

## STATE OF MINNESOTA

## SEVENTY-SEVENTH SESSION—1991

## FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 2, 1991

The House of Representatives convened at 1:00 p.m. and was called to order by Robert E. Vanasek, Speaker of the House.

Prayer was offered by the Reverend Kent Wallace, First Lutheran Church, White Bear Lake, 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	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	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Simoneau 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. 417 and H. F. No. 582, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Nelson, K., moved that the rules be so far suspended that S. F. No. 417 be substituted for H. F. No. 582 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 958 and H. F. No. 994, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 958 be substituted for H. F. No. 994 and that the House File be indefinitely postponed. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 417 and 958 were read for the second time.

**INTRODUCTION AND FIRST READING  
OF HOUSE BILLS**

The following House Files were introduced:

McGuire, Munger, Marsh, Wenzel and Kahn introduced:

H. F. No. 1675, A bill for an act relating to recreational vehicles; regulating registration and operation of off-road vehicles; setting fees and penalties; requiring comprehensive recreational use plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1990, sections 84.91; 84.911; 85.018, subdivisions 2, 3, and 5; 171.03; and 466.03, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Bauerly, Ozment, Lasley and Janezich introduced:

H. F. No. 1676, A bill for an act relating to education; establishing catastrophic aid for districts providing high cost services to students with disabilities; amending Minnesota Statutes 1990, section 124.32, by adding a subdivision.

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

Johnson, V., introduced:

H. F. No. 1677, A bill for an act relating to agriculture; providing for a study of the potential for making ethanol from Minnesota produced whey; appropriating money.

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

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Segal, Vellenga, Trimble and Mariani introduced:

H. A. No. 18, A proposal to study creating levy authority for the costs of instructional materials for LEP pupils.

The advisory was referred to the Committee on Education.

Segal, Simoneau, Vanasek, Krueger and Frerichs introduced:

H. A. No. 19, A proposal for a legislative working group on the establishment of quasi-governmental agencies.

The advisory was referred to the Committee on Governmental Operations.

Trimble, Reding, Kahn, Vanasek and Blatz introduced:

H. A. No. 20, A proposal for examination of impact of fees and surcharges as a revenue source in Minnesota.

The advisory was referred to the Committee on Appropriations.

**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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 137, A bill for an act relating to elections; authorizing a party state executive committee to fill certain vacancies and make certain decisions; changing time for examination by judges of certain return envelopes; changing the form of an affidavit; clarifying procedures for nominating certain candidates by petition; providing for withdrawal from the general election ballot; clarifying procedures for filling certain vacancies; providing for counting write-in votes for a candidate team; amending Minnesota Statutes 1990, sections 202A.12, subdivision 3; 203B.12, subdivision 2; 203B.21, subdivision 3; 204B.12; 204B.13; 204B.41; and 204C.22, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Scheid moved that the House refuse to concur in the Senate amendments to H. F. No. 137, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

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. 807, A bill for an act relating to commerce; requiring real estate brokers and salespersons to receive instruction in fair housing laws; amending Minnesota Statutes 1990, section 82.22, subdivisions 6 and 13.

PATRICK E. FLAHAVEN, Secretary of the Senate

**CONCURRENCE AND REPASSAGE**

Rice moved that the House concur in the Senate amendments to H. F. No. 807 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 807, A bill for an act relating to commerce; requiring real estate brokers and salespersons to receive instruction in fair housing laws; amending Minnesota Statutes 1990, section 82.22, subdivisions 6 and 13.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1282, A bill for an act relating to local government; providing procedures for storm sewer improvements; amending Minnesota Statutes 1990, section 444.18, by adding a subdivision; repealing Minnesota Statutes 1990, section 444.18, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Jennings moved that the House concur in the Senate amendments to H. F. No. 1282 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1282, A bill for an act relating to local government; providing procedures for storm sewer improvements; amending Minnesota Statutes 1990, section 444.18, by adding a subdivision; repealing Minnesota Statutes 1990, section 444.18, subdivision 2.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, I.	Girard	Koppendrayner	Olson, K.	Smith
Anderson, R. H.	Goodno	Krinkie	Omman	Solberg
Battaglia	Greenfield	Krueger	Onnen	Sparby
Bauerly	Gruenes	Lasley	Orenstein	Stanius
Beard	Gutknecht	Leppik	Orfield	Steensma
Begich	Hanson	Lieder	Osthoff	Sviggum
Bertram	Hartle	Limmer	Ostrom	Swenson
Bettermann	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	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	
Frerichs	Kinkel	Olsen, S.	Simoneau	

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. 173, A bill for an act relating to the University of

Minnesota; changing the structure of certain bargaining units; amending Minnesota Statutes 1990, section 179A.11, subdivisions 1 and 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Rukavina moved that the House concur in the Senate amendments to H. F. No. 173 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 173, A bill for an act relating to the University of Minnesota; changing the structure of certain bargaining units; amending Minnesota Statutes 1990, section 179A.11, subdivisions 1 and 2.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Garcia	Knickerbocker	Olson, E.	Skoglund
Anderson, I.	Girard	Koppendraye	Olson, K.	Smith
Anderson, R. H.	Goodno	Krinkie	Omann	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
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	Wejman
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	
Frerichs	Kinkel	Olsen, S.	Simoneau	

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. 248, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Anoka county.

PATRICK E. FLAHAVER, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Lasley moved that the House concur in the Senate amendments to H. F. No. 248 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 248, A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Anoka county.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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



Wenzel

Winter

Spk. Vanasek

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. 584, A bill for an act relating to local government; authorizing municipalities to enter into joint ventures with telecommunications organizations; amending Minnesota Statutes 1990, section 237.19.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Hasskamp moved that the House concur in the Senate amendments to H. F. No. 584 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 584, A bill for an act relating to local government; authorizing municipalities to enter into joint ventures with telecommunications organizations; amending Minnesota Statutes 1990, section 237.19.

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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Onnen	Pugh	Schreiber	Sviggum	Waltman
Orenstein	Reding	Seaberg	Swenson	Weaver
Orfield	Rest	Segal	Thompson	Wejzman
Osthoff	Rice	Simoneau	Tompkins	Welker
Ostrom	Rodosovich	Skoglund	Trimble	Welle
Ozment	Rukavina	Smith	Tunheim	Wenzel
Pauly	Runbeck	Solberg	Uphus	Winter
Pellow	Sarna	Sparby	Valento	Spk. Vanasek
Pelowski	Schafer	Stanius	Vellenga	
Peterson	Scheid	Steensma	Wagenius	

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. 479, A bill for an act relating to towns; providing for the appointment of town officers under certain circumstances; amending Minnesota Statutes 1990, section 367.03, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Kinkel moved that the House concur in the Senate amendments to H. F. No. 479 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 479, A bill for an act relating to public officers or employees; clarifying the filling of temporary vacancies in public offices due to military service; amending Minnesota Statutes 1990, section 192.263.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bettermann	Davids	Garcia	Haukoos
Anderson, I.	Blatz	Dawkins	Girard	Hausman
Anderson, R.	Bodahl	Dempsey	Goodno	Heir
Anderson, R. H.	Boo	Dille	Greenfield	Henry
Battaglia	Brown	Dorn	Gruenes	Hufnagle
Bauerly	Carlson	Erhardt	Gutknecht	Hugoson
Beard	Carruthers	Farrell	Hanson	Jacobs
Begich	Cooper	Frederick	Hartle	Janezich
Bertram	Dauner	Frerichs	Hasskamp	Jaros

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

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. 623, A bill for an act relating to Martin county; permitting the consolidation of the offices of auditor and treasurer.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Hugoson moved that the House concur in the Senate amendments to H. F. No. 623 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 623, A bill for an act relating to Martin county; permitting the consolidation of the offices of auditor and treasurer.

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 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Bauerly	Blatz	Carruthers	Dempsey
Anderson, I.	Beard	Bodahl	Cooper	Dille
Anderson, R.	Begich	Boo	Dauner	Dorn
Anderson, R. H.	Bertram	Brown	Dauids	Erhardt
Battaglia	Bettermann	Carlson	Dawkins	Farrell

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

Those who voted in the negative were:

Osthoff

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. 700, A bill for an act relating to education; providing for general education revenue; transportation; special programs; community service programs; facilities and equipment; other aids and levies; miscellaneous education related programs; library programs; education agency services; art education programs; maximum effort school loan programs; authorizing bonding; appropriating money; amending Minnesota Statutes 1990, sections 120.08, subdivision 3; 120.101, subdivisions 5, 9, and by adding a subdivision; 120.17, subdivisions 3b and 7a; 120.181; 121.11, subdivision 12; 121.148, subdivision 1; 121.15, subdivisions 7 and 9; 121.155; 121.585, subdivision 3; 121.611, subdivision 2; 121.88, subdivisions 9 and 10; 121.882, subdivisions 2, 6, and by adding a subdivision; 121.904, subdivisions 4a and 4e; 121.912, by adding a subdivision; 122.22, subdivisions 7a and 9; 122.23, subdivisions 2 and 3; 122.242, subdivision 9; 122.531, by adding subdivisions; 122.535, subdivision 6; 123.33, subdivision 1; 123.34, subdivision 9; 123.35, subdivisions 8, 17, and by adding a subdivision; 123.3514, subdivisions 3, 4, 4c, and by adding a subdivision; 123.38, subdivision 2b; 123.702; 123.951; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.175; 124.19, subdivisions 1, 7, and by adding a subdivision; 124.195, subdivisions 9, 11, and 12; 124.223, subdivisions 1 and 8;

124.225, subdivisions 1, 3a, 7a, 7b, 7d, 8a, 8k, 10, and by adding a subdivision; 124.26, subdivisions 1c and 2; 124.261; 124.2711, subdivisions 1 and 3; 124.2721, subdivisions 1, 2, and 3; 124.2725, subdivisions 6 and 13; 124.273, subdivision 1b; 124.311, subdivision 4; 124.32, subdivisions 1b and 10; 124.332, subdivisions 1 and 2; 124.431, by adding a subdivision; 124.573, subdivisions 2b and 3a; 124.574, subdivision 2b; 124.575, subdivisions 1, 2, 3, and 4; 124.646; 124.83, subdivision 4; 124.86, subdivision 2; 124A.03; 124A.04; 124A.22, subdivisions 2, 4, 5, 8, 9, and by adding subdivisions; 124A.23, subdivisions 1, 4, and 5; 124A.24; 124A.26, subdivision 1; 124A.29, subdivision 1; 124A.30; 124C.03, subdivision 2; 125.12, subdivisions 3, 6b, and by adding subdivisions; 125.17, subdivision 2, and by adding subdivisions; 125.185, subdivisions 4 and 4a; 125.231; 126.22, subdivisions 2 and 4; 126.23; 126.266, subdivision 2; 126.661, subdivision 5, and by adding a subdivision; 126.663, subdivision 2; 126.666, subdivision 2, and by adding subdivisions; 126.67, subdivision 2b; 126.70, subdivisions 1, 2, and 2a; 127.29, by adding a subdivision; 128A.05, subdivision 3; 129C.10; 136D.27, subdivisions 1, 2, and 3; 136D.72, subdivision 1; 136D.74, subdivisions 2, 2a, and 2b; 136D.76, subdivision 2; 136D.87, subdivisions 1, 2, and 3; 141.25, subdivision 8; 141.26, subdivision 5; 145.926; 148.191, subdivision 2; 171.29, subdivision 2; 245A.03, subdivision 2; 260.015, subdivision 19; 268.08, subdivision 6 273.1398, subdivision 6; 275.06; 275.125, subdivisions 4, 5, 5b, 5c, 8b, 8e, and 11d, and by adding a subdivision; 298.28, subdivision 4; Laws 1989, chapter 329, article 6, section 53, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 120; 121; 123; 124; 125; 134; 373; 473; repealing Minnesota Statutes 1990, sections 3.865; 3.866; 120.011; 121.111; 122.531, subdivision 5; 123.351, subdivision 10; 123.706; 123.707; 123.744; 124.225, subdivisions 3, 4b, 7c, 8b, 8i, 8j; 124.252; 124.575; 124C.01, subdivision 2; 124C.41, subdivisions 6 and 7; 126.70, subdivisions 2 and 2a; 275.125, subdivision 8c; and Laws 1988, chapter 703, article 1, section 23, as amended; Laws 1989, chapter 293, section 82; Laws 1989, chapter 329, articles 4, section 40; 9, section 30; and 12, section 8; Laws 1990, chapter 562, article 6, section 36.

PATRICK E. FLAHAVEN, Secretary of the Senate

Nelson, K., moved that the House refuse to concur in the Senate amendments to H. F. No. 700, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 86, 1231, 449, 861, 1535 and 1533.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 86, A bill for an act relating to education; providing for the arbitration of disputes concerning the proposed termination, discharge, or demotion of teachers following the probationary period; amending Minnesota Statutes 1990, sections 125.12, subdivision 4, and by adding a subdivision; 125.17, subdivision 5, and by adding a subdivision; 179A.04, subdivision 3; and 179A.20, subdivision 4.

The bill was read for the first time.

Scheid moved that S. F. No. 86 and H. F. No. 124, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1231, A bill for an act relating to human services; authorizing the commissioner of human services to waive the requirement that emergency mental health services be provided by a provider other than the provider of fire and public safety emergency services; establishing conditions for a waiver; amending Minnesota Statutes 1990, sections 245.469, subdivision 2; and 245.4879, subdivision 2.

The bill was read for the first time.

Nelson, S., moved that S. F. No. 1231 and H. F. No. 1332, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 449, A bill for an act relating to retirement; Duluth teachers retirement fund association and St. Paul teachers retirement fund association; proposing coding for new law in Minnesota Statutes, chapter 354A; repealing Laws 1985, chapter 259, sections 2 and 3; and Laws 1990, chapter 570, article 7, section 4.

The bill was read for the first time.

O'Connor moved that S. F. No. 449 and H. F. No. 684, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 861, A bill for an act relating to commerce; removing or modifying certain bond requirements; amending Minnesota Statutes 1990, sections 6.26; 10.38; 46.08, subdivision 1; 84.01, subdivision 4; 115A.06, subdivision 12; 116.03, subdivision 4; 233.08; 234.06; 241.08, subdivision 1; 246.15, subdivision 1; 257.05, subdivision 1; 280.27; 281.38; 299C.08; 299D.01, subdivision 4; 299D.03, subdivision 1; 340A.316; 375.03; 386.06; 388.01; 390.05; 398.10; 473.375, subdivision 5; 480.09, subdivision 2; 480.11, subdivision 1; and 488A.20, subdivision 2; repealing Minnesota Statutes 1990, sections 60B.08; 84.081, subdivision 2; 160.24, subdivision 5; 166.04; 196.02, subdivision 2; 234.07; 246.03; 340A.302, subdivision 4; 383A.20, subdivision 8; and 514.52.

The bill was read for the first time.

Carruthers moved that S. F. No. 861 and H. F. No. 1613, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1535, A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; creating the higher education board; merging the state university, community college, and technical college systems; amending Minnesota Statutes 1990, sections 15A.081, subdivision 7b; 135A.03, subdivision 3; 135A.05; 136.11, subdivisions 3, 5, and by adding a subdivision; 136.142, subdivision 1, and by adding a subdivision; 136A.121, subdivision 10, and by adding subdivisions; 136A.233, subdivision 3; 179A.10, subdivision 2; and 298.28, subdivisions 4, 7, 10, 11, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; 136A; 136E; and 298; repealing Minnesota Statutes 1990, section 136A.05, subdivision 2.

The bill was read for the first time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state

of Minnesota, Carlson moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1535 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Carlson moved that the Rules of the House be so far suspended that S. F. No. 1535 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1535 was read for the second time.

Carlson moved to amend S. F. No. 1535, as follows:

Delete everything after the enacting clause and insert:

#### “ARTICLE 1 – APPROPRIATIONS

##### Section 1. HIGHER EDUCATION APPROPRIATIONS

The sums in the columns marked “APPROPRIATIONS” are appropriated from the general fund, or other named fund, to the agencies and for the purposes specified in this article. The listing of an amount under the figure “1992” or “1993” in this article indicates that the amount is appropriated to be available for the fiscal year ending June 30, 1992, or June 30, 1993, respectively. “The first year” is fiscal year 1992. “The second year” is fiscal year 1993. “The biennium” is fiscal years 1992 and 1993.

#### SUMMARY BY FUND

	1992	1993	TOTAL
General	\$984,871,600	\$985,388,400	\$1,970,260,000

#### SUMMARY BY AGENCY – ALL FUNDS

	1992	1993	TOTAL
Higher Education Coordinating Board	\$92,566,000	\$92,560,000	\$185,126,000
State Board for Technical Colleges	\$165,466,000	\$165,061,000	\$330,527,000
State Board for Community Colleges	\$98,338,000	\$99,525,000	\$197,863,000



State University Board	\$180,966,900	\$177,498,000	\$358,464,900
Board of Regents of the University of Minnesota	\$446,514,800	\$449,744,500	\$896,259,300
Mayo Medical Foundation	\$1,019,900	\$999,900	\$2,019,800

APPROPRIATIONS  
Available for the Year  
Ending June 30  
1992          1993

## Sec. 2. HIGHER EDUCATION CO-ORDINATING BOARD

Subdivision 1. Total Appropriation      \$92,566,000      \$92,560,000

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

### Subd. 2. Agency Administration

\$3,249,000      \$3,242,000

\$58,000 in each year is for membership in the Midwest Higher Education Compact. The appropriation for this membership is in place of the appropriation for membership in the Western Interstate Commission on Higher Education.

\$300,000 is for child care innovation grants.

### Subd. 3. State Grants

\$77,731,000      \$77,731,000

This appropriation contains money for increasing living allowances for state grants to \$3,594 for the first year and \$3,710 for the second year.

The HECB may use up to \$250,000 of the appropriation in each year to provide grants for Minnesota resident students participating in the Akita program. Grants must be awarded on the same basis as other state grants,

	1992	1993
\$		\$

except that the cost of attendance shall be adjusted to incorporate the state university tuition level and the Akita fee level. An individual grant must not exceed the state grant maximum award for a student at a four-year private college.

\$2,000,000 each year is for child care grants. For the biennium, the board may determine a reasonable percentage of the appropriation to be used for the administrative costs of the agency.

The HECB shall study the use of the grants to dislocated rural workers to determine whether the grants are efficiently managed, and whether they provide for educational opportunities that would not otherwise be available. The board shall report its recommendations on the future of this program to the education divisions of the appropriations and finance committees by January 15, 1992.

Subd. 4. Interstate Tuition Reciprocity

\$5,050,000	\$5,050,000
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Subd. 5. State Work Study

\$5,454,000	\$5,454,000
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Subd. 6. Income Contingent Loans

The HECB shall administer an income contingent loan repayment program to assist graduates of Minnesota schools in medicine, dentistry, pharmacy, chiropractic medicine, public health, and veterinary medicine, and Minnesota residents graduating from optometry and osteopathy programs. During the biennium, applicant data collected by the higher education coordinating board for this program may be disclosed to a consumer credit reporting agency

	1992	1993
	\$	\$

under the same conditions as apply to the supplemental loan program according to Minnesota Statutes, section 136A.162.

Subd. 7. Minitex Library Program

\$1,083,000	\$1,083,000
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Subd. 8. Average Cost Funding Task Force

The average cost funding task force shall determine uniform definitions of terms that are related to funding including extension, continuing education, continuous enrollment, campuses, centers, sites, on-campus, off-campus, credit, noncredit, remedial, and college level. The task force shall report its recommendations to the education divisions of the appropriations and finance committees by February 1, 1992.

Subd. 9. An unencumbered balance in the first year under a subdivision in this section does not cancel but is available for the second year.

Subd. 10. The higher education coordinating board may transfer unencumbered balances from the appropriations in this section to the state grant appropriation and the interstate tuition reciprocity appropriation. Before the transfer, the higher education coordinating board shall consult with the chairs of the house appropriations and senate finance committees.

Sec. 3. STATE BOARD OF TECHNICAL COLLEGES

Subdivision 1. Total Appropriation	\$165,466,000	\$165,061,000
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The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

	1992	1993
	\$	\$

### Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$224,695,000 the first year and \$226,420,000 the second year.

For the biennium, the maximum full year equivalent enrollment for the purpose of calculating the state portion of instructional cost shall be 32,420. If the actual enrollment exceeds this number, those students shall be supported by tuition revenue only.

\$34,553,000 in each year is for extension programs. The legislature intends that this appropriation be used primarily to support occupational programs, particularly those from which credits may be transferred to continuous enrollment programs. This appropriation is intended to cover all direct and indirect costs associated with extension. The state board shall report on its fully allocated expenditures by February 1 of each year of the biennium.

\$10,000,000 in each year is for instructional equipment.

\$525,000 in each year is for library development and acquisitions.

### Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$2,092,000 the first year and \$1,546,000 the second year.

\$1,057,000 the first year and \$511,000 the second year are for debt service payments to school districts for technical college buildings financed with district bonds issued before January 1, 1979.

	1992	1993
\$		\$

#### Subd. 4. Federal Funds

For fiscal year 1992, the state board shall allocate 12.75 percent of the federal funds received from the Carl D. Perkins Vocational and Applied Technology Education Act of 1990, to the state board of education for the purpose of supporting secondary vocational technical education programs and services. The state board for technical colleges and the state board of education must establish a process for allocating the Carl D. Perkins funds in future years and report that process to the education, appropriations, and finance committees.

#### Subd. 5. State Council on Vocational Technical Education

\$99,000 in each year must be allocated by the state board to the state council on vocational education.

#### Sec. 4. STATE BOARD FOR COMMUNITY COLLEGES

Subdivision 1. Total Appropriation	\$98,338,000	\$99,525,000
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The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

#### Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$131,892,000 the first year and \$134,564,000 the second year.

For the biennium, the maximum full year equivalent enrollment for the purpose of calculating the state portion of instructional cost shall be 30,862. If the actual enrollment exceeds this number, those students shall be supported by tuition revenue only.

	1992	1993
	\$	\$
\$907,570 in each year is for library acquisitions.		

\$3,568,400 in each year is for instructional equipment.

To assist students in timely completion, the community college system shall consider alternatives to the elimination of summer session and report its recommendations to the education divisions of the appropriations and finance committees by February 1, 1992.

The community college system shall develop and implement a plan that results in equity in funding between a legislatively approved center and its main campus.

#### Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$14,535,000 the first year and \$14,535,000 the second year.

### Sec. 5. STATE UNIVERSITY BOARD

Subdivision 1. Total Appropriation    \$180,966,900    \$177,498,000

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

#### Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$251,274,100 the first year and \$249,990,100 the second year.

For the biennium, the maximum full year equivalent enrollment for the purpose of calculating the state portion of instructional cost shall be 51,429. If the

	1992	1993
	\$	\$
actual enrollment exceeds this number, those students shall be supported by tuition revenue only.		

\$2,613,000 in each year is for library acquisitions.

\$8,400,230 in each year is for instructional equipment.

### Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$14,359,000 the first year and \$14,359,000 the second year.

## Sec. 6. BOARD OF REGENTS OF THE UNIVERSITY OF MINNESOTA

Subdivision 1. Total Appropriation	\$446,514,800	\$449,744,500
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The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Operations and Maintenance	\$363,276,500	\$366,506,100
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On December 1 each year the president of the University of Minnesota shall report to the senate finance and house appropriations committees and the commissioner of finance any receipts for the previous fiscal year in excess of the estimates on which these appropriations are based, the sources of these receipts, the purposes for which any excess receipts were spent, and the accounts to which the receipts were transferred. The total estimated receipts are \$142,038,800 for the first year and \$142,838,400 for the second year.

### (a) Instructional Expenditures

	1992	1993
	\$	\$
<p>The legislature estimates that instructional expenditures in this subdivision will be \$381,252,300 the first year and \$385,281,500 the second year.</p>		

\$4,135,100 in each year is for library acquisitions.

\$9,181,900 in each year is for instructional equipment.

Enrollment in the continuing education/extension and summer school cells for average cost funding calculations for fiscal year 1992 shall not exceed enrollment in these cells in fiscal year 1991.

#### (b) Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$124,063,000 the first year and \$124,063,000 the second year.

Subd. 3. Special Appropriations	\$83,238,300	\$83,238,300
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The amounts expended for each program in the four categories of special appropriations shall be separately identified in the 1993 biennial budget document.

#### (a) Agriculture and Extension Service

\$44,593,100	\$44,593,100
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This appropriation is for the Agriculture Research and Minnesota Extension Service.

Any salary increases granted by the university to personnel paid from the Minnesota Extension appropriation must not result in a reduction of the county portion of the salary payments.



	1992	1993
	\$	\$

During the biennium, the university shall maintain an advisory council system for each experiment station. The advisory councils must be broadly representative of range of size and income distribution of farms and agribusinesses and must not disproportionately represent those from the upper half of the size and income distributions.

(b) Health Sciences

\$17,391,600	\$17,391,600
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This appropriation is for Indigent Patients (County Papers), Rural Physicians Associates Program, Medical Research, Special Hospitals Service and Educational Offset, the Veterinary Diagnostic Laboratory, Institute for Human Genetics, and the Biomedical Engineering Center.

(c) Institute of Technology

\$3,605,200	\$3,605,200
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This appropriation is for the Mineral Resources Research Center, Geological Survey, Underground Space Center, Talented Youth Mathematics Program, Microelectronics and Information Science Center, and the Productivity Center.

(d) System Specials

\$19,602,400	\$19,602,400
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This appropriation is for Fellowships for Minority and Disadvantaged Students, General Research, Intercollegiate Athletics, Student Loans Matching Money, Industrial Relations Education, Natural Resources Research Institute, Sea Grant College Program, Biological Process Technology Institute, Supercomputer Institute, Center for Urban and Regional Affairs,

	1992	1993
	\$	\$
Museum of Natural History, and the Humphrey Exhibit.		

This appropriation includes money to improve the programs and resources available to women and to ensure that campuses are in compliance with Title IX of the Educational Amendment Act of 1972 and Minnesota Statutes, section 126.21. The women's athletic program shall be funded by the formula allowance or a minimum of \$65,000 per campus per year. Each campus will receive the greater of the two calculations.

Of this appropriation, no less than the following amounts must be allocated to each campus:

Duluth	\$551,600	\$551,600
Morris	\$66,100	\$66,100
Crookston	\$65,000	\$65,000
Waseca	\$65,000	

#### Subd. 4. Base Reductions

The special appropriations in subdivision 3 shall be reduced by \$1,954,000 each year.

#### Sec. 7. MAYO MEDICAL FOUNDATION

Subdivision 1. Total Appropriation	\$1,019,900	\$999,900
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The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

#### Subd. 2. Medical School

\$731,100	\$711,100
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The state of Minnesota shall pay a capitation of \$9,875 the first year and

	1992	1993
	\$	\$
\$9,875 the second year for each student who is a resident of Minnesota.		

This appropriation provides capitation for 20 Minnesota residents in each of the four classes at Mayo Medical School. The appropriation may be transferred between years of the biennium to accommodate enrollment fluctuations.

The legislature intends that during the biennium the Mayo foundation use the capitation money to increase the number of doctors practicing in rural areas in need of doctors as identified by the higher education coordinating board.

#### Subd. 3. Family Practice and Graduate Residency Program

\$288,800	\$288,800
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The state of Minnesota shall pay a capitation of \$16,000 the first year and \$16,000 the second year for a maximum of 18 students each year.

#### Sec. 8. POST-SECONDARY SYSTEMS

The legislature intends that tuition increases that are adopted by any of the public post-secondary governing boards to offset reductions in appropriations will be temporary and shall not indicate a change in the state's funding policy.

Each governing board must apply budget reductions to central administration in at least the same proportion as they apply them to instructional expenditures.

	1992	1993
\$		\$

The legislature intends that future increases in complement for central administration be submitted to the legislature for approval. The governing boards of the state universities, community colleges, and technical colleges shall include this in their biennial budget requests. The board of regents is requested to submit its increases in complement as part of its biennial budget requests.

## ARTICLE 2

### CAPITAL IMPROVEMENTS

#### Section 1. [APPROPRIATIONS.]

The sums in the column marked "APPROPRIATIONS" are appropriated 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. TECHNICAL COLLEGES

Subdivision 1. To the state board of technical colleges for the purposes specified in this section

\$ 1,393,000

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Notwithstanding Minnesota Statutes, section 136C.44, during the biennium the state board of technical colleges must not make grants to school districts but shall directly supervise and control the preparation of plans and specifications to construct, alter, or enlarge the technical college buildings and structures, and for improvements provided in this section.

During the biennium, the state board of technical colleges shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

During the biennium, the state board may delegate the authority provided in this section to the campus president for capital repair and replacement projects with a total cost of less than \$50,000, if the state board determines that the projects can be efficiently managed at the campus level.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, no improvement made, and no building constructed that entails the expenditure of more money than the appropriation for the project, unless otherwise provided in this article.

The state board of technical colleges may delegate responsibilities under this section to technical college staff.

#### Subd. 2. Capital Improvements

\$ 1,393,000

This appropriation is for capital improvement grants to school districts for life safety projects at technical college campuses, including fuel tank removal and replacement, PCB removal, asbestos removal, handicapped access, emergency lighting, steam pipes, and capital code compliance. In the event

that the state board spends any of this appropriation on fuel tanks, the board shall report on its reimbursement efforts to the appropriations and finance committees.

#### Subd. 3. Moorhead Technical College

Independent school district No. 152, Moorhead Technical College, may spend up to \$350,000 to construct classroom and related space for farm business, small business, and other management programs at Moorhead Technical College. The expenditure must be made entirely from local money.

#### Subd. 4. Northeast Metro Technical College

Intermediate school district No. 916, Northeast Metro Technical College, may spend up to \$325,500 to construct a media center and to make electrical and mechanical renovations at Northeast Metro Technical College. The expenditure must be made entirely from local money.

#### Subd. 5. Detroit Lakes Technical College

The commissioner of finance shall give priority funding to the Detroit Lakes Technical College building project authorized by Laws 1990, chapter 610, article 1, section 2, subdivision 7, in the event that cashflows for currently authorized projects recommended by the Governor are modified, suspended, or delayed resulting in additional funds for debt service within the limits appropriated for the biennium ending June 30, 1993.

### Sec. 3. COMMUNITY COLLEGES

Subdivision 1. To the commissioner of administration for the purposes specified in this section

\$ 2,575,000

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state board for community colleges shall supervise and control necessary capital repairs to all community college buildings and structures during the biennium.

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Subd. 2. Systemwide Capital Improvements

\$ 2,575,000

This appropriation is for capital improvements at community colleges for life safety projects and continued maintenance requirements, including code compliance, handicapped access, improving mechanical systems, heating and ventilation, energy management upgrading, replacing water mains, paving parking surfaces, and emergency lighting.

### Sec. 4. STATE UNIVERSITIES

Subdivision 1. To the state university board for the purposes specified in this section

\$ 5,155,000

Notwithstanding Minnesota Statutes, sections 16B.30 and 16B.31, during the biennium, the state university board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of state university buildings and structures, and for improvements provided in this section. The board shall advertise for bids and award contracts in connection with the improvements,

supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, no improvement made, and no building constructed that entails the expenditure of more money than the appropriation for the project, unless otherwise provided in this article.

The board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state university board shall supervise and control necessary repairs to all state university buildings and structures during the biennium.

Subd. 2. Systemwide Capital Improvements

\$ 215,000

This appropriation is for capital improvements on state university campuses for hazardous materials abatement.

Subd. 3. Mankato Campus

\$ 1,340,000

This appropriation is for utility tunnel upgrade.

Of the money appropriated in Laws 1990, chapter 610, article 1, section 4,



subdivision 3, paragraph (a), to provide for heating plant rehabilitation at the Mankato campus, \$1,500,000 may be used to install a campus chilled water system. The existing heating plant shall be expanded to accommodate the rehabilitation and the chilled water system.

Subd. 4. Moorhead Campus

\$ 3,600,000

This appropriation is to rehabilitate the heating plant, restore the heating system, and enable it to meet future steam demands in accord with a recent engineering study.

Subd. 5. St. Cloud Campus

Notwithstanding Minnesota Statutes, chapter 16B, for fiscal year 1992, the St. Cloud State University Foundation Incorporated may construct an addition to the existing business education building, a state-owned building located on the St. Cloud State University campus. The foundation may provide initial funds to the state university board to contract for design and construction. The state university board shall supervise and control the preparation of plans and specifications for the construction of the building addition. The building addition shall be leased and then donated to St. Cloud State University, subject to the approval of the board. The term of the lease shall not exceed five years. The board shall have approval authority for the design and lease. Title to the building shall pass to the state immediately upon donation or when all the terms of the lease have been met. Prior to the design, construction, or lease, the board shall report its plans to the chairs of the senate finance and house appropriations committees.

Notwithstanding Minnesota Statutes, chapter 94, the state university board may enter into an agreement with the

city of St. Cloud to exchange parcels of land. The conveyances must be made for no monetary consideration and by quitclaim deed in a form approved by the attorney general. Before the conveyances, the state university board and the city of St. Cloud shall enter an agreement on temporary easements on the parcels of land to be exchanged.

#### Sec. 5. UNIVERSITY OF MINNESOTA

Subdivision 1. To the regents of the University of Minnesota for the purposes specified in this section

\$ 1,925,000

The regents shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Subd. 2. Systemwide Capital Improvements

\$ 1,925,000

This appropriation is for capital improvements on University of Minnesota campuses for life safety projects, including code compliance, handicapped access, fuel tank removal and replacement, and asbestos removal. In the event that the board of regents spends any of this appropriation on fuel tanks, the board shall report on its reimbursement efforts to the appropriations and finance committees.

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

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 \$11,048,000 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.

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

Sections 1 to 6 are effective the day after final enactment.

ARTICLE 3  
PEACE OFFICER TRAINING

Section 1. Minnesota Statutes 1990, section 626.84, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For purposes of sections 626.84 to 626.863, the following terms have the meanings given them:

(a) "Board" means the board of peace officer standards and training.

(b) "Director" means the executive director of the board.

(c) "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota state patrol, agents of the division of gambling enforcement, and state conservation officers.

(d) "Constable" has the meaning assigned to it in section 367.40.

(e) "Deputy constable" has the meaning assigned to it in section 367.40.

(f) "Part-time peace officer" means an individual licensed by the board whose services are utilized by law enforcement agencies no more than an average of 20 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by any law enforcement agency. The limitation on the average number of hours in which the services of a part-time peace officer may be utilized shall not apply to a part-time peace officer who has formally notified the board pursuant to rules adopted by the board of the part-time peace officer's intention to pursue the specialized training for part-time peace officers who desire to become peace officers pursuant to sections 626.843, subdivision 1, clause (g), and 626.845, subdivision 1, clause (g).

(g) "Reserve officer" means an individual whose services are utilized by a law enforcement agency to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer

does not have full powers of arrest or authorization to carry a firearm on duty.

(h) "Law enforcement agency" means a unit of state or local government that is authorized by law to grant full powers of arrest and to charge a person with the duties of preventing and detecting crime and enforcing the general criminal laws of the state.

(i) "Professional peace officer education" means a post-secondary degree program, or a nondegree program for persons who already have a college degree, that is offered by a college or university in Minnesota, designed for persons seeking licensure as a peace officer, and approved by the board.

## Sec. 2. [626.856] [SCHOOL OF LAW ENFORCEMENT.]

By July 1, 1992, the state university system shall develop a school of law enforcement in the metropolitan area, as defined in section 473.121, subdivision 2, whose mission is to advance the profession of law enforcement. The school may offer professional peace officer education, graduate degree programs, and peace officer continuing education programs, and may conduct applied research.

## Sec. 3. [626.857] [ADVISORY COUNCIL.]

An advisory council of no more than 12 members is established consisting of law enforcement faculty and administrators, peace officers, police chiefs, sheriffs, and citizens. The state university board, the community college board, and the technical college board shall each appoint four members. The advisory council shall meet at least once each year to advise the post-secondary systems regarding professional peace officer education. The advisory council shall include women and members of minority groups. The advisory council shall expire on June 30, 1993.

## Sec. 4. [TASK FORCE.]

Subdivision 1. [CREATION.] A task force is created to improve the quality and delivery of law enforcement education, and to more clearly define the mission of each post-secondary system in this delivery. The task force shall consist of a representative of the community college system, the technical college system, the state university system, private colleges offering professional peace officer education, the higher education coordinating board, and the advisory council established in section 3. The executive director of the peace officer standards and training board shall chair the task force.

Subd. 2. [ACTIONS.] By January 1, 1992, the task force shall develop and implement actions to:

(1) recruit and retain women and minorities in professional peace officer education;

(2) increase the amount of general education in the professional peace officer education program for associate degrees, to allow for maximum credit transfer from community colleges and technical colleges; and

(3) provide information to students enrolling in professional peace officer education concerning transferability of credits and the peace officer licensing process, and develop a form that the students must sign that acknowledges receipt of the information.

Subd. 3. [PLAN FOR PILOT PROJECT.] The task force shall develop a plan for a pilot project for an integrated peace officer education program in the metropolitan area to be implemented by the beginning of the 1992-1993 academic year. The pilot shall provide for the needs of students seeking associate and baccalaureate degrees. It shall include general education and integrated professional peace officer education which is appropriately managed and located. Upon appointment by the state university board, the director of the school of law enforcement shall serve as the coordinator of the pilot project and shall work with the task force in developing and implementing the pilot.

Subd. 4. [REPORTS.] The task force shall report on its actions and its progress in developing its plans by February 1, 1992, to the higher education policy and funding divisions of the legislature.

Sec. 5. [REPEALER.]

Minnesota Statutes 1990, section 626.86, is repealed.

## ARTICLE 4

### ACADEMIC EXCELLENCE SCHOLARSHIP

Section 1. [135A.30] [MINNESOTA ACADEMIC EXCELLENCE SCHOLARSHIP.]

