Krueger	Onnen	Swenson
Bauerly	Girard	Lasley	Pauly	Thompson
Beard	Goodno	Leppik	Pellow	Tompkins
Begich	Greenfield	Lieder	Pelowski	Tunheim
Bertram	Gruenes	Limmer	Peterson	Valento
Bettermann	Gutknecht	Long	Pugh	Wagenius
Bishop	Hanson	Lourey	Rest	Waltman
Bodahl	Hartle	Macklin	Rice	Weaver
Brown	Haukoos	Mariani	Rodosovich	Wejman
Carlson	Heir	Marsh	Rukavina	Welle
Carruthers	Henry	McEachern	Runbeck	Wenzel
Clark	Hugoson	McGuire	Sarna	Winter
Cooper	Jacobs	McPherson	Schafer	Spk. Vanasek
Dauner	Janezich	Morrison	Schreiber	
Davids	Jefferson	Murphy	Seaberg	
Dempsey	Johnson, A.	Newinski	Simoneau	
Dille	Johnson, R.	O'Connor	Smith	
Dorn	Johnson, V.	Ogren	Solberg	
Erhardt	Kelso	Olson, S.	Sparby	
Farrell	Kinkel	Olson, E.	Stanis	
Frederick	Knickerbocker	Olson, K.	Steensma	

The motion did not prevail and the first portion of the Trimble amendment was not adopted.

The second portion of the Trimble amendment to H. F. No. 633, the first engrossment, reads as follows:

Page 2, line 4, delete "sunrise" and insert "8:00 a.m."

The question was taken on the second portion of the Trimble amendment and the roll was called. There were 85 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Krinkie	Olson, K.	Segal
Anderson, I.	Greenfield	Krueger	Orenstein	Simoneau
Anderson, R.	Hanson	Lasley	Orfield	Skoglund
Anderson, R. H.	Hartle	Leppik	Osthoff	Solberg
Bettermann	Hausman	Long	Ostrom	Steensma
Bodahl	Heir	Lourey	Ozment	Swenson
Boo	Henry	Mariani	Pellow	Tompkins
Carlson	Hufnagle	Marsh	Pelowski	Trimble
Carruthers	Janezich	McGuire	Peterson	Uphus
Cooper	Jefferson	Morrison	Pugh	Valento
Dauner	Johnson, A.	Munger	Rest	Vellenga
Dawkins	Johnson, R.	Murphy	Rice	Wagenius
Dorn	Johnson, V.	Nelson, K.	Rukavina	Waltman
Erhardt	Kahn	Nelson, S.	Runbeck	Wejcman
Farrell	Kalis	Newinski	Schafer	Welker
Frederick	Kinkel	Ogren	Scheid	Welle
Garcia	Koppendrayner	Olsen, S.	Seaberg	Wenzel

Those who voted in the negative were:

Battaglia	Frerichs	Knickerbocker	Omann	Thompson
Beard	Girard	Lieder	Onnen	Tunheim
Begich	Gruenes	Limmer	Pauly	Weaver
Bertram	Gutknecht	Macklin	Sarna	Winter
Brown	Haukoos	McEachern	Smith	Spk. Vanasek
Davids	Hugoson	McPherson	Sparby	
Dempsey	Jacobs	O'Connor	Stanisus	
Dille	Jennings	Olson, E.	Svigggum	

The motion prevailed and the second portion of the Trimble amendment was adopted.

MOTIONS AND RESOLUTIONS

Lasley moved that the name of Kalis be added as an author on H. F. No. 515. The motion prevailed.

Bauerly moved that the name of Hasskamp be added as an author on H. F. No. 563. The motion prevailed.

Omann moved that his name be stricken as an author on H. F. No. 669. The motion prevailed.

Vellenga moved that the name of Hausman be added as an author on H. F. No. 820. The motion prevailed.

Hausman moved that the name of Girard be stricken as an author on H. F. No. 911. The motion prevailed.

Stanis moved that the name of Heir be added as an author on H. F. No. 940. The motion prevailed.

Solberg moved that the name of Limmer be added as an author on H. F. No. 977. The motion prevailed.

Wenzel moved that the name of Hasskamp be added as an author on H. F. No. 982. The motion prevailed.

Orfield moved that the name of Farrell be added as an author on H. F. No. 1007. The motion prevailed.

Rest moved that the name of Olsen, S., be added as an author on H. F. No. 1043. The motion prevailed.

Begich moved that the name of Dawkins be added as an author on H. F. No. 1046. The motion prevailed.

Long moved that H. F. No. 980 be recalled from the Committee on Rules and Legislative Administration and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Stanis; Lynch; Johnson, A.; Vellenga and Blatz introduced:

House Concurrent Resolution No. 4, A house concurrent resolution relating to the adoption of a bill of rights for all children in the State of Minnesota.

The concurrent resolution was referred to the Committee on Health and Human Services.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 27, 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., Wednesday, March 27, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives