

## STATE OF MINNESOTA

## SEVENTY-SEVENTH SESSION—1991

## FORTY-THIRD DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 30, 1991

The House of Representatives convened at 2:30 p.m. and was called to order by Richard Krueger, Speaker pro tempore.

Prayer was offered by Pastor Philip Heide, Mount Calvary Lutheran Church, Eagan, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

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

## REPORTS OF CHIEF CLERK

S. F. No. 274 and H. F. No. 162, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Carlson moved that S. F. No. 274 be substituted for H. F. No. 162 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 302 and H. F. No. 340, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Janezich moved that the rules be so far suspended that S. F. No. 302 be substituted for H. F. No. 340 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 355 and H. F. No. 343, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Scheid moved that the rules be so far suspended that S. F. No. 355 be substituted for H. F. No. 343 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 505 and H. F. No. 530, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

McPherson moved that S. F. No. 505 be substituted for H. F. No. 530 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 515 and H. F. No. 528, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Johnson, R., moved that the rules be so far suspended that S. F. No. 515 be substituted for H. F. No. 528 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 635 and H. F. No. 821, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Lourey moved that the rules be so far suspended that S. F. No. 635 be substituted for H. F. No. 821 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 687 and H. F. No. 920, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Trimble moved that the rules be so far suspended that S. F. No. 687 be substituted for H. F. No. 920 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 707 and H. F. No. 1222, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Farrell moved that S. F. No. 707 be substituted for H. F. No. 1222 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 785 and H. F. No. 1178, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Jacobs moved that S. F. No. 785 be substituted for H. F. No. 1178 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 793 and H. F. No. 927, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Wagenius moved that the rules be so far suspended that S. F. No. 793 be substituted for H. F. No. 927 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 804 and H. F. No. 688, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that S. F. No. 804 be substituted for H. F. No. 688 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 885 and H. F. No. 527, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Welle moved that S. F. No. 885 be substituted for H. F. No. 527 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 910 and H. F. No. 1462, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 910 be substituted for H. F. No. 1462 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 918 and H. F. No. 1467, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that S. F. No. 918 be substituted for H. F. No. 1467 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 962 and H. F. No. 817, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Begich moved that S. F. No. 962 be substituted for H. F. No. 817 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 971 and H. F. No. 929, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Brown moved that the rules be so far suspended that S. F. No. 971 be substituted for H. F. No. 929 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1074 and H. F. No. 1226, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Dorn moved that S. F. No. 1074 be substituted for H. F. No. 1226 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1216 and H. F. No. 1323, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Tunheim moved that the rules be so far suspended that S. F. No. 1216 be substituted for H. F. No. 1323 and that the House File be indefinitely postponed. The motion prevailed.

### REPORTS OF STANDING COMMITTEES

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 53, A bill for an act relating to public safety; repealing sunset provision relating to position of public fire safety educator; repealing Laws 1989, chapter 322, section 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### APPROPRIATIONS

Section 1. [TRANSPORTATION AND OTHER AGENCIES; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1991," "1992," and "1993," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1991, June 30, 1992, or June 30, 1993, respectively.

## SUMMARY BY FUND

	1992	1993	TOTAL
General	\$132,859,000	\$133,388,000	\$266,247,000
Airports	16,054,000	15,803,000	31,857,000
C.S.A.H.	240,000,000	242,000,000	482,000,000
Environmental	461,000	465,000	926,000
Highway User	11,807,000	11,840,000	23,647,000
M.S.A.S.	66,000,000	67,000,000	133,000,000
Special Revenue	2,696,000	2,739,000	5,435,000
Transit Assistance	4,841,000	5,153,000	9,994,000
Trunk Highway	801,906,000	833,403,000	1,635,309,000
Workers' Compensation	10,839,000	11,229,000	22,068,000
Transfers to Other			
Direct	( 2,769,000)	( 2,789,000)	( 5,558,000)
TOTAL	1,267,710,000	1,302,853,000	2,570,563,000

APPROPRIATIONS  
Available for the Year  
Ending June 30  
1992 1993

## Sec. 2. TRANSPORTATION

Subdivision 1. Total Appropriation 1,067,471,000 1,101,409,000

Approved Complement –	4,835
General –	14
State Airports –	43
Trunk Highway –	4,768
Federal –	10

The appropriations in this section are from the trunk highway fund, except when another fund is named.

## Summary by Fund

General	7,590,000	7,572,000
Airports	16,054,000	15,803,000
C.S.A.H.	240,000,000	242,000,000
Environmental	200,000	200,000
M.S.A.S.	66,000,000	67,000,000
Trunk Highway	736,659,000	767,803,000
Transit Assistance	968,000	1,031,000
Special Revenue	80,000	80,000

	1992	1993
	\$	\$
The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.		
Subd. 2. Aeronautics	15,799,000	15,547,000

This appropriation is from the state airports fund.

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Airport Development and Assistance

1992	1993
11,892,000	11,645,000

\$1,749,000 the first year and \$1,752,000 the second year are for navigational aids.

\$6,089,000 the first year and \$6,089,000 the second year are for airport construction grants.

\$1,773,000 the first year and \$1,773,000 the second year are for airport maintenance grants.

If the appropriation for either year for navigational aids, airport construction grants, or airport maintenance grants is insufficient, the appropriation for the other year is available for it. The appropriations for construction grants and maintenance grants must be expended only for grant-in-aid programs for airports that are not state owned.

These appropriations must be expended in accordance with Minnesota Statutes, section 360.305, subdivision 4.

The commissioner of transportation may transfer unencumbered balances



	1992	1993
	\$	\$

among the appropriations for airport development and assistance with the approval of the governor after consultation with the legislative advisory commission.

\$8,000 the first year and \$8,000 the second year are for maintenance of the Pine Creek Airport.

\$500,000 the first year and \$500,000 the second year are for air service grants.

(b) Civil Air Patrol

65,000	65,000
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(c) Aeronautics Administration

3,842,000	3,837,000
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Subd. 3. Transit	8,467,000	8,528,000
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Summary by Fund

General	7,253,000	7,252,000
Trunk Highway	246,000	245,000
Transit Assistance	968,000	1,031,000

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Greater Minnesota Transit Assistance

Summary by Fund

General	6,843,000	6,843,000
Transit Assistance	968,000	1,031,000

	1992	1993
	\$	\$
(b) Transit Administration		
656,000	654,000	
Summary by Fund		
General	410,000	409,000
Trunk Highway	246,000	245,000
Subd. 4. Railroads and Waterways		
1,189,000	1,186,000	
Summary by Fund		
General	263,000	262,000
Trunk Highway	926,000	924,000
Subd. 5. Motor Carrier Regulation		
1,680,000	1,619,000	
Subd. 6. Local Roads		
307,109,000	310,106,000	
Summary by Fund		
C.S.A.H.	240,000,000	242,000,000
M.S.A.S.	66,000,000	67,000,000
Trunk Highway	1,109,000	1,106,000

The amounts that may be spent from this appropriation for each activity are as follows:

(a) County State Aids

240,000,000      242,000,000

This appropriation is from the county state-aid highway fund and is available until spent.

(b) Municipal State Aids

66,000,000      67,000,000

This appropriation is from the municipal state-aid street fund and is available until spent.

	1992	1993
\$		\$

If an appropriation for either county state aids or municipal state aids does not exhaust the balance in the fund from which it is made in the year for which it is made, the commissioner of finance, upon request of the commissioner of transportation, shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the remainder and shall then add that amount to the appropriation. The amount added is appropriated for the purposes of county state aids or municipal state aids, as appropriate.

## (c) State Aid Technical Assistance

1,109,000	1,106,000
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Subd. 7. State Road Construction	417,596,000	450,494,000
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## Summary by Fund

Special Revenue	80,000	80,000
Environmental	200,000	200,000
Trunk Highway	417,316,000	450,214,000

The amounts that may be spent from this appropriation for each activity are as follows:

## (a) State Road Construction

397,357,000	429,043,000
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## Summary by Fund

Environmental	200,000	200,000
Trunk Highway	397,157,000	428,843,000

It is estimated that the appropriation from the trunk highway fund will be funded as follows:

## Federal Highway Aid

200,000,000	231,000,000
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## Highway User Taxes

197,157,000	197,843,000
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	\$	1992	\$	1993
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The commissioner of transportation shall notify the chair of the committee on finance of the senate and chair of the committee on appropriations of the house of representatives promptly of any events that should cause these estimates to change.

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways. This includes the cost of actual payment to landowners for lands acquired for highway right-of-way, payment to lessees, interest subsidies, and relocation expenses.

(b) Highway Debt Service

14,864,000	16,094,000
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\$9,274,000 the first year and \$10,794,000 the second year are for transfer to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation.

Any excess appropriation must be canceled to the trunk highway fund.

(c) Highway Program Administration

1,969,000	1,962,000
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Summary by Fund

Special Revenue	80,000	80,000
Trunk Highway	1,889,000	1,882,000

\$243,000 the first year and \$243,000 the second year are available for grants

	1992	1993
	\$	\$

to regional development commissions outside the seven-county metropolitan area for transportation studies to identify critical concerns, problems, and issues.

## (d) Transportation Data Analysis

	3,406,000	3,395,000
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Subd. 8. Design Engineering	59,610,000	59,011,000
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\$75,000 the first year and \$75,000 the second year are for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 9. Construction Engineering	67,232,000	67,006,000
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Subd. 10. State Road Operations	145,031,000	144,678,000
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Subd. 11. Equipment	16,966,000	17,429,000
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## Summary by Fund

General	5,000	5,000
Airports	58,000	59,000
Trunk Highway	16,903,000	17,365,000

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 12. General Administration	26,872,000	25,885,000
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## Summary by Fund

General	69,000	53,000
Airports	197,000	197,000
Trunk Highway	24,606,000	25,635,000

The amounts that may be spent from this appropriation for each activity are as follows:

## (a) General Management

	14,350,000	14,330,000
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	1992	1993
	\$	\$
(b) General Services		
	7,502,000	6,557,000

## Summary by Fund

General	43,000	44,000
Airports	140,000	140,000
Trunk Highway	7,319,000	6,373,000

\$1,118,000 the first year is for data processing development. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The commissioner of transportation shall manage the department of transportation in such a manner as to provide seasonal employees of the department with the maximum feasible amount of employment security consistent with the efficient delivery of department programs.

## (c) Legal Services

1,616,000	1,616,000
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This appropriation is for the purchase of legal services from or through the attorney general.

## (d) Electronic Communications

3,347,000	3,325,000
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## Summary by Fund

General	26,000	9,000
Trunk Highway	3,321,000	3,316,000

\$26,000 the first year and \$9,000 the second year are for equipment and operation of the Roosevelt signal tower for Lake of the Woods weather broadcasting.

## (e) Air Transportation Services

57,000	57,000
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	1992	1993
	\$	\$

This appropriation is from the state airports fund.

The commissioner may purchase replacement aircraft similar in type and size to existing passenger aircraft operated by the department with the concurrence of the governor and the legislative advisory committee. Aircraft shall be purchased from the unreserved fund balance of the state airports fund and listed as an asset to the fund.

#### Subd. 13. Transfers

The commissioner of transportation with the approval of the commissioner of finance may transfer unencumbered balances among the appropriations from the trunk highway fund and the state airports fund made in this section. No transfer may be made from the appropriation for trunk highway development. No transfer may be made from the appropriations for debt service to any other appropriation. Transfers may not be made between funds. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

#### Subd. 14. Contingent Appropriation

The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income to the trunk highway fund, or to trunk highway maintenance in order to meet an emergency, or to pay tort or environmental claims. The amount transferred is appropriated for the pur-

	1992	1993
	\$	\$

pose of the account to which it is transferred.

Sec. 3. REGIONAL TRANSIT BOARD	26,649,000	26,898,000
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Summary by Fund

General	22,776,000	22,776,000
Transit Assistance	3,873,000	4,122,000

\$12,543,000 the first year and \$12,543,000 the second year are for Metro Mobility.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 4. TRANSPORTATION REGULATION BOARD	730,000	757,000
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Approved Complement -	9.5	
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This appropriation is from the trunk highway fund.

\$40,000 is appropriated from the trunk highway fund for fiscal year 1991 for unanticipated expenditures for administrative hearings, legal costs, employee severance costs, and rent.

Sec. 5. PUBLIC SAFETY

Subdivision 1. Total Appropriation	106,520,000	106,843,000
	1992	1993
Approved Complement -	1,871.7	1,871.2
General -	449.2	449.2
Environmental -	1	1
Highway User -	173.6	173.6
Special Revenue -	32.5	32.5
Trunk Highway -	1,157.1	1,160.1
Federal -	58.3	54.8



	1992	1993
	\$	\$

The above approved complement includes 535 for state-funded, unclassified patrol officers and supervisors of the state patrol and eight for capitol security positions required for the Minnesota History Center. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section, provided that the above complement must be reduced accordingly.

#### Summary by Fund

General	31,377,000	31,331,000
Highway User	11,807,000	11,840,000
Special Revenue	2,380,000	2,410,000
Trunk Highway	63,684,000	64,010,000
Environmental	41,000	41,000
Transfers to Other		
Direct	(2,769,000)	(2,789,000)

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

#### Subd. 2. Administration and Related Services

4,830,000	4,932,000
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#### Summary by Fund

General	530,000	529,000
Highway User	19,000	19,000
Trunk Highway	4,281,000	4,384,000

\$314,000 the first year and \$429,000 the second year are for management information systems. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

	1992	1993
	\$	\$

\$326,000 the first year and \$326,000 the second year are for payment of public safety officer survivor benefits under Minnesota Statutes, section 299A.44. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

### Subd. 3. Emergency Management

1,478,000	1,458,000
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#### Summary by Fund

General	778,000	758,000
Special Revenue	700,000	700,000

\$700,000 the first year and \$700,000 the second year are for nuclear plant preparedness. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

\$286,000 is appropriated from the general fund for fiscal year 1991 for the remaining state obligations to the federal emergency management assistance agency to match federal aid for flood emergencies of 1987 in the metropolitan area and 1989 in the Red River Valley.

### Subd. 4. Criminal Apprehension

15,504,000	15,526,000
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#### Summary by Fund

General	13,824,000	13,848,000
Special Revenue	627,000	627,000
Trunk Highway	1,053,000	1,051,000

\$223,000 the first year and \$223,000 the second year are for use by the bureau of criminal apprehension for the purpose of investigating cross-jurisdictional criminal activity. Any unencumbered balance remaining in the

	1992	1993
	\$	\$

first year does not cancel but is available for the second year of the biennium.

\$171,000 the first year and \$171,000 the second year are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

\$523,000 the first year and \$523,000 the second year from the bureau of criminal apprehension account in the special revenue fund are for laboratory activities.

\$104,000 the first year and \$104,000 the second year from the bureau of criminal apprehension account in the special revenue fund are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Subd. 5. Fire Marshal

2,277,000	2,269,00
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Subd. 6. State Patrol

41,720,000	42,517,000
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Summary by Fund

General	442,000	441,000
Highway User	90,000	90,000
Trunk Highway	41,188,000	41,986,000

During the biennium ending June 30, 1993, no more than five positions, excluding the chief patrol officer, in the state patrol support activity may be filled by state troopers.

	1992	1993
	\$	\$

During the biennium ending June 30, 1993, the commissioner may purchase other motor fuel when gasohol is not available for the operation of state patrol vehicles.

Subd. 7. Capitol Security

1,304,000	1,298,000
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Subd. 8. Driver and Vehicle Licensing

32,955,000	32,398,000
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Summary by Fund

General	5,654,000	5,643,000
Highway User	10,235,000	10,262,000
Trunk Highway	16,986,000	16,413,000
Special Revenue	80,000	80,000

This appropriation is from the transportation account in the special revenue fund.

\$431,000 the first year and \$431,000 the second year are for chemical use assessment reimbursements to counties.

The commissioner of public safety may ask the commissioner of finance to lend general fund money to the commissioner of public safety to pay initial costs of manufacturing collegiate plates for the academic excellence scholarship program. The commissioner of public safety must first certify to the commissioner of finance that there will be adequate revenue from fees collected through the sale of collegiate plates to repay the loan. The commissioner shall use the revenue to make repayment to the general fund of the full amount loaned. Money necessary to meet cash flow difficulties in the manufacture of collegiate plates for the academic excellence scholarship program is appropriated to the commis-

	1992	1993
	\$	\$
sioner of finance from the general fund for loans to the commissioner of public safety.		

The commissioner of public safety shall conduct a study of worthless checks being used in payment of motor vehicle license taxes. The commissioner shall study the extent of the problem and present methods being used to deal with it, alternatives for reimbursing deputy registrars for worthless checks accepted, and improvements in methods of preventing or deterring such payments in the future. The commissioner shall report on the results of the study to the chairs of the house committee on appropriations and the senate committee on finance not later than February 15, 1992.

Subd. 9. Liquor Control

724,000	721,000
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Subd. 10. Gambling Enforcement

1,222,000	1,218,000
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Subd. 11. Traffic Safety

240,000	240,000
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Summary by Fund

General	64,000	64,000
Trunk Highway	176,000	176,000

Subd. 12. Drug Policy

587,000	587,000
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Subd. 13. Pipeline Safety

873,000	903,000
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This appropriation is from the pipeline safety account in the special revenue fund.

	1992	1993
	\$	\$
Subd. 14. Crime Victims Services		
	1,620,000	1,587,000

Notwithstanding any other law to the contrary, the crime victims reparations board shall, to the extent possible, distribute the appropriation in equal monthly increments. In no case shall the total awards exceed the appropriation made in this subdivision.

Subd. 15. Children's Trust Fund	
	645,000      645,000

#### Summary by Fund

General	545,000	545,000
Special Revenue	100,000	100,000

This appropriation is from the children's trust fund account in the special revenue fund.

#### Subd. 16. Emergency Response Commission

	403,000	404,000
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#### Summary by Fund

General	362,000	363,000
Environmental	41,000	41,000

#### Subd. 17. Private Detective and Security Licensing

	68,000	67,000
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#### Subd. 18. Crime Victims Ombudsman

	70,000	73,000
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#### Subd. 19. Transfers

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs within a

	1992	1993
	\$	\$
fund. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.		

#### Subd. 20. Reimbursements

(a) \$1,306,000 the first year and \$1,320,000 the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1992, and January 1, 1993, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

(b) \$437,000 the first year and \$443,000 the second year are appropriated from the highway user tax distribution fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1992, and January 1, 1993, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for highway user fund purposes in the administration and related services program.

(c) \$1,026,000 the first year and \$1,026,000 the second year are appropriated from the highway user tax distribution fund for transfer by the commissioner of finance to the general fund on January 1, 1992, and January 1, 1993, respectively, in order to reimburse the general fund for expenses not related to the fund. These represent amounts appropriated out of the general fund for operation of the criminal justice data network related to driver and motor vehicle licensing.

	1992	1993
	\$	\$
Sec. 6. BOARD OF PEACE OFFICER STANDARDS AND TRAINING	3,983,000	3,982,000

Approved Complement – 11

\$500,000 the first year and \$500,000 the second year are for the creation and operation of a school of law enforcement.

Sec. 7. MINNESOTA SAFETY COUNCIL	71,000	71,000
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This appropriation is from the trunk highway fund.

#### Sec. 8. COMMERCE

Subdivision 1. Total Appropriation	12,386,000	12,760,000
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	1992	1993
Approved Complement –	237	235
General –	229	227
Environmental –	5	5
Special Revenue –	3	3

#### Summary by Fund

General	11,850,000	12,207,000
Environmental	220,000	224,000
Special Revenue	316,000	329,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

#### Subd. 2. Financial Examinations

5,157,000	5,345,000
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#### Subd. 3. Registration and Analysis

1,992,000	2,015,000
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#### Subd. 4. Petroleum Tank Release Cleanup Board

220,000	224,000
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	1992	1993
	\$	\$

This appropriation is from the petroleum tank release cleanup account in the environmental fund for administration.

The commissioners of the department of commerce and the Minnesota pollution control agency, in cooperation with the petroleum tank release cleanup board, shall study and report to the governor and the legislature by January 1, 1992, on the petroleum tank release cleanup program. The study must include, but not be limited to, recommendations on program administration, program financing mechanisms, criteria for reimbursements, and program cost controls.

#### Subd. 5. Administrative Services

1,774,000	1,812,000
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#### Subd. 6. Enforcement and Licensing

3,243,000	3,364,000
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#### Summary by Fund

General	2,927,000	3,035,000
Special Revenue	316,000	329,000

\$316,000 the first year and \$329,000 the second year are from the real estate education, research, and recovery account in the special revenue fund for the purpose of Minnesota Statutes, section 82.34, subdivision 6. If the appropriation from the special revenue fund for either year is insufficient, the appropriation for the other year is available for it.

#### Subd. 7. Transfers

The commissioner with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers must be re-

	1992	1993
	\$	\$
ported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.		

#### Sec. 9. NON-HEALTH-RELATED BOARDS

Subdivision 1. Total for this section	1,089,000	1,121,000
Subd. 2. Board of Abstractors	8,000	8,000
Subd. 3. Board of Accountancy	441,000	445,000
Approved Complement –	5	

Subd. 4. Board of Architecture, Engineering, Land Surveying, and Landscape Architecture	442,000	470,000
Approved Complement –	8	

Subd. 5. Board of Barber Examiners	135,000	135,000
Approved Complement –	2.5	

Subd. 6. Board of Boxing	63,000	63,000
Approved Complement –	1.5	

Sec. 10. PUBLIC UTILITIES COMMISSION	2,415,000	2,471,000
Approved Complement –	40	

Notwithstanding Minnesota Statutes, section 216B.243, subdivision 6, for any certificate of need application for expansion of the storage capacity for spent nuclear fuel rods, the commission and department shall assess actual amounts billed by the office of administrative hearings and up to \$300,000 of reasonable costs of the commission and department pursuant to Minnesota Statutes, section 216B.62, subdivision 6, during the biennium, subject to the limitations of Minnesota Statutes, section 216B.62, subdivision 2.

	1992	1993
	\$	\$
Sec. 11. PUBLIC SERVICE		
Subdivision 1. Total Appropriation	7,427,000	7,687,000
Approved Complement —	140.8	
General —	126.8	
Special Revenue —	6	
Federal —	8	

The commissioner shall transfer, from among positions that were transferred to the department from the state energy agency, two positions to areas in which the cost of the positions are recovered from fees on regulated utilities.

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The legislature intends that of the reduction in anticipated department expenditures as a result of the difference between this appropriation and the department's budget request, \$100,000 be achieved through a reduction in activities not funded by fees.

Subd. 2. Telecommunications

626,000      653,000

Subd. 3. Weights and Measures

2,157,000      2,236,000

Subd. 4. Information and Operations Management

1,439,000      1,491,000

Subd. 5. Energy

3,205,000      3,307,000

Subd. 6. Transfers

The department of public service, with the approval of the commissioner of finance, may transfer unencumbered

	1992	1993
	\$	\$
balances not specified for a particular purpose among the above programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations in the house of representatives.		
Sec. 12. GAMING	10,000	-0-
Approved Complement -- -0- -0-		
Sec. 13. LAWFUL GAMBLING CONTROL	1,930,000	1,928,000
Approved Complement -- 37 37		
Sec. 14. RACING COMMISSION	1,006,000	1,018,000
Approved Complement -- 9		
General -- 8		
Special Revenue -- 1		
Sec. 15. STATE LOTTERY BOARD		
The director of the state lottery shall reimburse the general fund \$250,000 the first year and \$250,000 the second year for lottery-related costs incurred by the departments of public safety and human services.		
Sec. 16. ETHICAL PRACTICES BOARD	340,000	351,000
Approved Complement -- 6		
Sec. 17. MINNESOTA MUNICIPAL BOARD	281,000	293,000
Approved Complement -- 4		
Any unencumbered balance remaining in the first year does not cancel but is available for the second year.		
Sec. 18. MINNESOTA HISTORICAL SOCIETY		

	1992	1993
	\$	\$
Subdivision 1. Total Appropriation	12,953,000	13,213,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

The Minnesota historical society is eligible for a salary supplement in the same manner as state agencies. The commissioner of finance will determine the amount of the salary supplement based on available appropriations. Employees of the Minnesota historical society will be paid in accordance with the appropriate pay plan.

Subd. 2. Public Programs and Operations	11,438,000	11,874,000
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\$30,000 the first year and \$70,000 the second year is additional funds for the re-opening of the Meighan Store in calendar year 1992, and is in addition to any other funds expended for this purpose.

Any unencumbered balance remaining at the end of the first year must be returned to the state treasury and credited to the general fund.

Subd. 3. Statewide Outreach	665,000	665,000
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\$273,000 the first year and \$273,000 the second year are for historic site grants to encourage local historic preservation projects. To be eligible for a grant, a county or local project group must provide a 50 percent match, in accordance with the historical society's guidelines. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$27,000 the first year and \$27,000 the second year are for the state archaeology function.

	1992	1993
	\$	\$
Subd. 4. Repair and Replacement	462,000	462,000

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 5. Fiscal Agent	388,000	212,000
(a) Sibley House Association		
	93,000	93,000

This appropriation is available for operation and maintenance of the Sibley house and related buildings on the Old Mendota state historic site owned by the Sibley house association.

Notwithstanding any other law, the Sibley house association may purchase fire, wind, hail, and vandalism insurance, and insurance coverage for fine art objects from this appropriation.

(b) Minnesota International Center		
	51,000	50,000

(c) Minnesota Military Museum		
	30,000	

(d) Minnesota Air National Guard Museum		
	20,000	20,000

(e) Government Learning Center		
	69,000	69,000

This appropriation is for Project 120.

(f) Greater Cloquet-Moose Lake forest fire museum		
	25,000	

The society shall spend this amount as a grant to the Carlton county historical society to be spent as a grant to the

	1992	1993
\$		\$

Greater Cloquet-Moose Lake forest fire museum planning committee for the development of the museum. The legislature intends that no further direct appropriation will be made for this purpose.

(g) Museum of the National Guard

25,000

This amount is for a contribution from the state of Minnesota to the museum of the National Guard in Washington, D.C.

(h) Prairieland Expo Center

25,000

The society shall expend this amount as a grant to the southwest regional development commission for assistance for this project.

(i) Battle Point Cultural Center

50,000

This amount is for the Leech Lake Reservation to complete final planning for the Battle Point Cultural Center.

(j) Balances Forward

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Sec. 19. MINNESOTA HUMANITIES COMMISSION

247,000 247,000

Sec. 20. BOARD OF THE ARTS

4,245,000 4,219,000

	1992	1993
Approved Complement -	16	16
General -	13	13
Federal -	3	3

	1992	1993
	\$	\$
\$1,341,000 the first year and \$1,341,000 the second year are for the support of regional arts councils throughout the state.		

Any unencumbered balance remaining in this section the first year does not cancel but is available for the second year of the biennium.

The board shall spend \$25,000 of the first year appropriation as a grant for the restoration of the Kee theatre in Kiester. It is the intent of the legislature that no further direct appropriation will be made for this purpose. The board may not use any part of this sum for administrative expenses.

#### Sec. 21. GREATER MINNESOTA CORPORATION

12,700,000	12,600,000
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The amounts appropriated from the general fund to the Greater Minnesota Corporation are for transfer to the corporation's special revenue account.

This appropriation is for transfer to the Greater Minnesota Corporation account in the special revenue fund.

\$4,000,000 the first year and \$4,000,000 the second year are for a grant to the Agricultural Utilization Research Institute. If the Greater Minnesota Corporation has not paid \$3,500,000 to the Agricultural Utilization Research Institute by July 1, 1991, the amount not paid must be reduced from the first year appropriation to the corporation.

Oil overcharge money appropriated to the commissioner of administration for the Agricultural Utilization Research Institute for energy-related grants and all administration of that money must be transferred from the Greater Minnesota Corporation to the institute.



	1992	1993
	\$	\$

The Greater Minnesota Corporation must provide at least the following amounts to the following organizations:

\$700,000 the first year and \$600,000 the second year to the world trade center corporation to advance economic development through technology, agricultural utilization research, and the promotion of international trade.

\$1,000,000 the second year to Minnesota Project Outreach Corporation.

## Sec. 22. LABOR AND INDUSTRY

Subdivision 1. Total Appropriation	16,275,000	16,743,000
	1992	1993
Approved Complement –	348.5	345.5
General –	98.9	96.4
Workers' Compensation –	206.5	206.5
Federal –	38.1	37.6
Special Revenue –	5	5

### Summary by Fund

General	5,436,000	5,514,000
Workers' Compensation	10,839,000	11,229,000

The legislature intends that the reduction in anticipated department expenditures as a result of the difference between this appropriation and the department's budget request not result in any reduction of activities in areas funded by fees.

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Workers' Compensation Regulation and Enforcement

7,457,000	7,756,000
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	1992	1993
	\$	\$

This appropriation is from the special compensation fund.

Fee receipts collected as a result of providing direct computer access to public workers' compensation data on file with the commissioner must be deposited in the general fund.

Subd. 3. Workplace Regulation and Enforcement

4,106,000	4,172,000
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Subd. 4. General Support

4,712,000	4,815,000
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Summary by Fund

General	1,330,000	1,342,000
Workers' Compensation	3,382,000	3,473,000

\$215,000 the first year and \$215,000 the second year are for labor education and advancement program grants.

Sec. 23. SECRETARY OF STATE

Subdivision 1. Total Appropriation	5,129,000	4,783,000
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Approved Complement –	69.5
General –	63.5
Special Revenue –	6

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

Subd. 2. Elections and Publications

1,016,000	567,000
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\$635,000 the first year is for the presidential primary election.

Subd. 3. Uniform Commercial Code

220,000	221,000
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	\$	1992	\$	1993
Subd. 4. Business Services				
724,000	722,000			
Subd. 5. Administration				
481,000	485,000			
Subd. 6. Fiscal Operations				
186,000	186,000			
Subd. 7. Data Services				
227,000	229,000			
Subd. 8. Network Operations Voter Registration				
727,000	817,000			
Subd. 9. Network Operations Uni- form Commercial Code				
1,041,000	1,078,000			
Subd. 10. Reports Renewals Registra- tion				
507,000	478,000			
Sec. 24. VETERANS OF FOREIGN WARS		31,000		31,000
For carrying out the provisions of Laws 1945, chapter 455.				
Sec. 25. MILITARY ORDER OF THE PURPLE HEART		10,000		10,000
Sec. 26. DISABLED AMERICAN VETERANS		13,000		12,000
For carrying out the provisions of Laws 1941, chapter 425.				
Sec. 27. UNIFORM LAWS COMMIS- SION		21,000		22,000
Sec. 28. TRANSPORTATION STUDY BOARD		125,000		125,000

	1992	1993
	\$	\$

This appropriation is from the highway user tax distribution fund.

Sec. 29. GENERAL CONTINGENT ACCOUNTS	325,000	325,000
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The appropriations in this section may only be spent with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

#### Summary by Fund

##### Trunk Highway Fund

200,000	200,000
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##### Highway User Tax Distribution Fund

125,000	125,000
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Sec. 30. TORT CLAIMS	600,000	600,000
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To be spent by the commissioner of finance.

This appropriation is from the trunk highway fund.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

#### Sec. 31. [INFRASTRUCTURE DEVELOPMENT BOND DEBT SERVICE.]

In order to enable debt service on infrastructure development bonds to be paid from the general fund rather than from the infrastructure development fund, the commissioner of finance shall transfer accounts in the infrastructure development fund that contain proceeds from the state lottery from the infrastructure development fund to the general fund.

#### Sec. 32. [TEMPORARY AUTHORITY; CHARTER CARRIERS OF PASSENGERS.]

(a) The transportation regulation board may issue a temporary permit to a motor carrier to operate as a charter carrier of passengers within the seven-county metropolitan area if the board finds that:

(1) the service to be provided under the temporary permit will be provided during the month of January 1992, in connection with or related to the 1992 National Football League championship game;

(2) the petitioner for the temporary permit is fit and able to conduct the proposed operations; and

(3) the petitioner's vehicles meet the applicable safety standards of the commissioner of transportation.

(b) Notwithstanding Minnesota Statutes, section 221.121, subdivision 2, a holder of a temporary permit under this section is not required to seek a permanent permit from the board. The board may charge a registration fee of not more than \$10 for each vehicle that will be operated under authority of the permit. All permits issued by the board under this section expire on a date specified in the permit, but not later than January 31, 1992.

(c) All provisions of Minnesota Statutes, chapter 221, not inconsistent with this section, apply to permits issued under this section.

(d) In granting temporary permits under this section, the board shall to the maximum feasible extent give priority to Minnesota-based carriers.

### **Sec. 33. [EXTENSION OF INSURANCE AGENT LICENSES; EFFECT.]**

The commissioner of commerce shall prorate the license fee under Minnesota Statutes, section 60A.17, to reflect the extension of the license term under section 72B.04.

Nothing in section 72B.04 affects continuing education or other requirements imposed by Minnesota Statutes, chapter 60A.

### **Sec. 34. [ETHANOL PRODUCER PAYMENTS.]**

Notwithstanding Minnesota Statutes, section 41A.09, subdivision 3, if the commissioner of revenue distributes less money as payments under that subdivision in the fiscal year ending June 30, 1992, than is authorized for that fiscal year by that subdivision, the amount not distributed is added to the amount that may be distributed in the next fiscal year.

Sec. 35. Laws 1989, chapter 269, section 11, subdivision 7, is amended to read:

Subd. 7. [TRANSFERS.]

The commissioner with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Up to \$50,000 may be used to study the cost effectiveness of care provided by members of the healing arts, as defined in Minnesota Statutes, chapter 146. ~~The commissioner shall report the findings to the legislature by January 1, 1990. The commissioner shall retain the results of the study for future research and reference.~~

Sec. 36. Laws 1989, chapter 269, section 31, is amended to read:

Sec. 31. [SPECIAL GREAT RIVER ROAD ACCOUNT.]

Subdivision 1. [ACCOUNT CREATED.] There is created in the state treasury a special Great River Road account, consisting of money credited ~~under subdivision 2~~ by law.

Subd. 2. [ACCOUNT FUNDED.] Notwithstanding Minnesota Statutes, section 297B.09 or other law, in the fiscal year ending June 30, ~~1990~~ 1992, the first ~~\$750,000~~ \$250,000 that would otherwise be credited to the highway user tax distribution trunk highway fund under Minnesota Statutes, section 297B.09, must be set aside and credited to the special Great River Road account created in subdivision 1.

Subd. 3. [DISTRIBUTION OF ACCOUNT.] The commissioner of transportation shall distribute money in the special Great River Road account and provide for distribution of money in the fund for the development of the Great River Road established under Minnesota Statutes, section 161.142. In providing assistance to any political subdivision, the commissioner shall follow the general policy of the Mississippi River parkway commission and shall give principal consideration ~~on~~ to how the project would promote public safety, recreation, travel, trade, and the general welfare of the state.

Priority should be given to new construction or reconstruction of the Great River Road system, to projects that provide local or federal matching assistance, and to projects for which highway user tax distribution funds are not available.

Subd. 4. [TERMINATION OF ACCOUNT.] The account created in subdivision 1, expires June 30, ~~1991~~ 1993. The state treasurer shall credit all undistributed money in the account on that date to the highway user tax distribution trunk highway fund.

Subd. 5. [REPEALER.] This section is repealed effective July 1, ~~1991~~ 1993.

Sec. 37. [3.862] [TRANSPORTATION STUDY BOARD.]

Subdivision 1. [BOARD EXTENDED; MEMBERSHIP.] A transportation study board is created. The board shall consist of the following members:

(1) seven members of the senate, with not more than five of the same political party, appointed by the senate committee on committees; and

(2) seven members of the house of representatives, with not more than five of the same political party, appointed by the speaker of the house. Appointments are for two-year terms beginning July 1 of each odd-numbered year. Vacancies must be filled in the same manner as the original appointments.

Subd. 2. [OFFICERS.] The board shall elect a chair and vice-chair from among its members. The chair must alternate biennially between a member of the house and a member of the senate. The vice-chair must be a house member when the chair is a senate member, and a senate member when the chair is a house member.

Subd. 3. [STAFF.] The board may employ professional, technical, consulting, and clerical services. The board may use legislative staff to provide legal counsel, research, secretarial, and clerical assistance.

Subd. 4. [EXPENSES AND REIMBURSEMENT.] The members of the board may receive per diem when attending meetings and other commission business. Members, employees, and legislative staff must be reimbursed for expenses actually and necessarily incurred in the performance of their duties under the rules governing legislators and legislative employees.

Sec. 38. Minnesota Statutes 1990, section 10A.02, is amended by adding a subdivision to read:

Subd. 14. Notwithstanding the provisions of section 8.15, the board shall not be assessed the cost of legal services rendered to it by the attorney general's office.

Sec. 39. Minnesota Statutes 1990, section 12.14, is amended to read:

**12.14 [ASSESSMENT FOR NUCLEAR SAFETY PREPAREDNESS ACT.]**

Any person, firm, corporation, or association in the business of owning or operating a nuclear fission electrical generating plant located in Minnesota, shall pay an assessment quarterly assessments to cover the cost of nuclear power plant emergency response plans and other programs necessary to deal with incidents resulting from the operation of nuclear fission electrical generating plants. An assessment of \$177,500 per plant up to one quarter of the projected annual cost shall be paid to the commissioner of public safety on July 1 of each year. An assessment shall be billed by the commissioner based on actual costs for each quarter of the fiscal year starting with the first quarter ending September 30. The July 1 assessment shall be deducted from the final quarterly billing for the fiscal year. The assessment collected shall be credited to the nuclear safety preparedness account in the special revenue fund.

Sec. 40. Minnesota Statutes 1990, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY RANGES.] The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

Salary Range

Effective

July 1, 1987

\$57,500-\$78,500

Commissioner of finance;

Commissioner of education;

Commissioner of transportation;



Commissioner of human services;

Commissioner of revenue;

Commissioner of public safety;

Executive director, state board of  
investment;

~~Commissioner of gaming;~~

Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;

Commissioner of agriculture;

Commissioner of commerce;

Commissioner of corrections;

Commissioner of jobs and training;

Commissioner of employee relations;

Commissioner of health;

Commissioner of labor and industry;

Commissioner of natural resources;

Commissioner of trade and economic development;

Chief administrative law judge; office of  
administrative hearings;

Commissioner, pollution control agency;

Commissioner, state planning agency;

Director, office of waste management;

Commissioner, housing finance  
agency;

Executive director, public employees retirement association;

Executive director, teacher's retirement association;

Executive director, state retirement system;

Chair, metropolitan council;

Chair, regional transit board;

\$42,500-\$60,000

Commissioner of human rights;

Commissioner, department of public service;

Commissioner of veterans' affairs;

Commissioner, bureau of mediation services;

Commissioner, public utilities commission;

Member, transportation regulation board;

Ombudsman for corrections;

Ombudsman for mental health and retardation.

Sec. 41. Minnesota Statutes 1990, section 16A.662, subdivision 2, is amended to read:

Subd. 2. [BONDS AUTHORIZED.] When authorized by law enacted in accordance with the constitution, article XI, sections 5 and 7, the commissioner may by order sell and issue ~~infrastructure development~~ bonds of the state evidencing public debt incurred for any purpose stated in the law. The bonds are general obligations of the state, and the full faith and credit of the state are pledged for their payment.

Sec. 42. Minnesota Statutes 1990, section 16A.662, subdivision 4, is amended to read:

Subd. 4. [ESTABLISHMENT OF DEBT SERVICE ACCOUNT; APPROPRIATION OF DEBT SERVICE ACCOUNT MONEY.] There is established within the state bond fund a separate and special account designated as the infrastructure development bond debt service account. ~~There must be transferred to this debt service account in each fiscal year from money in the infrastructure development fund, other than bond proceeds and interest earned on bond proceeds, an amount sufficient to increase the balance on hand in the debt service account on each December 1 to an amount equal to the full amount of principal and interest to come due on all outstanding infrastructure development bonds to and including the second following July 1. The amount necessary to make the transfer is appropriated from the infrastructure development fund. The money on hand in the debt service account must be used solely for the payment of the principal of, and interest on, the bonds issued under Laws 1990, chapter 610, article 1, section 30, subdivision 2, and is appropriated for this purpose. This appropriation does not~~ cancel as long as any of the bonds remain outstanding.

Sec. 43. Minnesota Statutes 1990, section 16A.662, subdivision 5, is amended to read:

Subd. 5. [ASSESSMENT TO HIGHER EDUCATION SYSTEMS.] (a) In order to reduce the amount otherwise required to be transferred ~~under subdivision 4 to the state bond fund with respect to bonds heretofore or hereafter issued under Laws 1990, chapter 610, article 1, section 30, subdivision 2, the commissioner of finance shall assess each higher education system for one-third the amount that would otherwise need to be transferred with respect to infrastructure development those bonds sold to finance capital improvement projects at institutions under the control of the system; provided that, to the extent that the amount to be transferred is for payment of principal and interest on bonds sold to finance life safety improvements, the commissioner must not assess the higher education systems for the transfer.~~

(b) After each sale of ~~infrastructure development~~ the bonds, the commissioner of finance shall notify the state board for vocational technical education, the state board for community colleges, the state university board, and the regents of the University of Minnesota of the amounts for which each system is responsible for each year for the life of the bonds. The amounts payable each year are reduced by one-third of the net income from investment of ~~infrastructure development~~ those bond proceeds that must be allocated among the systems in proportion to the amount of principal and interest otherwise required to be paid by each. Each higher education system shall pay its annual share of debt service payments to the commissioner of finance by December 1 each year. If a higher education system fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise payable to the system to cover the amount of

the missed debt service payment. The commissioner of finance shall credit the payments received from the higher education systems to the infrastructure development bond debt service account in the state bond fund each December 1 before the transfer is made under subdivision 4.

Sec. 44. Minnesota Statutes 1990, section 41A.09, subdivision 3, is amended to read:

Subd. 3. [PAYMENTS FROM ACCOUNT.] The commissioner of revenue shall make cash payments to producers of ethanol or wet alcohol located in the state. These payments shall apply only to ethanol or wet alcohol fermented in the state. The amount of the payment for each producer's annual production shall be as follows:

(a) For each gallon of ethanol produced:

(1) For the period beginning July 1, 1986, and ending June 30, 1987, 15 cents per gallon;

(2) For the period beginning July 1, 1987, and ending June 30, 2000, 20 cents per gallon.

(b) For each gallon produced of wet alcohol during the period beginning July 1, 1989, and ending June 30, 2000, a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon. The producer payment for wet alcohol under this section may be paid to either the original producer of wet alcohol or the secondary processor, at the option of the original producer, but not to both.

(c) The total payments from the fund to all producers may not exceed: \$200,000 during the period beginning July 1, 1986, and ending June 30, 1987, ~~and may not exceed~~; \$10,000,000 in any fiscal year during the period beginning July 1, 1987, and ending June 30, 1991; and \$4,500,000 in any fiscal year during the period beginning July 1, 1991, and ending June 30, 2000. Total payments to any producer from the account in any fiscal year may not exceed \$3,000,000.

By the last day of October, January, April, and July, each producer shall file a claim for payment for production during the preceding three calendar months. The volume of production must be verified by a certified financial audit performed by an independent certified public accountant using generally accepted accounting procedures.

Payments shall be made November 15, February 15, May 15, and August 15.

Sec. 45. Minnesota Statutes 1990, section 60A.14, subdivision 1, is amended to read:

Subdivision 1. [FEES OTHER THAN EXAMINATION FEES.] In addition to the fees and charges provided for examinations, the following fees must be paid to the commissioner for deposit in the general fund:

(a) by township mutual fire insurance companies:

(1) for filing certificate of incorporation \$25 and amendments thereto, \$10;

(2) for filing annual statements, \$15;

(3) for each annual certificate of authority, \$15;

(4) for filing bylaws \$25 and amendments thereto, \$10.

(b) by other domestic and foreign companies including fraternal and reciprocal exchanges:

(1) for filing certified copy of certificate of articles of incorporation, \$100;

(2) for filing annual statement, \$225;

(3) for filing certified copy of amendment to certificate or articles of incorporation, \$100;

(4) for filing bylaws, \$75 or amendments thereto, \$75;

(5) for each company's certificate of authority, \$575, annually.

(c) the following general fees apply:

(1) for each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$15;

(2) for each copy of paper on file in the commissioner's office 50 cents per page, and \$2.50 for certifying the same;

(3) for license to procure insurance in unadmitted foreign companies, \$575;

(4) for receiving and forwarding each notice, proof of loss, summons, complaint or other process served upon the commissioner of commerce, as attorney for service of process upon any nonresident

agent or insurance company, including reciprocal exchanges, \$15 plus the cost of effectuating service by certified mail, which amount must be paid by the party serving the notice and may be taxed as other costs in the action;

(5) for valuing the policies of life insurance companies, one cent per \$1,000 of insurance so valued, provided that the fee shall not exceed ~~\$1,000~~ \$10,000 per year for any company. The commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from the company's own actuary or from the commissioner of insurance of the state or territory in which the company is domiciled;

(6) for receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, ~~\$50~~ \$1,000;

(7) for issuing an initial license to an individual agent, ~~\$20~~ \$25 per license, for issuing an initial agent's license to a partnership or corporation, \$50, and for issuing an amendment (variable annuity) to a license, ~~\$20~~ \$25, and for renewal of amendment, ~~\$20~~ \$25;

(8) for each appointment of an agent filed with the commissioner, a domestic insurer shall remit \$5 and all other insurers shall remit \$3;

(9) for renewing an individual agent's license, ~~\$20~~ \$25 per year per license, and for renewing a license issued to a corporation or partnership, \$50 per year;

Sec. 46. Minnesota Statutes 1990, section 60A.17, subdivision 1d, is amended to read:

Subd. 1d. [RENEWAL FEE.] (a) Each agent licensed pursuant to this section shall annually pay in accordance with the procedure adopted by the commissioner a renewal fee as prescribed by section 60A.14, subdivision 1, paragraph (c), clause (10).

(b) Every agent, corporation, and partnership license expires on ~~May~~ October 31 of the year for which period a license is issued.

(c) Persons whose applications have been properly and timely filed who have not received notice of denial of renewal are approved for renewal and may continue to transact business whether or not the renewed license has been received on or before ~~June~~ November 1. Applications for renewal of a license are timely filed if received by the commissioner on or before ~~May~~ October 15 of the year due, on forms duly executed and accompanied by appropriate fees. An application mailed is considered timely filed if addressed to the

commissioner, with proper postage, and postmarked by May October 15.

(d) The commissioner may issue licenses for agents, corporations, or partnerships for a three-year period. If three-year licenses are issued, the fee is three times the annual license fee.

Sec. 47. Minnesota Statutes 1990, section 72B.04, subdivision 7, is amended to read:

Subd. 7. [LICENSE TERM.] Every adjuster's and public adjuster solicitor's license shall be for a term expiring on May October 31 next following the date of its issuance, and may be renewed for the ensuing calendar year upon the timely filing of an application for renewal.

Sec. 48. Minnesota Statutes 1990, section 80C.04, subdivision 1, is amended to read:

Subdivision 1. An application for registration of a franchise shall be made by filing with the commissioner a proposed public offering statement accompanied by a fee of ~~\$250~~ \$400. The public offering statement shall contain the following:

(a) The name of the franchisor, the name under which the franchisor is doing or intends to do business, and the name of any parent or affiliated person that will engage in business transactions with franchisees;

(b) The franchisor's principal business address, the address of its agent in this state authorized to receive service of process, and a consent to service of process as required by section 80C.20, if applicable;

(c) The business form of the franchisor, whether corporate, partnership or otherwise, and the state or other sovereign power under which the franchisor is organized;

(d) Such information concerning the identity and business experiences of persons affiliated with the franchisor as the commissioner may by rule prescribe;

(e) A statement whether the franchisor or any person identified in the public offering statement:

(1) Has during the ten year period immediately preceding the date of the public offering statement been convicted of a felony, pleaded nolo contendere to a felony charge, or been held liable in a civil action by final judgment if such felony or civil action involved fraud,

embezzlement, fraudulent conversion, restraint of trade, unfair or deceptive practices or misappropriation of property;

(2) Is subject to any currently effective order of the United States Securities and Exchange Commission or the securities administrator of any state denying registration to or revoking or suspending the license or registration of such person as a securities broker, dealer, agent, or investment adviser, or is subject to any currently effective order of any national securities association or national securities exchange, as defined in the Securities Exchange Act of 1934, suspending or expelling such person from membership in such association or exchange;

(3) Is subject to any currently effective order or ruling of the Federal Trade Commission;

(4) Is subject to any currently effective injunctive or restrictive order relating to the business which is the subject of the franchise offered or any other business activity as a result of an action brought by any public agency or department; or

(5) Has any civil or criminal actions pending against that franchisor or person involving fraud, embezzlement, fraudulent conversion, restraint of trade, unfair or deceptive practices or misappropriation of property.

Such statement shall set forth the court and date of conviction or judgment, any penalty imposed or damages assessed, the date, nature and issuer of any orders, and the court, nature, and current status of any pending action.

(f) The business experience of the franchisor, including the length of time the franchisor has conducted a business of the type to be operated by the franchisees, has granted franchises for such businesses, and has granted franchises in other lines of business.

(g) A balance sheet of the franchisor as of the end of the franchisor's most recent fiscal year and an income statement for the period ending on the date of such balance sheet, both audited by an independent certified public accountant; and, if the fiscal year-end of the franchisor is in excess of 90 days prior to the date of filing the application, a balance sheet and income statement, which may be unaudited, as of a date within 90 days of the date of the application. The commissioner may by rule or order prescribe the form and content of financial statements required under this clause and the circumstances under which consolidated financial statements may or shall be filed, and may waive the requirement of audited financial statements;



(h) A copy of the entire franchise contract or agreement proposed for use, including all amendments thereto;

(i) A statement of the franchise fee charged, the proposed use of the proceeds of such fee by the franchisor, and the method or formula by which the amount of the fee is determined if the fee is not the same in all cases;

(j) A statement describing any payments or fees other than franchise fees that the franchisee or subfranchisor is required to pay to the franchisor, including royalties and payments or fees which the franchisor collects in whole or in part on behalf of a third party;

(k) A statement of the conditions under which the franchise agreement may be terminated or renewal refused or repurchased at the option of the franchisor, any limitations on the right of the franchisee to sell, transfer, assign, move, renew or terminate the franchise, and a description of the provisions regarding franchisee equity upon sale, termination, refusal to renew, or repurchase;

(l) A statement whether, by the terms of the franchise agreement or by other device or practice, the franchisee or subfranchisor is required to purchase from the franchisor or person designated by the franchisor, services, supplies, products, fixtures or other goods relating to the establishment or operation of the franchise business, together with a description thereof;

(m) A statement of any restriction or condition imposed by the franchisor whether by the terms of the franchise agreement or by other device or practice of the franchisor whereby the franchisee is limited in the goods or services offered by the franchisee to the franchisee's customers;

(n) A statement of the terms and conditions of any financing arrangements when offered directly or indirectly by the franchisor or an agent or affiliate;

(o) A statement of any past or present practice or of any intent of the franchisor to sell, assign or discount to a third party any note, contract or other obligation of the franchisee or subfranchisor in whole or in part;

(p) A copy of any statement of estimated or projected franchisee earnings prepared for presentation to prospective franchisees or subfranchisors, or other persons, together with a statement setting forth the data upon which such estimation or projection is based;

(q) A statement describing the training program, supervision and assistance the franchisor has provided and will provide the franchisee;

(r) A statement of any compensation or other benefit given or promised to a public figure arising, in whole or in part, from the use of the public figure in the name or symbol of the franchise or the endorsement or recommendation of the franchise by the public figure in advertisements, and the extent to which such public figure is involved in the actual management of the franchisor;

(s) A statement of the number of franchises presently operating and proposed to be sold;

(t) A statement whether franchisee or subfranchisors receive an exclusive area and territory, and if so, a map thereof; and

(u) Such other information as the commissioner may require;

(v) When the franchises to be registered are proposed to be offered and sold by a subfranchisor or the subfranchisor's agents, the application shall also include the same information concerning the subfranchisor as is required concerning the franchisor pursuant to this section.

Sec. 49. Minnesota Statutes 1990, section 80C.07, is amended to read:

#### 80C.07 [AMENDMENT OF REGISTRATION.]

A person with a registration in effect shall, within 30 days after the occurrence of any material change in the information on file with the commissioner, notify the commissioner in writing of the change by an application to amend the registration accompanied by a fee of ~~\$50~~ \$100. The commissioner may by rule define what shall be considered a material change for such purposes, and may determine the circumstances under which a revised public offering statement must accompany the application. If the amendment is approved by the commissioner, it shall become effective upon the issuance by the commissioner of an order amending the registration.

Sec. 50. Minnesota Statutes 1990, section 80C.08, subdivision 1, is amended to read:

Subdivision 1. Within 120 days after the fiscal year end of the registrant, the registrant shall file a report in the form prescribed by rule of the commissioner. A fee of ~~\$100~~ \$200 shall accompany the annual report.

Sec. 51. Minnesota Statutes 1990, section 82.22, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] Each applicant for a license must pass an examination conducted by the commissioner. The examina-

tions shall be of sufficient scope to establish the competency of the applicant to act as a real estate broker; ~~as or~~ a real estate salesperson; ~~or as a real estate closing agent.~~

Sec. 52. Minnesota Statutes 1990, section 82.22, subdivision 5, is amended to read:

Subd. 5. [PERIOD FOR APPLICATION.] An applicant who obtains an acceptable score on a salesperson's ~~or closing agent's~~ examination must file an application and obtain the license within one year of the date of successful completion of the examination or a second examination must be taken to qualify for the license. If a new examination is required, prelicense education must be completed in accordance with subdivision 6.

Sec. 53. Minnesota Statutes 1990, section 82.22, subdivision 10, is amended to read:

Subd. 10. [RENEWAL; EXAMINATION.] Except as provided in subdivisions 3 and 7, no examination shall be required for the renewal of any license, provided, however, any licensee having been licensed as a broker; or salesperson; ~~or closing agent~~ in the state of Minnesota and who shall fail to renew the license for a period of two years shall be required by the commissioner to again take an examination.

Sec. 54. Minnesota Statutes 1990, section 82.22, subdivision 11, is amended to read:

Subd. 11. [EXAMINATION ELIGIBILITY; REVOCATION.] No applicant shall be eligible to take any examination if a license as a real estate broker; or salesperson; ~~or closing agent~~ has been revoked in this or any other state within two years of the date of the application.

Sec. 55. Minnesota Statutes 1990, section 115C.09, is amended by adding a subdivision to read:

Subd. 6. [LIMITATION ON REIMBURSEMENT OBLIGATION.] Notwithstanding any other provisions of this chapter, there shall be no obligation to the general fund to make a reimbursement if there are not sufficient funds in the petroleum tank release cleanup account.

Sec. 56. Minnesota Statutes 1990, section 129D.04, is amended by adding a subdivision to read:

Subd. 5. The board may contract as necessary in the performance of its duties.

Sec. 57. Minnesota Statutes 1990, section 129D.04, is amended by adding a subdivision to read:

Subd. 6. The board's receipts from the sale of publications, mailing lists, recordings or media projects, and fees from seminars or workshops are annually appropriated to the board for the purposes of this section.

Sec. 58. Minnesota Statutes 1990, section 129D.05, is amended to read:

129D.05 [PUBLICATIONS; LEGEND.]

Every publication, program, or other graphic material prepared by the board or prepared for use by any other organization in connection with an activity paid for by the board shall bear the legend: "This activity is made possible in part by a grant provided by the Minnesota state arts board through an appropriation by the Minnesota state legislature."

Each publication, program, or other graphic material prepared by an individual artist in connection with an activity paid for by the board shall bear the legend: "(artist's name) is a (fiscal year) recipient of a (program) grant from the Minnesota state arts board from funds appropriated by the Minnesota legislature."

Sec. 59. Minnesota Statutes 1990, section 138.91, is amended to read:

138.91 [MINNESOTA HUMANITIES COMMISSION.]

Subdivision 1. [REPORTS.] ~~From money appropriated to it for this purpose the Minnesota historical society shall make grants to the Minnesota humanities commission for its general operations and management. A grant shall not be made unless matched by an equal amount of federal money. At least 50 percent of the amount appropriated shall be used for cooperation with and service for other groups, agencies, and institutions outside the seven-county metropolitan area for the support and dissemination of the humanities.~~

~~Subd. 2. The Minnesota humanities commission shall report to the legislature by September 1 of each year on the use of these grants state funds appropriated to the commission. The report shall include an itemized account of the programs and projects supported and the source of money for each. The report shall show actual expenditures for the fiscal year ending the preceding June 30 and proposed expenditures for the fiscal year beginning the preceding July 1.~~

Subd. 3. 2. [HUMANITIES RESOURCE CENTER.] (a) The Min-

nesota humanities commission may establish a humanities resource center to ensure balance in public education and in the cultural life of the state, and to improve humanities education through the establishment of two institutes: The Minnesota institute for lifelong learning, and the Minnesota institute for the advancement of teaching.

(b) The humanities resource center may transport people and resources to small towns, rural communities, and urban settings to provide grants, technical assistance, and high quality educational and cultural programs to schools and community organizations throughout Minnesota.

(c) The Minnesota institute for the advancement of teaching may conduct seminars and other activities for the recognition of the teaching profession and the advancement of teaching in Minnesota.

Sec. 60. Minnesota Statutes 1990, section 138.94, is amended to read:

138.94 [STATE HISTORICAL HISTORY CENTER.]

Subdivision 1. [DESIGNATION.] The historical building at 690 Cedar Street and the land housing the Mechanic Arts gymnasium, parking lot, and any other properties between those entities and the historical building at 690 Cedar Street 160 John Ireland Boulevard is hereby designated as the state historical history center, and is to be used for such purposes notwithstanding any other law to the contrary. Authority for administration and control of the state historical history center is conferred on the Minnesota historical society. The society is not exempt from rental or lease costs by the state. The state will maintain and provide custodial, security, and climate control services for the historical history center.

Subd. 2. [USER FEES.] The society may charge fees it deems reasonable for uses relating to the state history center, including special exhibit fees and parking fees.

Sec. 61. Minnesota Statutes 1990, section 162.02, subdivision 12, is amended to read:

Subd. 12. [SYSTEM TO INCLUDE FORMER MUNICIPAL STATE-AID STREETS.] Former municipal state-aid streets located in a city that previously received money from the municipal state-aid street fund but whose population fell below 5,000 under the 1980 or 1990 federal census must be included in the county state-aid highway system, subject to the approval of the governing bodies of the city and the county. An action taken by a county board approving the inclusion of a former municipal state-aid street in the county state-aid highway system must also include a resolution

taking over the street as a county highway under section 163.11. The county state-aid highway system is increased in extent by the addition of the mileage of municipal state-aid streets reverting or turned over to the jurisdiction of the counties under this subdivision.

Sec. 62. Minnesota Statutes 1990, section 168C.04, is amended to read:

168C.04 [REGISTRATION FEE.]

Subdivision 1. The registration fee for bicycles shall be ~~\$3 until January 1, 1985, and shall be \$5 thereafter~~ \$9 after July 1, 1991. These fees shall be paid at the time of registration. The fees, and any donations in excess of the fees must be deposited in the general fund ~~and a bicycle transportation account in the special revenue fund~~. Proof of purchase is required for registration. Bicycles lacking proof of purchase may be registered if there is no evidence that the bicycle is stolen. However, the registration record must be marked to indicate that no proof of purchase was provided. The registration is valid for three calendar years. A person registering a bicycle may add an additional amount to the registration fee, and all amounts so added must be deposited in the same manner as registration fees. A person registering a bicycle must at the time of registration be informed that a registrant may add an additional amount to the fee and that all such additional amounts will be used for the purposes specified in subdivision 2.

Subd. 2. Funds received from bicycle registration may be expended only by legislative appropriation for the following purposes:

(a) for the costs incurred by the commissioner in administering the bicycle registration program;

(b) beginning July 1, 1984, for a program to be conducted by the commissioner to publicize the bicycle registration program and encourage participation in it by bicycle owners and local units of government;

(c) for the development of bicycle safety education programs and the development of bicycle transportation and recreational facilities including but not limited to bicycle lanes and ways on highway right-of-way, off-road bicycle trails and bicycle mapping. A bicycle transportation account is created in the special revenue fund. All funds in the account, up to a maximum of \$160,000 in a fiscal year, are annually appropriated as follows:

(1) one-half to the commissioner of transportation for the development of bicycle transportation and recreational facilities on public highways, including but not limited to bicycle lanes and ways on highways, off-road bicycle trails, and bicycle mapping; and

(2) one-half to the commissioner of public safety for bicycle safety programs, administration of the bicycle registration program, and public information and education designed to encourage participation in the program.

Subd. 3. An agency of the state expending funds from the bicycle program transportation account must, in making expenditures for the purposes of subdivision 2, paragraph (c) give consideration to participation or nonparticipation by a political subdivision in the bicycle registration program as provided in section 168C.13 and the extent of local public participation in the program before approving a project or expenditure in that political subdivision.

~~Subd. 4. Not later than March 1, 1985 the commissioner shall report to the legislature on funds expended under subdivision 2, paragraph (b) and accomplishments in carrying out the purposes of that clause.~~

Sec. 63. Minnesota Statutes 1990, section 171.06, subdivision 2a, is amended to read:

Subd. 2a. [FEE INCREASED.] The fee for any duplicate drivers license which is obtained for the purpose of adding a two-wheeled vehicle endorsement is increased by ~~\$7.50~~ \$15 for each first such duplicate license and ~~\$6~~ \$12 for each renewal thereof. The additional fee shall be paid into the state treasury and credited as follows:

(1) \$7.50 of the additional fee for each first duplicate license, and \$6 of the additional fee for each renewal, must be credited to the motorcycle safety fund which is hereby created; provided that any fee receipts in excess of \$500,000 in a fiscal year shall be credited 90 percent to the trunk highway fund and ten percent to the general fund, as provided in section 171.26.

(2) The remainder of the additional fee must be credited to the general fund.

All application forms prepared by the commissioner for two-wheeled vehicle endorsements shall clearly contain the information that of the total fee charged for the endorsement, \$6 is dedicated to the motorcycle safety fund.

Sec. 64. Minnesota Statutes 1990, section 171.26, is amended to read:

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

All money received under the provisions of this chapter shall be paid into the state treasury with 90 percent of such money credited

to the trunk highway fund, and ten percent credited to the general fund, except as provided in ~~section~~ sections 171.06, subdivision 2a; and 171.29, subdivision 2.

Sec. 65. Minnesota Statutes 1990, section 182.651, is amended by adding a subdivision to read:

Subd. 21. [AFFECTED EMPLOYEE.] "Affected employee" means a current employee of a cited employer who is exposed within the scope of employment to the alleged hazard described in the citation.

Sec. 66. Minnesota Statutes 1990, section 182.651, is amended by adding a subdivision to read:

Subd. 22. [AUTHORIZED EMPLOYEE REPRESENTATIVE.] "Authorized employee representative" means a labor organization that has a collective bargaining relationship with the cited employer and that represents affected employees.

Sec. 67. Minnesota Statutes 1990, section 182.651, is amended by adding a subdivision to read:

Subd. 23. [RESPONDENT.] "Respondent" means a person against whom a complaint has been issued or served.

Sec. 68. Minnesota Statutes 1990, section 182.661, subdivision 1, is amended to read:

Subdivision 1. If, after an inspection or investigation, the commissioner issues a citation under section 182.66, the commissioner shall notify the employer by certified mail of the penalty, if any, proposed to be assessed under section 182.666 and that the employer has ~~15 working~~ 20 calendar days within which to ~~notify the commissioner in writing~~ file a notice of contest and certification of service, on a form provided by the commissioner, indicating that the employer wishes to contest the citation, type of violation, proposed assessment of penalty, or the period of time fixed in the citation given for correction of violation. A copy of the citation and the proposed assessment of penalty shall also be mailed to the bargaining authorized employee representative and, in the case of the death of an employee, to the next of kin if requested and designated representative of the employee if known to the department of labor and industry. If within 15 working 20 calendar days from the receipt of the penalty notice issued by the commissioner the employer fails to notify the commissioner in writing that the employer intends to contest the citation or proposed assessment of penalty file the notice of contest, and no notice contesting either the citation, the type of violation, proposed penalty, or the time fixed for abatement in the citation of contest is filed by any employee or authorized representative of employees under subdivision 3 within such time, the



citation and assessment, as proposed, shall be deemed a final order of the ~~board~~ commissioner and not subject to review by any court or agency.

Sec. 69. Minnesota Statutes 1990, section 182.661, subdivision 2, is amended to read:

Subd. 2. If the commissioner has reason to believe that an employer has failed to correct a violation for which a citation has been issued within the period permitted for its correction, which period shall not begin to run until the entry of a final order by the ~~board~~ commissioner in case of any review proceedings under this section initiated by the employer in good faith and not solely for delay or avoidance of penalties, the commissioner shall notify the employer by certified mail of such failure and of the penalty proposed to be assessed under section 182.666 by reason of such failure, and that the employer has ~~15 working~~ 20 calendar days within which to ~~notify in writing the commissioner~~ file a notice of contest and certification of service, on a form provided by the commissioner, indicating that the employer wishes to contest the commissioner's notification or the proposed assessment of penalty. If, within ~~15 working~~ 20 calendar days from the receipt of penalty notification issued by the commissioner, the employer fails to ~~notify in writing the commissioner~~ file the notice of contest indicating that the employer intends to contest the notification or proposed assessment of penalty, the penalty notification and assessment, as proposed, shall be deemed a final order of the ~~board~~ commissioner and not subject to review by any court or agency.

Sec. 70. Minnesota Statutes 1990, section 182.661, subdivision 2a, is amended to read:

Subd. 2a. The commissioner may bring an action in district court for injunctive or other appropriate relief including monetary damages if the employer fails to comply with a final order of the ~~board~~ commissioner.

Sec. 71. Minnesota Statutes 1990, section 182.661, subdivision 3, is amended to read:

Subd. 3. If an employer notifies the commissioner that the employer intends to contest the citation or the proposed assessment of penalty or the employee or the authorized employee representative notifies the commissioner that the employee intends to contest the time fixed for abatement in the citation issued under section 182.66, the citation, the type of alleged violation, the proposed penalty, or notification issued under subdivisions 1 or 2, the ~~board~~ commissioner shall ~~conduct~~ either resolve the matter by settlement agreement or refer the matter to an administrative law judge for a hearing in accordance with the applicable provisions of chapter 14, ~~for hearings in contested cases. Where the commissioner refers a~~

matter for a contested case hearing, the administrative law judge shall make findings of fact, conclusions of law, and any appropriate orders. The determinations shall be the final decision of the commissioner and may be appealed to the board by any party. The rules of procedure prescribed by the board commissioner shall provide affected employees or authorized representatives of affected employees an opportunity to participate as parties to hearings under this subdivision.

Sec. 72. Minnesota Statutes 1990, section 182.661, subdivision 3a, is amended to read:

Subd. 3a. As prescribed in rules issued by the ~~board~~ commissioner, each notice of intent to contest the citation, proposed assessment of penalty, or period of time fixed in the citation for correction of the violation shall be prominently posted at or near each place a violation referred to in the citation occurred or served on affected employers, employees, and authorized employee representatives. If the contesting employer, employee, or authorized employee representation representative fails to post or serve the notice of intent to contest the citation, the proposed assessment of penalty, or the period of time fixed for correction of the violation within the time prescribed in rules issued by the ~~board~~ commissioner, the board administrative law judge may render a default judgment in favor of the commissioner.

Sec. 73. Minnesota Statutes 1990, section 182.661, is amended by adding a subdivision to read:

Subd. 3b. [SERVICE OF NOTICES.] The contesting party shall serve a copy of the notice of contest and notice to employees, on forms provided by the commissioner, upon unrepresented affected employees and authorized employee representatives on or before the date the notice of contest is filed with the commissioner. For purposes of this section, a document is considered filed upon receipt by the commissioner.

Sec. 74. Minnesota Statutes 1990, section 182.661, is amended by adding a subdivision to read:

Subd. 5. [SETTLEMENT.] Where the parties resolve a contested matter by settlement agreement, the contesting party shall serve a copy of the agreement upon affected employees and authorized employee representatives. Affected employees and authorized employee representatives may file, with the commissioner, an objection to the settlement agreement. The objections must be filed within ten calendar days after service of the agreement. Upon receipt of an objection to a settlement agreement, the commissioner may refer the agreement to an administrative law judge who shall give consideration to the objection before approving or disapproving the

agreement. If no timely objection is made, the settlement agreement becomes a final order of the commissioner.

Sec. 75. Minnesota Statutes 1990, section 182.661, is amended by adding a subdivision to read:

Subd. 6. [COMPLAINT AND ANSWER.] The commissioner shall serve a complaint on all parties no later than 90 calendar days after receiving a notice of contest. The contesting party shall serve an answer on all the parties within 20 calendar days after service of the complaint.

Sec. 76. Minnesota Statutes 1990, section 182.664, subdivision 3, is amended to read:

Subd. 3. The review board or its appointed administrative law judges may hold hearings at places of convenience to the parties concerned shall review and decide appeals from decisions and orders of the commissioner's appointed administrative law judges, petitions to vacate final orders of the commissioner, and with the agreement of the parties, may hear and decide petitions for decisions based on stipulated facts. The powers of the board in the conduct of hearings, including the power to administer oaths and subpoena persons sign decisions and orders, may be exercised on its behalf by delegated to a member, members, or an administrative law judge appointed by the board chair. The board may administer oaths and subpoena persons, including parties, as witnesses and may compel them to produce documentary evidence for hearings schedule a hearing for purposes of taking oral argument. A notice stating the time and place of the hearing must be given ten days in advance of such a hearing to the parties and copies of the notice of such hearing shall be posted by the employer at such places as the board shall require. The hearings shall be open to the public and the records of hearings board's decisions and orders shall be maintained and available for examination. The hearing shall be conducted in compliance with rules contained in chapter 14. The rules of the board shall provide affected employers, employees or their representatives an opportunity to participate as parties provided they file notice at least five days before the start of the hearing.

Sec. 77. Minnesota Statutes 1990, section 182.664, subdivision 5, is amended to read:

Subd. 5. For the purpose of carrying out its functions under this chapter, two members of the board shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members. The findings decisions and decision orders of an administrative law judge, or final orders of the commissioner, may be appealed to the review board by the employer, employee, or their authorized representatives, within 30 days following publication receipt of the administrative law judge's findings decision and

decision order, or final order of the commissioner. The review board shall have authority to revise, confirm, or reverse the findings decision and decision order of administrative law judges, or to vacate and remand final orders of the commissioner. The board shall only vacate a final order of the commissioner upon a prima facie showing of good cause. For purposes of this section, good cause is limited to fraud, mistake of fact or law, or newly discovered evidence.

Sec. 78. Minnesota Statutes 1990, section 182.666, subdivision 1, is amended to read:

Subdivision 1. Any employer who willfully or repeatedly violates the requirements of section 182.653, or any standard, rule, or order ~~promulgated~~ adopted under the authority of the commissioner as provided in this chapter, may be assessed a fine not to exceed ~~\$20,000~~ \$70,000 for each violation. The minimum fine for a willful violation is \$5,000.

Sec. 79. Minnesota Statutes 1990, section 182.666, subdivision 2, is amended to read:

Subd. 2. Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order ~~promulgated~~ adopted under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed ~~\$2,000~~ \$7,000 for each ~~such~~ violation. If ~~such~~ the violation causes or contributes to the cause of the death of an employee, the employer shall be assessed a fine of up to \$10,000.

Sec. 80. Minnesota Statutes 1990, section 182.666, subdivision 3, is amended to read:

Subd. 3. Any employer who has received a citation for a violation of its duties under section 182.653, subdivisions 2 to 4, where ~~such~~ the violation is specifically determined not to be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a fine of up to ~~\$2,000~~ \$7,000 for each ~~such~~ violation.

Sec. 81. Minnesota Statutes 1990, section 182.666, subdivision 4, is amended to read:

Subd. 4. Any employer who fails to correct a violation for which a citation has been issued under section 182.66 within the period permitted for its correction, which period shall not begin to run until the date of the final order of the board in the case of any review proceedings under this chapter initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a fine of not more than ~~\$2,000~~ \$7,000 for each day during which ~~such~~ the failure or violation continues.

Sec. 82. Minnesota Statutes 1990, section 182.666, subdivision 5, is amended to read:

Subd. 5. Any employer who violates any of the posting requirements, as prescribed under this chapter, except those prescribed under section 182.661, subdivision 3a, shall be assessed a fine of up to ~~\$2,000~~ \$7,000 for each violation.

Sec. 83. Minnesota Statutes 1990, section 182.666, subdivision 5a, is amended to read:

Subd. 5a. Any employer who knowingly violates section 182.6575 shall be assessed a fine of up to ~~\$2,000~~ \$7,000 for each violation. The employer shall also be liable to each aggrieved employee for civil punitive damages of \$400.

Sec. 84. Minnesota Statutes 1990, section 182.669, subdivision 1, is amended to read:

Subdivision 1. Any employee believed to have been discharged or otherwise discriminated against by any person because such employee has exercised any right authorized under the provisions of sections 182.65 to 182.674, may, within 30 days after such alleged discrimination occurs, file a complaint with the commissioner alleging the discriminatory act. Upon receipt of such complaint, the commissioner shall cause such investigation to be made as the commissioner deems appropriate. If upon such investigation the commissioner determines that a discriminatory act was committed against an employee, the commissioner shall refer the matter to the office of administrative hearings for a hearing before an administrative law judge pursuant to the provisions of chapter 14. For purposes of this section, the commissioner shall file with the administrative law judge and serve upon the respondent, by registered or certified mail, a complaint and written notice of hearing. The respondent shall file with the administrative law judge and serve upon the commissioner, by registered or certified mail, an answer within 20 days after service of the complaint. In all cases where the administrative law judge finds that an employee has been discharged or otherwise discriminated against by any person because the employee has exercised any right authorized under sections 182.65 to 182.674, the administrative law judge may order payment to the employee of back pay and compensatory damages. The administrative law judge may also order rehiring of the employee; reinstatement of the employee's former position, fringe benefits, and seniority rights; and other appropriate relief. In addition, the administrative law judge may order payment to the commissioner or to the employee of costs, disbursements, witness fees, and attorney fees. Interest shall accrue on, and be added to, the unpaid balance of an administrative law judge's order from the date the order is signed by the administrative law judge until it is paid, at the annual rate provided in section 549.09, subdivision 1, para-

graph (c). An employee may bring a private action in the district court for relief under this section.

Sec. 85. Minnesota Statutes 1990, section 184.28, subdivision 2, is amended to read:

Subd. 2. The department shall hold such examinations at such times and places as it shall determine. An examination fee of ~~\$10~~ \$20 shall be paid by each applicant in addition to the license fee, which examination fee shall be retained by the department whether or not the applicant passes the examination. The examination fee shall be forfeited if the applicant does not take the examination within six months of the application date. The examination fee of ~~\$10~~ \$20 shall cover the costs of preparing and printing the examinations and the cost of giving each person taking the examination a copy of the latest rules. Rules shall be kept on the premises readily available to the counselor, manager, or agent.

Sec. 86. Minnesota Statutes 1990, section 184.29, is amended to read:

184.29 [FEES.]

Before a license is granted to an applicant, the applicant shall pay the following fee:

(a) An employment agent shall pay an annual license fee of ~~\$200~~ \$250 for each license.

(b) A search firm exempt under section 184.22, subdivision 2, shall pay an annual registration fee of ~~\$200~~ \$250, accompanying the annual statement to the commissioner.

(c) An applicant for a counselor's license shall pay a license fee of ~~\$10~~ \$20 and a renewal fee of ~~\$5~~ \$10.

(d) An applicant for an employment agency manager's license shall pay a license fee of ~~\$10~~ \$20 and a renewal fee of ~~\$5~~ \$10.

Sec. 87. Minnesota Statutes 1990, section 184A.09, is amended to read:

184A.09 [LICENSE FEES.]

Before a license shall be granted to an applicant, the applicant shall pay a filing fee of \$25 and a license fee of ~~\$200~~ \$250.

An application for consent to transfer or assign a license shall be accompanied by a \$25 filing fee.

Sec. 88. Minnesota Statutes 1990, section 239.78, is amended to read:

239.78 [INSPECTION FEES.]

An inspection fee shall be charged on petroleum products when received by the distributor, and on petroleum products received and held for sale or use by any person when the petroleum products have not previously been received by a licensed distributor. The department shall adjust the inspection fee to recover the ~~amount~~ amounts appropriated for petroleum product quality inspection expenses ~~and the amount appropriated~~, for the inspection and testing of petroleum product measuring devices as required by this chapter, and for petroleum supply monitoring under chapter 216C. The department shall review and adjust the inspection fee as required by section 16A.128, except the review of the fee shall occur annually on or before January 1.

The commissioner of revenue shall credit the distributor for inspection fees previously paid in error or for any material exported or sold for export from the state upon filing of a report in a manner approved by the department. The commissioner of revenue is authorized to collect the inspection fees along with any taxes due under chapter 296.

Sec. 89. Minnesota Statutes 1990, section 240.02, subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS.] A member of the commission; ~~other than the commissioner~~, must have been a resident of Minnesota for at least five years before appointment, and must have a background and experience as would qualify for membership on the commission. A member must, before taking a place on the commission, file a bond in the principal sum of \$100,000 payable to the state, conditioned upon the faithful performance of duties. No commissioner, nor any member of the commissioner's immediate family residing in the same household, may hold a license issued by the commission or have a direct or indirect financial interest in a corporation, partnership, or association which holds a license issued by the commission.

Sec. 90. Minnesota Statutes 1990, section 240.02, subdivision 3, is amended to read:

Subd. 3. [COMPENSATION.] The compensation of commission members is \$35 per for each day spent on commission activities, when authorized by the commission, shall be the same as compensation provided for other members of boards and commissions under section 15.0575, subdivision 3, plus expenses in the same manner and amount as provided in the commissioner's plan adopted according to section 43A.18, subdivision 2.

Sec. 91. Minnesota Statutes 1990, section 240.06, subdivision 8, is amended to read:

Subd. 8. [WORK AREAS.] A class A licensee must provide at no cost to the ~~division~~ commission suitable work areas for commission members, officers, employees, and agents, including agents of the division of gambling enforcement, who are directed or requested by the commission to supervise and control racing at the licensed racetrack.

Sec. 92. Minnesota Statutes 1990, section 240.155, is amended to read:

240.155 [REIMBURSEMENT ACCOUNT ACCOUNTS AND PROCEDURES.]

Subdivision 1. Money received by the commission as reimbursement for the costs of services provided by assistant veterinarians and stewards must be deposited in the state treasury and credited to a racing commission reimbursement account, except as provided under subdivision 2. Receipts are appropriated to the commission to pay the costs of providing the services.

Subd. 2. Money received by the commission as reimbursement for the compensation of a steward who is an employee of the commission for which a general fund appropriation has been made, shall be deposited in the general fund.

Sec. 93. Minnesota Statutes 1990, section 240.28, is amended to read:

240.28 [CONFLICT OF INTEREST.]

Subdivision 1. [FINANCIAL INTEREST.] No person may serve on or be employed by the commission ~~or be employed by the division~~ who has an interest in any corporation, association, or partnership which holds a license from the commission or which holds a contract to supply goods or services to a licensee or at a licensed racetrack, including concessions contracts. No member or employee of the commission ~~or employee of the division~~ may own, wholly or in part, or have an interest in a horse which races at a licensed racetrack in Minnesota. No member or employee of the commission ~~or employee of the division~~ may have a financial interest in or be employed in a profession or business which conflicts with the performance of duties as a member or employee.

Subd. 2. [BETTING.] No member or employee of the commission ~~or employee of the division~~ may bet or cause a bet to be made on a race at a licensed racetrack while serving on or being employed by the commission ~~or being employed by the division~~. No person



appointed or approved by the director as a steward may bet or cause a bet to be made at a licensed racetrack during a racing meeting at which the person is serving as a steward. The commission shall by rule prescribe such restrictions on betting by its licensees as it deems necessary to protect the integrity of racing.

Subd. 3. [VIOLATION.] A violation of subdivisions 1 and 2 is grounds for removal from the commission or termination of employment. A bet made directly or indirectly by a licensee in violation of a rule made by the commission under subdivision 2 is grounds for suspension or revocation of the license.

Sec. 94. Minnesota Statutes 1990, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. [GENERAL FUND SHARE.] (a) Money collected and received under this chapter must be deposited in the state treasury and credited to the general fund. The amounts collected and received shall be credited as provided in this subdivision, and transferred from the general fund on July 15 and ~~January~~ February 15 of each fiscal year. The commissioner of finance must make each transfer based upon the actual receipts of the preceding six calendar months and include the interest earned during that six-month period. The commissioner of finance may establish a quarterly or other schedule providing for more frequent payments to the transit assistance fund if the commissioner determines it is necessary or desirable to provide for the cash flow needs of the recipients of money from the transit assistance fund.

(b) ~~Twenty-five percent of the money collected and received under this chapter after June 30, 1990, and before July 1, 1991, must be transferred to the highway user tax distribution fund and the transit assistance fund for apportionment as follows: 75 percent must be transferred to the highway user tax distribution fund for apportionment in the same manner and for the same purposes as other money in that fund, and the remaining 25 percent of the money must be transferred to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the regional transit board. Ten and sixty-seven hundredths percent of the money collected and received under this chapter after June 30, 1991, must be transferred to the trunk highway fund and the transit assistance fund for apportionment as follows: 75 percent must be transferred to the trunk highway fund, and the remaining 25 percent of the money must be transferred to the transit assistance fund to be appropriated to the commissioner of transportation for transit assistance within the state and to the regional transit board. The total amount transferred under this paragraph may not exceed \$39,192,000.~~

(c) Five percent of the money collected and received under this chapter after June 30, 1989, and before July 1, 1991, must be

transferred as follows: 75 percent must be transferred to the trunk highway fund and 25 percent must be transferred to the transit assistance fund.

(d) Thirty percent of the money collected and received under this chapter after June 30, 1991, must be transferred as follows: 75 percent must be transferred to the trunk highway fund and 25 percent must be transferred to the transit assistance fund.

(e) The distributions under this subdivision to the highway user tax distribution fund until June 30, 1991, and to the trunk highway fund thereafter, must be reduced by the amount necessary to fund the appropriation under section 41A.09, subdivision 1. For the fiscal years ending June 30, 1988, and June 30, 1989, The commissioner of finance, before making the transfers required on July 15 and January February 15 of each year, shall estimate the amount required to fund the appropriation under section 41A.09, subdivision 1, for the six-month period for which the transfer is being made. The commissioner shall then reduce the amount transferred to the highway user tax distribution trunk highway fund by the amount of that estimate. The commissioner shall reduce the estimate for any six-month period by the amount by which the estimate for the previous six-month period exceeded the amount needed to fund the appropriation under section 41A.09, subdivision 1, for that previous six-month period. If at any time during a six-month period in those fiscal years the amount of reduction in the transfer to the highway user tax distribution trunk highway fund is insufficient to fund the appropriation under section 41A.09, subdivision 1 for that period, the commissioner shall transfer to the general fund from the highway user tax distribution trunk highway fund an additional amount sufficient to fund the appropriation for that period, but the additional amount so transferred to the general fund in a six-month period may not exceed the amount transferred to the highway user tax distribution trunk highway fund for that six-month period.

Sec. 95. Minnesota Statutes 1990, section 299F.57, subdivision 1a, is amended to read:

Subd. 1a. [ADOPTION OF FEDERAL STANDARDS.] The federal safety standards adopted as Code of Federal Regulations, title 49, parts 191, 192, and 193, and 199, and standards that may be adopted that amend parts 191, 192, and 193, and 199, are adopted as minimum safety standards.

Sec. 96. Minnesota Statutes 1990, section 299F.641, subdivision 2, is amended to read:

Subd. 2. [FEDERAL STANDARDS ADOPTED.] The federal safety standards adopted as Code of Federal Regulations, title 49, ~~part~~ parts 195 and 199, and standards that may be adopted that amend ~~part~~ parts 195 and 199, are adopted as minimum safety

standards. The commissioner may by rule adopt additional or more stringent safety standards for intrastate hazardous liquid pipeline facilities and the transportation of hazardous liquids associated with those facilities, if the state standards are compatible with the federal standards. The standards may not prescribe the location or routing of a pipeline facility.

Sec. 97. Minnesota Statutes 1990, section 299K.07, is amended to read:

**299K.07 [NOTIFICATION TO EMERGENCY RESPONSE MANAGEMENT CENTER.]**

(a) The notification of the commission required under the federal act shall be made to the state emergency response management center. The owner or operator of a facility shall immediately notify the state emergency response management center of the release of a reportable quantity of the following materials:

(1) a hazardous substance on the list established under United States Code, title 42, section 9602; or

(2) an extremely hazardous substance on the list established under United States Code, title 42, section 11002.

(b) This section does not apply to a release that results in exposure to persons solely within the site or sites on which a facility is located or to a release specifically authorized by state law.

(c) A person who is required to report to or notify a state agency of a discharge, release, or incident under section 221.034, chapter 18B, 18C, 18D, 115, 115A, 115B, 115C, 115D, 116, 299J, or 299K, or any other statute, administrative rule or federal rule may satisfy the requirement to report by notifying the emergency management center established in this section. The commissioner of the department of public safety shall ensure that the center is staffed with adequate personnel to answer all calls 24 hours a day and that those staff are adequately trained to efficiently notify all appropriate state and federal agencies with jurisdiction over the discharge or release, and provide emergency responder information. No state agency may adopt a rule or guideline that requires a person who notifies the emergency management center to also notify that agency. The commissioner of each affected state agency shall include the telephone number of the emergency management center in all files, permits, correspondence, educational publications, and other communications with the public and other persons, and shall designate personnel to coordinate receipt of reports or notifications with emergency management center personnel.

Sec. 98. Minnesota Statutes 1990, section 299K.09, subdivision 2, is amended to read:

Subd. 2. [FEE STRUCTURE.] The fee established under subdivision 1 may not exceed, in the aggregate, the amount necessary to cover the costs for all data management, including administration of fees, by the commission and regional review committees, and a portion of the costs of operation of the emergency management center.

Sec. 99. Minnesota Statutes 1990, section 336.9-413, is amended to read:

336.9-413 [UNIFORM COMMERCIAL CODE ACCOUNT.]

(a) The uniform commercial code account is established as an account in the state treasury.

(b) The filing officer with whom a financing statement, amendment, assignment, statement of release, or continuation statement is filed, or to whom a request for search is made, shall collect a ~~\$3~~ \$4 surcharge on each filing or search. By the 15th day following the end of each fiscal quarter, each county recorder shall forward the receipts from the surcharge accumulated during that fiscal quarter to the secretary of state. The surcharge does not apply to a search request made by a natural person who is the subject of the data to be searched except when a certificate is requested as a part of the search.

(c) The surcharge amounts received from county recorders and the surcharge amounts collected by the secretary of state's office must be deposited in the state treasury and credited to the general fund.

(d) Fees that are not expressly set by statute but are charged by the secretary of state to offset the costs of providing a service under sections 336.9-411 to 336.9-413 must be deposited in the state treasury and credited to the uniform commercial code account.

(e) Fees that are not expressly set by statute but are charged by the secretary of state to offset the costs of providing information contained in the computerized records maintained by the secretary of state must be deposited in the state treasury and credited to the uniform commercial code account.

(f) Money in the uniform commercial code account is continuously appropriated to the secretary of state to implement and maintain the computerized uniform commercial code filing system under section 336.9-411 and to provide electronic-view-only access to other computerized records maintained by the secretary of state.

Sec. 100. Minnesota Statutes 1990, section 349.12, subdivision 10, is amended to read:

Subd. 10. [DIRECTOR.] "Director" is the director of the ~~division~~ of gambling control board.

Sec. 101. Minnesota Statutes 1990, section 349.151, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP] (a) Until July 1, the board consists of six members appointed by the governor with the advice and consent of the senate and the commissioner of gaming as a voting member. Of the members first appointed, one is for a term expiring June 30, 1990, two are for a term expiring June 30, 1991, two are for a term expiring June 30, 1992, and one is for a term expiring June 30, 1993.

(b) On and after July 1, 1991, the board consists of seven members, as follows: (1) those members appointed by the governor before July 1, 1991, whose terms expire June 30, 1992, June 30, 1993, and June 30, 1994; (2) one member appointed by the governor for a term expiring June 30, 1994; (3) one member appointed by the commissioner of public safety for a term expiring June 30, 1995; and (4) one member appointed by the attorney general for a term expiring June 30, 1995.

(c) All appointments under this subdivision are with the advise and consent of the senate.

(d) After expiration of the initial terms, appointments are for four years.

(e) The board shall select one of its members; ~~other than the commissioner~~, to serve as chair. No more than three members appointed by the governor under this subdivision may belong to the same political party.

Sec. 102. Minnesota Statutes 1990, section 349A.01, subdivision 5, is amended to read:

Subd. 5. [DIRECTOR.] "Director" is the director of the state lottery ~~division~~.

Sec. 103. Minnesota Statutes 1990, section 349A.01, subdivision 9, is amended to read:

Subd. 9. [LOTTERY.] "Lottery" is the state lottery ~~operated by the state lottery division of the department~~.

Sec. 104. Minnesota Statutes 1990, section 349A.02, subdivision 1, is amended to read:

Subdivision 1. [DIRECTOR.] A state lottery ~~division~~ is established in the ~~department of gaming~~, under the supervision and control of the director of the state lottery appointed by the governor with the advice and consent of the senate. The governor shall appoint the first director from a list of at least three persons recommended to the governor by the governor's commission on the lottery which was appointed by the governor on December 8, 1988. The director must be qualified by experience and training to supervise the lottery. The director serves in the unclassified service.

Sec. 105. Minnesota Statutes 1990, section 349A.03, subdivision 1, is amended to read:

Subdivision 1. [BOARD CREATED.] There is created ~~within the division~~ a state lottery board. The board consists of ~~six~~ seven members appointed by the governor ~~plus the commissioner as a voting member~~. Not more than ~~three~~ four of the members appointed by the governor under this subdivision may belong to the same political party and at least three members must reside outside the seven-county metropolitan area. The terms of office, removal from office, and compensation of members of the board, ~~other than the commissioner~~, are as provided in section 15.059 except the board does not expire as provided under section 15.059, subdivision 5. The members of the board shall select the chair of the board, ~~who shall not be the commissioner~~.

Sec. 106. Minnesota Statutes 1990, section 349A.10, subdivision 5, is amended to read:

Subd. 5. [DEPOSIT OF NET PROCEEDS.] Within 30 days after the end of each month, the director shall deposit in the state treasury the net proceeds of the lottery, which is the balance in the lottery fund after transfers to the lottery prize fund and credits to the lottery operations account. Of the net proceeds, 40 percent must be credited to the Minnesota environment and natural resources trust fund, ~~28.3 percent must be credited to the infrastructure development fund for capital improvement projects at state institutions of higher education~~, ~~6.7 percent must be credited to the infrastructure development fund for capital improvement projects to develop or protect the state's environment and natural resources~~, and, through the first ten full fiscal years during which proceeds from the lottery are received, 25 percent must be credited to the Greater Minnesota account in the special revenue fund and the remainder must be credited to the general fund.

Sec. 107. Minnesota Statutes 1990, section 626.861, subdivision 1, is amended to read:

Subdivision 1. [LEVY OF ASSESSMENT.] There is levied a penalty assessment of ~~ten~~ 12 percent on each fine imposed and collected by the courts of this state for traffic offenses in violation of

chapters 168 to 173 or equivalent local ordinances, other than a fine or forfeiture for a violation of a local ordinance or other law relating to the parking of a vehicle. In cases where the defendant is convicted but a fine is not imposed, or execution of the fine is stayed, the court shall impose a penalty assessment of not less than \$5 nor more than \$10 when the conviction is for a misdemeanor or petty misdemeanor, and shall impose a penalty assessment of not less than \$10 but not more than \$50 when the conviction is for a gross misdemeanor or felony. Where multiple offenses are involved, the penalty assessment shall be assessed separately on each offense for which the defendant is sentenced. If imposition or execution of sentence is stayed for all of the multiple offenses, the penalty assessment shall be based upon the most serious offense of which the defendant was convicted. Where the court suspends a portion of a fine, the suspended portion shall not be counted in determining the amount of the penalty assessment unless the offender is ordered to pay the suspended portion of the fine. Suspension of an entire fine shall be treated as a stay of execution for purposes of computing the amount of the penalty assessment.

Sec. 108. Minnesota Statutes 1990, section 626.861, subdivision 4, is amended to read:

Subd. 4. [PEACE OFFICERS TRAINING ACCOUNT.] Receipts from penalty assessments must be credited to the general fund. The peace officers standards and training board may allocate from funds appropriated as follows:

(a) Up to 30 percent may be provided for reimbursement to board approved skills courses.

(b) Up to 15 percent may be used for the school of law enforcement.

(c) The balance may be used to pay each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount must be used exclusively for reimbursement of the cost of in-service training required under this chapter and chapter 214.

Sec. 109. [REVISOR INSTRUCTIONS.]

Subdivision 1. The revisor shall change the following terms in Minnesota Statutes and Minnesota Rules to reflect the intent of this act to abolish the department of gaming and the divisions within it:

(1) "division" or similar term to "commission" or similar term wherever it appears in reference to the Minnesota racing commission;

(2) "division" or similar term to "board" or similar term in reference to the gambling control board; and

(3) "division" or similar term to "lottery" or similar term in reference to the state lottery board.

Subd. 2. In the next edition of Minnesota Statutes, the revisor of statutes shall delete the term "division" where it appears:

(1) in Minnesota Statutes, sections 349.153; 349.163, subdivision 4; 349.167, subdivision 4; 349.169, subdivision 2; and 349.18, subdivision 1, and insert the term "board"; and

(2) in Minnesota Statutes, sections 349A.02, subdivisions 4, 5, 6, and 8; 349A.06, subdivisions 2 and 5; 349A.08, subdivision 7; 349A.10, subdivisions 3 and 4; 349A.11; and 349A.12, and insert the term "lottery".

Sec. 110. [REPEALER.]

(a) Laws 1989, chapter 322, section 7, is repealed.

(b) Minnesota Statutes 1990, section 182.664, subdivision 2, is repealed.

(c) Minnesota Statutes 1990, sections 240.01, subdivision 15; 349.12, subdivision 12; 349A.01, subdivisions 3, 4, and 6; and 349B.01, are repealed.

Sec. 111. [EFFECTIVE DATE.]

(a) Section 110, paragraph (a), is effective the day following final enactment.

(b) Sections 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; and 110, paragraph (b), are effective August 1, 1991.

(c) Sections 46 and 47 are effective July 1, 1992.

(d) All other provisions of this article are effective July 1, 1991.

## ARTICLE 2

### CAPITAL IMPROVEMENTS

Section 1. [APPROPRIATIONS.]

The sums in the column marked "APPROPRIATIONS" are appro-



priated from the bond proceeds fund, or other named fund, to the state agencies indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this article.

## APPROPRIATIONS

### Sec. 2. MINNESOTA HISTORICAL SOCIETY

\$ 1,400,000

For major long-term exhibits at the state history center.

### Sec. 3. COMMISSIONER OF TRANSPORTATION

\$ 2,420,000

For a grant to provide the local match for federal discretionary bridge funds for the Bloomington ferry bridge. This appropriation is from the state transportation fund.

### Sec. 4. BOND SALE EXPENSES

68,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

### Sec. 5. DEBT SERVICE

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 1993, no more than \$407,306,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds, other than general obligation special tax bonds or infrastructure development bonds. Before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to

remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

#### Sec. 6. [BOND SALE.]

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this article from the state bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$1,400,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. [TRANSPORTATION FUND.] To provide the money appropriated in this article from the state transportation fund the commissioner of finance, on request from the governor, shall sell and issue state transportation bonds in the amount of \$2,420,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Subd. 3. [REQUIREMENTS OF SALE.] The commissioner of finance shall sell the bonds authorized in subdivision 2, and the commissioner of transportation shall make the grant as provided in section 3, in such a manner that the grant authorized by that section will be made not later than June 30, 1991.

#### Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective July 1, 1991."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; providing for regulation of certain activities and practices; providing for certain rights-of-way; requiring studies and reports; fixing and limiting accounts and fees; amending Minnesota Statutes 1990, sections 10A.02, by adding a subdivision; 12.14; 15A.081, subdivision 1; 16A.662, subdivisions 2, 4, and 5; 41A.09, subdivision 3; 60A.14, subdivision 1; 60A.17, subdivision 1d; 72B.04, subdivision 7; 80C.04, subdivision 1; 80C.07; 80C.08, subdivision 1; 82.22, subdivisions 1,

5, 10, and 11; 115C.09, by adding a subdivision; 129D.04, by adding subdivisions; 129D.05; 138.91; 138.94; 162.02, subdivision 12; 168C.04; 171.06, subdivision 2a; 171.26; 182.651, by adding subdivisions; 182.661, subdivisions 1, 2, 2a, 3, 3a, and by adding subdivisions; 182.664, subdivisions 3 and 5; 182.666, subdivisions 1, 2, 3, 4, 5, and 5a; 182.669, subdivision 1; 184.28, subdivision 2; 184.29; 184A.09; 239.78; 240.02, subdivisions 2 and 3; 240.06, subdivision 8; 240.155; 240.28; 297B.09, subdivision 1; 299F.57, subdivision 1a; 299F.641, subdivision 2; 299K.07; 299K.09, subdivision 2; 336.9-413; 349.12, subdivision 10; 349.151, subdivision 2; 349A.01, subdivisions 5 and 9; 349A.02, subdivision 1; 349A.03, subdivision 1; 349A.10, subdivision 5; and 626.861, subdivisions 1 and 4; Laws 1989, chapter 269, sections 11, subdivision 7; and 31; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1990, sections 182.664, subdivision 2; 240.01, subdivision 15; 349.12, subdivision 12; 349A.01, subdivisions 3, 4, and 6; and 349B.01; and Laws 1989, chapter 322, section 7."

With the recommendation that when so amended the bill pass.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. No. 53 was read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 274, 302, 355, 505, 515, 635, 687, 707, 785, 793, 804, 885, 910, 918, 962, 971, 1074 and 1216 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Orenstein, Brown, Carlson, Trimble and Morrison introduced:

H. F. No. 1668, A bill for an act relating to education; establishing innovation grants for post-secondary child care needs; appropriating money.

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

Jaros introduced:

H. F. No. 1669, A bill for an act relating to sexual assault victims; authorizing the commissioner of corrections to adopt rules and administer and award grants to sexual assault programs; authorizing the commissioner of corrections to appoint an advisory council on sexual assault; prescribing duties for the advisory council; requiring the commissioner to consider advisory council recommendations; providing for appointment of a sexual assault program director; amending Minnesota Statutes 1990, sections 611A.22; 611A.221; and 611A.23; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1990, section 611A.21.

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

Jaros introduced:

H. F. No. 1670, A bill for an act relating to retirement; local police or paid firefighters relief associations consolidating with the public employees police and fire fund; expanding benefit election options and opportunities; amending Minnesota Statutes 1990, section 353A.08, subdivision 3.

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

Jaros introduced:

H. F. No. 1671, A bill for an act relating to charitable organizations; modifying the definitions of registered combined charitable organizations; amending Minnesota Statutes 1990, section 309.501, subdivision 1.

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

#### HOUSE ADVISORIES

The following House Advisory was introduced:

Segal introduced:

H. A. No. 16, A proposal to study the focus and concerns of self help groups of disabled persons.

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

### 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. 471, A resolution memorializing the International Special Olympics Committee in support of the 1991 International Special Olympics Games.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 98, A bill for an act relating to civil commitment; establishing requirements for judicial release orders during the emergency hold period; amending Minnesota Statutes 1990, section 253B.05, subdivisions 1, 2, and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Seaberg moved that the House concur in the Senate amendments to H. F. No. 98 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 98, A bill for an act relating to civil commitment; establishing requirements for judicial release orders during the emergency hold period; amending Minnesota Statutes 1990, section 253B.05, subdivisions 1, 2, and 3.

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

The question was taken on the repassage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 894, A bill for an act relating to local government; permitting officers to contract for certain services; amending Minnesota Statutes 1990, section 471.88, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Uphus moved that the House concur in the Senate amendments to H. F. No. 894 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 894, A bill for an act relating to local government; permitting officers to contract for certain services; amending Minnesota Statutes 1990, section 471.88, by adding subdivisions.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carruthers      Goodno

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

Mr. Speaker:

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

S. F. Nos. 83, 880, 460, 976, 1129, 1213, 226, 743, 950, 1032, 1235, 240, 406 and 1295.

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. 385, 724, 1027, 84, 800, 998, 1128, 147, 588, 1050, 118, 593, 1019, 1184, 765, 1333, 824, 919, 953, 988 and 1332.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 83, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands bordering public water in Clay and Cottonwood counties.

The bill was read for the first time.

Dauner moved that S. F. No. 83 and H. F. No. 64, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 880, A bill for an act relating to checks; increasing bank verification requirements for opening checking accounts; prohibiting service charges for dishonored checks on persons other than the issuer; regulating check numbering procedures; requiring the commissioner of commerce to adopt rules regarding verification procedure requirements; modifying procedures and liability for civil restitution for holders of worthless checks; authorizing service charges for use of law enforcement agencies; clarifying criminal penalties; increasing information that banks must provide to holders of worthless checks; imposing penalties; amending Minnesota Statutes 1990, sections 48.512, subdivisions 3, 4, 5, 7, and by adding subdivisions; 332.50, subdivisions 1 and 2; and 609.535, subdivisions 2a and 7.

The bill was read for the first time.

Sparby moved that S. F. No. 880 and H. F. No. 1038, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 460, A bill for an act relating to veterans; authorizing the commissioner of veterans affairs to assist certain dependents of military personnel; clarifying the name of the state soldiers' welfare fund; changing certain requirements for appointment of county veterans service officers; containing instructions to the revisor of statutes; amending Minnesota Statutes 1990, sections 196.05; 197.03; and 197.60, subdivision 2, and by adding a subdivision.

The bill was read for the first time.



Frederick moved that S. F. No. 460 and H. F. No. 556, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 976, A bill for an act relating to animals; classifying domestic European ferrets as domestic animals; providing for their health and welfare; proposing coding for new law in Minnesota Statutes, chapter 346.

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

S. F. No. 1129, A bill for an act relating to water and wastewater treatment; expanding the authority of municipalities to contract for private design and construction of water and wastewater treatment facilities; amending Minnesota Statutes 1990, section 471.371, subdivisions 2, 4, and 5; repealing Minnesota Statutes 1990, section 471.371, subdivisions 1 and 6.

The bill was read for the first time.

Valento moved that S. F. No. 1129 and H. F. No. 1288, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1213, A bill for an act relating to Dakota county; permitting the combination of the offices of treasurer and auditor; permitting appointment of the county recorder; authorizing the reorganization of county offices; proposing coding for new law in Minnesota Statutes, chapter 383D.

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

S. F. No. 226, A bill for an act relating to human services; consolidating and simplifying county mental health and community social services planning; authorizing the review and reduction of social service administrative requirements; establishing a process for limiting social services due to county fiscal limitations; amending Minnesota Statutes 1990, sections 245.465; 245.466, subdivision 5; 245.478, subdivisions 1, 2, and 6; 245.4874; 245.4875, subdivision 5; 245.4887, subdivisions 1, 2, and 6; 256.045, subdivision 3; 256E.04, subdivision 1; 256E.05, subdivisions 2, 3, 5, and by adding subdivisions; 256E.08, subdivision 1; 256E.09, subdivisions 1, 3, and 6; and 256E.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256E; repealing Minnesota Statutes 1990, sections 245.462, subdivision 15; 245.4871, subdivi-

sion 23; 256B.092, subdivisions 1c and 1d; and 256E.09, subdivisions 4 and 5.

The bill was read for the first time.

Lynch moved that S. F. No. 226 and H. F. No. 826, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 743, A bill for an act relating to state government; requiring the supreme court to prepare fiscal notes in certain circumstances; amending Minnesota Statutes 1990, sections 3.98, subdivision 1; and 3.982.

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

S. F. No. 950, 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.

Wejcman moved that S. F. No. 950 and H. F. No. 1141, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1032, 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.

Bertram moved that S. F. No. 1032 and H. F. No. 1150, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1235, A bill for an act relating to crimes; missing children; amending restrictions on felony prosecutions for taking,

detaining, or failing to return a child; amending Minnesota Statutes 1990, section 609.26, subdivision 5.

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

S. F. No. 240, A bill for an act relating to counties; providing for the contents and public availability of the county financial statement; clarifying certain publication and notice requirements; amending Minnesota Statutes 1990, sections 279.09; 281.13; and 375.17.

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

S. F. No. 406, A bill for an act relating to energy; generation of electrical energy; prohibiting the issuance of certificates of need for new nuclear generating plants until the public utilities commission is satisfied that a safe method is available for the permanent disposal of nuclear waste; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

S. F. No. 1295, A bill for an act relating to Ramsey county; creating a Ramsey county local services study commission; setting its duties.

The bill was read for the first time.

Orenstein moved that S. F. No. 1295 and H. F. No. 1515, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 385, A bill for an act relating to metropolitan government; encouraging geographic balance on the metropolitan council; providing for senate confirmation of the chair of the metropolitan airports commission; amending Minnesota Statutes 1990, sections 473.123, subdivision 3; and 473.604, subdivision 1.

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

S. F. No. 724, A bill for an act relating to housing; repealing annual housing impact reporting and replacement housing require-

ments; repealing Minnesota Statutes 1990, sections 504.33; 504.34; and 504.35.

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

S. F. No. 1027, A bill for an act relating to natural resources; establishing a Minnesota adopt-a-park program; requiring the department of natural resources to report to the legislature on the program; proposing coding for new law in Minnesota Statutes, chapter 85.

The bill was read for the first time.

Johnson, R., moved that S. F. No. 1027 and H. F. No. 1220, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 84, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited land that borders public water in the city of Barnesville in Clay county.

The bill was read for the first time.

Dauner moved that S. F. No. 84 and H. F. No. 65, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 800, 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.

S. F. No. 998, A bill for an act relating to weights and measures; adopting weights and measures standards recommended by the United States Department of Commerce, National Institute of Standards and Technology; defining the responsibilities, duties, and powers of the division of weights and measures; providing that the division have a director; amending Minnesota Statutes 1990, sections 239.01; 239.02; 239.05; 239.09; proposing coding for new law in Minnesota Statutes, chapter 239; repealing Minnesota Statutes 1990, sections 239.07; 239.08; and 239.37.

The bill was read for the first time.

Farrell moved that S. F. No. 998 and H. F. No. 1264, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1128, A bill for an act relating to insurance; providing for replacement cost insurance coverage for personal property; prohibiting insurers from requiring more than one residential renter's insurance policy be written to cover a single household; amending Minnesota Statutes 1990, section 65A.10; proposing coding for new law in Minnesota Statutes, chapter 65A.

The bill was read for the first time.

Skoglund moved that S. F. No. 1128 and H. F. No. 1517, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 147, A bill for an act relating to charitable organizations; modifying the definitions of registered combined charitable organizations; amending Minnesota Statutes 1990, section 309.501, subdivision 1.

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

S. F. No. 588, A bill for an act relating to crime; providing penalties for intentional damage to timber processing, manufacturing, or transportation equipment; providing penalties for possessing certain devices to damage timber processing, manufacturing, or transportation equipment; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Solberg moved that S. F. No. 588 and H. F. No. 647, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1050, A bill for an act relating to agriculture; permitting certain requirements for processing of farmstead cheese; amending Minnesota Statutes 1990, section 32.486, subdivision 1a.

The bill was read for the first time.

Waltman moved that S. F. No. 1050 and H. F. No. 1241, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 118, A bill for an act relating to animals; tightening laws prohibiting cruel treatment of certain animals; increasing certain penalties; amending Minnesota Statutes 1990, sections 343.21, subdivisions 9 and 10; and 346.44; proposing coding for new law in Minnesota Statutes, chapter 343.

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

S. F. No. 593, A bill for an act relating to railroads; authorizing reimbursement by landowners for certain costs; requiring access over railroad right-of-way to adjoining properties; amending Minnesota Statutes 1990, section 219.35.

The bill was read for the first time.

Smith moved that S. F. No. 593 and H. F. No. 612, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1019, A bill for an act relating to children; modifying child protection system data practices study requirements; amending Laws 1990, chapter 542, section 36.

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

S. F. No. 1184, A bill for an act relating to the environment; conforming permit fee requirements to the federal Clean Air Act; requiring a report; appropriating money; amending Minnesota Statutes 1990, section 116.07, subdivision 4d.

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

S. F. No. 765, A bill for an act relating to transportation; clarifying parking provisions for physically disabled persons; authorizing special license plates for motorcycles; authorizing tinted windshields for medical reasons; abolishing requirement to impound vehicle registration certificates; making technical changes; amending Minnesota Statutes 1990, sections 168.021, subdivision 1; 168.041; 169.123, subdivision 5b; 169.345, subdivision 1; 169.346,

subdivisions 1 and 2; 169.71, subdivision 4; 169.795; and 171.29, subdivision 3.

The bill was read for the first time.