Subdivision 1. [CREATION.] The Minnesota academic excellence scholarship program is created to reward students who have demonstrated outstanding ability, achievement, and potential in one of the following subjects: English/creative writing, fine arts, foreign language, math, science, or social science.

Subd. 2. [ELIGIBILITY.] To be eligible to receive a scholarship under this section, a student must:

(1) graduate from a Minnesota public or nonpublic high school in the academic year in which the scholarship is awarded;

(2) successfully complete a college preparatory curriculum and demonstrate outstanding ability, achievement, and potential in one of the specified subjects;

(3) be admitted to enroll full time in a nonsectarian, baccalaureate degree-granting program at the University of Minnesota or at a Minnesota state university, or at a Minnesota private, baccalaureate degree-granting college or university; and

(4) pursue studies in the subject for which the award is made.

Subd. 3. [SELECTION OF RECIPIENTS.] The governing board of an eligible institution shall determine, in consultation with its campuses, application dates and procedures, criteria to be considered, and methods of selecting students to receive scholarships. A campus, with the approval of its governing board, may award a scholarship in any of the specified fields of study (1) in which the campus offers a program that is of the quality and rigor to meet the needs of the talented student, and (2) that is pertinent to the mission of the campus.

Subd. 4. [AMOUNT OF SCHOLARSHIP.] The amount of the scholarship must be (1) at public institutions, the cost of tuition and fees for full-time attendance for one academic year, or (2) at private institutions, an amount equal to the lesser of the actual tuition and fees charged by the institution or the tuition and fees in comparable public institutions. Scholarships awarded under this section must not be considered in determining a student's financial need as provided in section 136A.101, subdivision 5.

Subd. 5. [RENEWALS.] The scholarship shall be renewed yearly, for up to three additional academic years, if the student:

(1) maintains full-time enrollment with a grade point average of at least 3.0 on a four point scale;

(2) pursues studies and continues to demonstrate outstanding ability, achievement, and potential in the field for which the award was made; and

(3) is achieving satisfactory progress toward a degree.

Subd. 6. [NUMBER OF AWARDS.] The number of scholarships awarded each year shall be determined by the amount of money available in the scholarship account, as provided in section 168.129, subdivision 6, that is credited to a post-secondary institution or system through sales of its license plates. The number of new

awards must be determined after subtracting the actual and projected amount necessary for renewals.

Subd. 7. [DISTRIBUTION AMONG CAMPUSES.] Post-secondary systems with more than one campus shall allocate at least three-fourths of the revenue available from the sale of license plates to the campuses to which the revenue is attributable. The governing board annually shall determine the distribution of the remaining portion among the campuses, after consideration of special needs or circumstances.

Subd. 8. [ADDITIONAL CONTRIBUTIONS.] A post-secondary system or campus may accept contributions, beyond those raised through the sale of license plates, to supplement the campus fund for academic excellence scholarships.

Sec. 2. [168.129] [SPECIAL COLLEGIATE LICENSE PLATES.]

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] The commissioner of public safety shall issue special collegiate license plates to an applicant who:

(1) is an owner or joint owner of a passenger automobile, pickup truck, or van;

(2) pays a fee determined by the commissioner to cover the costs of handling and manufacturing the plates;

(3) pays the registration tax required under section 168.12;

(4) pays the fees required under this chapter;

(5) contributes at least \$100 to the scholarship account established in subdivision 6; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

Subd. 2. [DESIGN.] After consultation with each participating college, university or post-secondary system, the commissioner shall design the special collegiate plates.

In consultation with the commissioner, a participating college or university annually shall indicate the anticipated number of plates needed.

Subd. 3. [NO REFUND.] Contributions under this section must not be refunded.

Subd. 4. [PLATE TRANSFERS.] Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of \$5, plates issued under this section may be transferred to another passenger vehicle, pickup, or van owned or jointly owned by the person to whom the special plates were issued.

Subd. 5. [FEES CREDITED.] The fees collected under this section must be deposited in the state treasury and credited to the highway user tax distribution fund. Fees collected under this section do not include the contributions collected for the scholarship account.

Subd. 6. [SCHOLARSHIP ACCOUNT.] A scholarship account is created in the state treasury. Except for one percent that may be retained by the commissioner of public safety for administrative costs, all contributions received under this section must be deposited by the commissioner in the scholarship account. Money in the scholarship account is appropriated to the governing board of the institution to which it is attributable, as provided in subdivision 7.

Subd. 7. [RECORD.] The commissioner shall maintain a record of the number of license plates issued for each post-secondary institution or system in order to determine the amount of scholarship funds available to that institution or system.

### Sec. 3. [GOVERNING BOARD DUTIES.]

The board of regents of the University of Minnesota, the state university board, and the governing boards of eligible private colleges and universities are requested to cooperate with the higher education coordinating board, the Minnesota academic excellence foundation, public and nonpublic Minnesota high schools, and school districts to publicize the availability of the scholarships and to identify qualified students.

### Sec. 4. [EFFECTIVE DATES.]

Section 1 is effective for high school graduates beginning in the 1991-1992 school year. Section 2 is effective for vehicle registrations after June 30, 1991.

## ARTICLE 5

### FINANCIAL AID

Section 1. Minnesota Statutes 1990, section 136A.101, subdivision 7, is amended to read:

Subd. 7. "Student" means a person who is enrolled at least half time, ~~as defined by the board~~, in a program or course of study that applies to a degree, diploma, or certificate, except that for purposes



of section 136A.132, student may include a person enrolled for at least three quarter or semester credits or the equivalent but less than half time.

Sec. 2. Minnesota Statutes 1990, section 136A.101, is amended by adding a subdivision to read:

Subd. 7a. "Full time" means enrollment in a minimum of 15 quarter or semester credits or the equivalent.

Sec. 3. Minnesota Statutes 1990, section 136A.101, is amended by adding a subdivision to read:

Subd. 7b. "Half time" means enrollment in a minimum of eight quarter or semester credits or the equivalent.

Sec. 4. Minnesota Statutes 1990, section 136A.101, is amended by adding a subdivision to read:

Subd. 10. "Satisfactory academic progress" means that at the end of each academic year during which a grant was awarded, a student has achieved a cumulative grade point average of at least 2.0 on a four point scale or its equivalent, and has completed at least 75 percent of the credits attempted.