Lynch moved that S. F. No. 765 and H. F. No. 823, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1333, A bill for an act relating to natural resources; amending certain provisions concerned with the management of fish and wildlife; increasing certain license fees; changing watercraft and snowmobile fees; allowing money from the sale of natural resource related merchandise to be credited to certain accounts; removing the refund of angling license fees for senior citizens; allowing the issuance of a deer license during the season under certain conditions; changing state park permit fees; changing eligibility requirements for moose licenses; appropriating money; amending Minnesota Statutes 1990, sections 84.0855; 84.82, subdivisions 2 and 3; 84.944, subdivision 2; 84.96, subdivision 5; 85.053, subdivision 5; 85.055, subdivision 1; 86B.415, subdivisions 1, 2, 3, 4, 5, 6, and 7; 97A.015, subdivision 53; 97A.075, subdivision 2; 97A.325, subdivision 2; 97A.431, subdivision 2; 97A.435, subdivision 2; 97A.475, subdivisions 2, 3, and 7; 97A.485, subdivisions 6, 7, and 9; 97B.601, subdivision 4; 97B.721; and 97B.801; repealing Minnesota Statutes 1990, section 97B.301, subdivision 5.

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

S. F. No. 824, A bill for an act relating to education; clarifying the status of foreign exchange students who have graduated from high school; limiting foreign exchange student participation in the post-secondary enrollment options program; amending Minnesota Statutes 1990, sections 123.3514, subdivision 4; and 124.17, by adding a subdivision.

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

S. F. No. 919, A bill for an act relating to government operations; amending provisions to adopt emergency game and fish rules; providing alternative methods of publishing game and fish rules; deleting obsolete references to publication under the game and fish laws; authorizing the commissioner to protect wild animals by emergency rule; authorizing the commissioner to set seasons and limits for migratory birds and waterfowl; authorizing the commissioner to allow or prohibit hunting and fishing on certain state

lands; amending Minnesota Statutes 1990, sections 3.846, subdivisions 1 and 4; 14.03, subdivision 3; 14.29, subdivision 2, and by adding a subdivision; 14.38, subdivision 6; 84.944, subdivision 1; 84A.02; 86A.06; 86B.211; 97A.045, subdivision 2; 97A.051, subdivisions 1, 2, and 4; 97A.081; 97A.141, by adding a subdivision; 97B.731, subdivision 1; and 97C.805, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 97A and 97B.

The bill was read for the first time.

Weaver moved that S. F. No. 919 and H. F. No. 1234, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 953, A bill for an act relating to courts; providing for fees for law libraries; amending Minnesota Statutes 1990, section 134A.09, by adding a subdivision.

The bill was read for the first time.

Knickerbocker moved that S. F. No. 953 and H. F. No. 1003, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 988, A bill for an act relating to public employees; excluding the salaries of doctors of osteopathy from certain limitations; 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.

S. F. No. 1332, A resolution memorializing Congress to carefully consider the proposed free trade agreement with Mexico.

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

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Long, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately following Special Orders pending for today, Tuesday, April 30, 1991:



H. F. Nos. 1208, 813, 1054, 994, 571, 317, 767, 922, 1050, 1121, 289, 1326, 577, 1415, 1013, 1125, 1269 and 1592; S. F. No. 231; and H. F. Nos. 564, 1127, 826 and 378.

## SPECIAL ORDERS

H. F. No. 997 was reported to the House.

Orenstein moved that H. F. No. 997 be continued on Special Orders. The motion prevailed.

H. F. No. 478 was reported to the House.

Osthoff, Scheid, Solberg, Abrams and Knickerbocker moved to amend H. F. No. 478, the first engrossment, as follows:

Page 5, after line 33, insert:

"Sec. 9. Minnesota Statutes 1990, section 203B.02, is amended by adding a subdivision to read:

Subd. 1a. [EXPERIMENTAL PROCEDURES.] A county board may authorize any eligible voter in the county to vote by absentee ballot without qualification by submitting a written request to the county auditor between August 1, 1991 and November 30, 1992, notwithstanding the provisions of subdivision 1. The county auditor shall notify the secretary of state immediately after the adoption of such a resolution of authorization by the county board.

The application for absentee ballots must include the voter's name, residence address in the county, address to which the ballots are to be mailed, the date of the request, and the voter's signature.

The county auditor shall maintain a record of the number of applications for absentee ballots submitted under this subdivision. No later than January 15, 1993, the secretary of state shall prepare a report to the legislature on the implementation of this subdivision.

Assistance to voters in marking absentee ballots is subject to section 204C.15, subdivision 1."

Page 9, after line 9, insert:

"Sec. 16. Minnesota Statutes 1990, section 204B.45, is amended by adding a subdivision to read:

Subd. 1a. [EXPERIMENTAL MAIL BALLOTING; AUTHORIZA-

TION.] The secretary of state may authorize Ramsey and Kittson counties to conduct elections entirely by mail on an experimental basis. A request from a county board seeking authorization to conduct an experimental mail election must be submitted to the secretary of state at least 90 days prior to the election. The county auditor must pay all costs related to mailing the ballots to and from the voters.

The secretary of state shall prepare a report to the legislature on the implementation of this subdivision by January 15, 1993."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Henry moved to amend H. F. No. 478, the first engrossment, as amended, as follows:

Page 11, after line 25, insert:

"Sec. 20. Minnesota Statutes 1990, section 205A.04, is amended to read:

205A.04 [GENERAL ELECTION.]

Subdivision 1. [SCHOOL DISTRICT GENERAL ELECTION.]  
Except as may be provided in a special law or charter provision to the contrary, the general election in each school district must be held on the third Tuesday in May, unless the school board provides by resolution for holding the school district general election on the first Tuesday after the first Monday in November. When the time of a school district's general election is changed from May to November, the terms of all board members shall be lengthened to expire on January 1; when the time of a school district's general election is changed from November to May, the terms of all board members shall be shortened to expire on July 1. Whenever the time of a school district election is changed, the school district clerk shall immediately notify in writing the county auditor or auditors of the counties in which the school district is located and the secretary of state of the change of date.

Subd. 2. [EXPERIMENTAL ELECTION; AUTHORIZATION.]  
The school board in independent school district No. 271 may, by resolution, designate the first Tuesday after the first Monday in

November of either the odd-numbered or the even-numbered year as the date for its general election, and may reduce the existing terms of school board members to provide for staggered four-year terms thereafter. The resolution shall provide that, to the extent mathematically possible, the same number of board members is chosen at each election, exclusive of those chosen to fill vacancies for unexpired terms. Whenever the year of a school district election is changed, the school district clerk shall immediately notify in writing the county auditors of Hennepin and Scott counties and the secretary of state of the change of date. The secretary of state shall report to the legislature by January 15, 1993, on the implementation of this subdivision."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kinkel moved to amend H. F. No. 478, the first engrossment, as amended, as follows:

Pages 1 to 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1990, section 97A.485, subdivision 1a, is amended to read:

Subd. 1a. [DEER LICENSE; ABSENTEE BALLOT APPLICATION.] The commissioner or any authorized agent shall include with every license ask every person purchasing a license to take deer with firearms or by archery, sold or issued during a general election year, if the person wants an application for an absentee ballot and a voter registration card ballot. The commissioner shall obtain absentee ballot application forms from the secretary of state."

The motion prevailed and the amendment was adopted.

H. F. No. 478, A bill for an act relating to elections; changing requirement of absentee ballot applications for deer hunters; facilitating voting by certain students; defining certain terms; providing for use of certain facilities for elections; clarifying uses to be made of lists of registered voters; requiring commissioner of health to report deaths to secretary of state; authorizing facsimile applications for absentee ballots; authorizing certain experimental procedures for absentee ballots and mail balloting; requiring notarized affidavits of candidacy; providing for voting methods in combined local elections; providing order of counting gray box ballots; changing time for

issuance of certificates of election; clarifying effect of changing the year of municipal elections; changing certain deadlines; authorizing an experimental school board election; changing procedures for hospital district elections; amending Minnesota Statutes 1990, sections 97A.485, subdivision 1a; 200.02, by adding a subdivision; 201.061, subdivision 3; 201.091, subdivisions 1 and 4; 201.13, subdivision 1; 203B.02, by adding a subdivision; 203B.04, subdivision 1; 204B.09, subdivision 1; 204B.16, subdivision 6, and by adding a subdivision; 204B.32; 204B.35, by adding a subdivision; 204B.45, by adding a subdivision; 204C.19, subdivision 2; 204C.40, subdivision 2; 205.07, subdivision 1, and by adding a subdivision; 205.16, subdivision 4; 205A.04; 205A.07, subdivision 3; and 447.32, subdivisions 2, 3, and 4; proposing coding for new law in Minnesota Statutes, chapters 135A and 201.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 328 was reported to the House.

Skoglund moved that S. F. No. 328 be continued on Special Orders. The motion prevailed.

H. F. No. 1208, A bill for an act relating to game and fish; extending the date by which fish houses and dark houses must be removed from certain state waters; amending Minnesota Statutes 1990, section 97C.355, subdivision 7.

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

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Kelso	Ogren	Simoneau
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Skoglund
Anderson, R.	Garcia	Knickerbocker	Olson, E.	Smith
Anderson, R. H.	Girard	Koppendrayner	Omann	Solberg
Battaglia	Goodno	Krinkie	Onnen	Sparby
Bauerly	Greenfield	Krueger	Orenstein	Stanis
Beard	Gruenes	Lasley	Orfield	Steensma
Begich	Gutknecht	Leppik	Osthoff	Sviggum
Bertram	Hanson	Lieder	Ostrom	Swenson
Bettermann	Hartle	Limmer	Ozment	Thompson
Bishop	Hasskamp	Long	Pauly	Tompkins
Blatz	Haukoos	Lourey	Pellow	Trimble
Bodahl	Hausman	Lynch	Pelowski	Tunheim
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	Jaros	Milbert	Rukavina	Wejeman
Davids	Jefferson	Morrison	Runbeck	Welker
Dawkins	Jennings	Munger	Sarna	Welle
Dempsey	Johnson, A.	Murphy	Schafer	Wenzel
Dille	Johnson, R.	Nelson, K.	Scheid	Winter
Dorn	Johnson, V.	Nelson, S.	Schreiber	Spk. Vanasek
Erhardt	Kahn	Newinski	Seaberg	
Farrell	Kalis	O'Connor	Segal	

Those who voted in the negative were:

Olson, K.

The bill was passed and its title agreed to.

H. F. No. 813, A bill for an act relating to retirement; Minneapolis police relief association; adding a surviving spouse board member; changing board membership; providing for a phase-out of the board; amending Laws 1949, chapter 406, section 4, subdivisions 2 and 3, as amended; section 6, subdivision 3, as amended; Laws 1953, chapter 127, section 1, by adding a subdivision; Laws 1965, chapter 493, section 3, as amended.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1054 was reported to the House.

Welker moved that H. F. No. 1054 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 994 was reported to the House.

Rukavina moved that H. F. No. 994 be continued on Special Orders. The motion prevailed.

H. F. No. 1054 which was temporarily laid over earlier today was again reported to the House.

H. F. No. 1054, *A bill for an act relating to retirement; teachers retirement association; permitting purchases of prior services by certain employees for periods of leave.*

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 571, A bill for an act relating to retirement; Minneapolis municipal employees; making various changes reflecting benefits, administration, and investment practices of the Minneapolis employees retirement fund; amending Minnesota Statutes 1990, sections 11A.24, subdivision 1; 356.71; 422A.03, subdivision 1; 422A.05, subdivision 2c; 422A.09, subdivision 3; 422A.13, subdivision 2; and 422A.16, subdivisions 1 and 3.

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

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Begich	Brown	Dawkins	Frerichs
Anderson, I.	Bertram	Carlson	Dempsey	Garcia
Anderson, R.	Bettermann	Carruthers	Dille	Girard
Anderson, R. H.	Bishop	Clark	Dorn	Goodno
Battaglia	Blatz	Cooper	Erhardt	Greenfield
Bauerly	Bodahl	Dauner	Farrell	Gruenes
Beard	Boo	Davids	Frederick	Gutknecht

Hanson	Kinkel	Munger	Peterson	Steensma
Hartle	Knickerbocker	Murphy	Pugh	Sviggum
Hasskamp	Koppendraye	Nelson, K.	Reding	Swenson
Haukoos	Krinkie	Nelson, S.	Rest	Thompson
Hausman	Krueger	Newinski	Rice	Tompkins
Heir	Lasley	O'Connor	Rodosovich	Trimble
Henry	Leppik	Ogren	Rukavina	Tunheim
Hufnagle	Lieder	Olsen, S.	Runbeck	Uphus
Hugoson	Limmer	Olson, E.	Sarna	Valento
Jacobs	Long	Olson, K.	Schafer	Vellenga
Janezich	Lourey	Omann	Scheid	Wagenius
Jaros	Lynch	Onnen	Schreiber	Waltman
Jefferson	Macklin	Orenstein	Seaberg	Weaver
Jennings	Mariani	Orfield	Segal	Wejman
Johnson, A.	Marsh	Osthoff	Simoneau	Welker
Johnson, R.	McEachern	Ostrom	Skoglund	Welle
Johnson, V.	McGuire	Ozment	Smith	Wenzel
Kahn	McPherson	Pauly	Solberg	Winter
Kalis	Milbert	Pellow	Sparby	Spk. Vanasek
Kelso	Morrison	Pelowski	Stanius	

The bill was passed and its title agreed to.

H. F. No. 317, A bill for an act relating to marriage dissolution; clarifying procedure for modification of certain custody orders; providing for additional child support payments; providing an alternative form of satisfaction of child support obligation; imposing a fiduciary duty and providing for compensation in cases of breach of that duty; clarifying certain mediation procedures; providing for attorneys' fees in certain cases; clarifying language concerning certain motions; imposing penalties; amending Minnesota Statutes 1990, sections 518.18; 518.551, subdivision 5; 518.57, by adding a subdivision; 518.58, subdivision 1, and by adding a subdivision; 518.619, subdivision 6; 518.64, subdivision 2; and 518.641, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 518.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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



Lynch	O'Connor	Pelowski	Segal	Uphus
Macklin	Ogren	Peterson	Simoneau	Valento
Mariani	Olsen, S.	Pugh	Skoglund	Vellenga
Marsh	Olson, E.	Reding	Smith	Wagenius
McEachern	Olson, K.	Rest	Solberg	Waltman
McGuire	Omann	Rice	Sparby	Weaver
McPherson	Onnen	Rodosovich	Stanius	Wejzman
Milbert	Orenstein	Rukavina	Steensma	Welker
Morrison	Orfield	Runbeck	Swiggum	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	

The bill was passed and its title agreed to.

H. F. No. 767 was reported to the House.

McGuire moved that H. F. No. 767 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 922 was reported to the House.

Macklin moved to amend H. F. No. 922, the first engrossment, as follows:

Page 2, after line 32, insert:

"Subd. 5. [WITNESSES; IMMUNITY FROM CIVIL LIABILITY.] Any person who is subject to the duty imposed by subdivision 3 who, without compensation or expectation of compensation, renders assistance to the injured person, is not liable for any civil damages as a result of acts or omissions by that person in rendering the assistance unless that person acts in a willful and wanton or reckless manner in rendering the assistance. Any person who is subject to the duty imposed by subdivision 3 who renders assistance during the course of regular employment and receives compensation or expects to receive compensation for rendering the assistance, shall be excluded from the protection of this subdivision."

Page 2, line 33, delete "5" and insert "6"

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "providing immunity from civil liability under certain circumstances,"

The motion prevailed and the amendment was adopted.

H. F. No. 922, A bill for an act relating to crimes; imposing a duty to investigate and render aid when a person is injured in a shooting accident; imposing penalties; providing immunity from civil liability under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The Speaker resumed the Chair.

H. F. No. 1050 was reported to the House.

Orfield moved that H. F. No. 1050 be continued on Special Orders. The motion prevailed.

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

**GENERAL ORDERS**

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

**MOTIONS AND RESOLUTIONS**

Stanius moved that S. F. No. 800 be recalled from the Committee on Environment and Natural Resources and together with H. F. No. 1121, now on Special Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

**ADJOURNMENT**

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, May 1, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