Sec. 5. Minnesota Statutes 1990, section 136A.121, subdivision 6, is amended to read:

Subd. 6. [COST OF ATTENDANCE.] The cost of attendance consists of allowances specified by the board for room and board and miscellaneous expenses, and

(1) for public institutions, tuition and fees charged by the institution; or

(2) for private institutions, an allowance for tuition and fees equal to the lesser of the actual tuition and fees charged by the institution, or the instructional costs per full-year equivalent student in comparable public institutions.

For students attending less than full time, the board shall prorate the cost of attendance.

Sec. 6. Minnesota Statutes 1990, section 136A.121, subdivision 11, is amended to read:

Subd. 11. [RENEWAL CONDITIONS.] Each grant is renewable, contingent on continued residency in Minnesota, satisfactory academic standing progress, recommendation of the eligible institution currently attended, and evidence of continued need.

Sec. 7. Minnesota Statutes 1990, section 136A.121, subdivision 16, is amended to read:

Subd. 16. [HOW APPLIED; ORDER.] Grants awarded under sections ~~136A.095 to 136A.131~~ 136A.121 and 136A.132 to 136A.1354 must be applied to educational costs in the following order: tuition, fees, books, supplies, and other expenses. Unpaid portions of the awards revert to the grant account.

Sec. 8. Minnesota Statutes 1990, section 136A.125, subdivision 2, is amended to read:

Subd. 2. [ELIGIBLE STUDENTS.] An applicant is eligible for a child care grant if the applicant:

(1) is a resident of the state of Minnesota;

(2) has a child 12 years of age or younger, or 14 years of age or younger who is handicapped as defined in section 120.03, and who is receiving or will receive care on a regular basis from a licensed or legal, nonlicensed caregiver;

(3) is within the sliding fee scale income guidelines set under section 256H.10, subdivision 2, as determined by a standardized financial aid needs analysis in accordance with the board's policies and rules, but is not a recipient of aid to families with dependent children;

(4) has not earned a baccalaureate degree and has been enrolled full time less than eight semesters, 12 quarters, or the equivalent;

(5) is pursuing a nonsectarian program or course of study that applies to an undergraduate degree, diploma, or certificate;

(6) is enrolled at least half time in an eligible institution; and

(7) is in good academic standing and making satisfactory academic progress, as ~~determined by the institution~~.

Sec. 9. Minnesota Statutes 1990, section 136A.125, subdivision 3, is amended to read:

Subd. 3. [ELIGIBLE INSTITUTION.] A Minnesota public post-secondary institution or a private, ~~residential, two-year or four-year, liberal arts, baccalaureate~~ degree granting college or university located in Minnesota is eligible to receive child care funds from the board and disburse them to eligible students.

Sec. 10. Minnesota Statutes 1990, section 136A.125, subdivision 4, is amended to read:

Subd. 4. [AMOUNT AND LENGTH OF GRANTS.] The amount of a child care grant must be based on:

- (1) the financial need of the applicant;
- (2) the number of the applicant's children; and
- (3) the cost of the child care,

as determined by the institution in accordance with board policies and rules. The amount of the grant must cover the cost of child care for all eligible children for the full number of hours of education per week and may cover up to 20 hours per week of employment for which child care is needed. The grant must be awarded for one academic year. The minimum financial stipend is \$100.

Sec. 11. Minnesota Statutes 1990, section 136A.125, is amended by adding a subdivision to read:

Subd. 4a. [RATES CHARGED.] Child care providers may not charge students receiving grants under this section a rate that is higher than the rate charged to private paying clients.

Sec. 12. Minnesota Statutes 1990, section 136A.125, subdivision 6, is amended to read:

Subd. 6. [YEARLY ALLOCATIONS TO INSTITUTIONS.] The board shall base yearly allocations on the need for ~~and use of the funds in the last academic year, and other~~ using relevant factors as determined by the board in consultation with the institutions. Up to five percent of the allocation, as determined by the board, may be used for an institution's administrative expenses. Any funds designated, but not used, for this purpose must be reallocated to child care grants.

Sec. 13. [136A.1311] [CASH FLOW.]

The higher education coordinating board may ask the commissioner of finance to lend general fund money to the grant account to ease cash flow difficulties. The higher education coordinating board must first certify to the commissioner that there will be adequate refunds to the account to repay the loan. The commissioner shall use the refunds to make repayment to the general fund of the full amount loaned. Money necessary to meet cash flow difficulties in the state grant program is appropriated to the commissioner of finance for loans to the higher education coordinating board.

Sec. 14. Minnesota Statutes 1990, section 136A.132, subdivision 3, is amended to read:

Subd. 3. [STUDENT ELIGIBILITY.] An applicant is eligible to be considered for a part-time student grant if the applicant:

- (1) is a resident of the state of Minnesota;
- (2) is an undergraduate student who has not earned a baccalaureate degree;
- (3) is pursuing a program or course of study that applies to a degree, diploma, or certificate;
- (4) is attending an eligible institution either less than half time ~~as defined by the board~~; or as a new or returning student enrolled at least half time but less than full time ~~as defined by the board~~; and
- (5) is not in default, as defined by the board, of any federal or state student educational loan.

Sec. 15. Minnesota Statutes 1990, section 136A.132, subdivision 5, is amended to read:

Subd. 5. [AMOUNT.] The amount of any part-time student grant award must be based on the need of the applicant determined by the institution in accordance with policies and rules established by the higher education coordinating board. The minimum financial stipend is \$100.

Sec. 16. Minnesota Statutes 1990, section 136A.132, subdivision 6, is amended to read:

Subd. 6. [LENGTH OF AWARD.] Part-time student grants must be awarded for a single term as defined by the institution in accordance with guidelines and policies of the higher education coordinating board. Awards are not renewable, but the recipient of an award may apply for additional awards for subsequent terms contingent on continued eligibility, need, and satisfactory academic progress.

A new or returning student enrolled at least half time but less than full time; ~~as defined by the board~~; and pursuing a program or course of study that applies to a degree, diploma, or certificate is eligible for an award for only one term.

Sec. 17. Minnesota Statutes 1990, section 136A.1352, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] The higher education coordinating board shall provide grants to students who are entering or enrolled in registered nurse or licensed practical nurse programs,

who have no previous nursing training or education, and who agree to practice in a designated rural area, as defined by the board.

Sec. 18. Minnesota Statutes 1990, section 136A.1353, subdivision 4, is amended to read:

Subd. 4. [RESPONSIBILITIES OF THE HIGHER EDUCATION COORDINATING BOARD.] The higher education coordinating board shall distribute funds each year to the schools, colleges, or programs of nursing applying to participate in the nursing grant program based on the last academic year's enrollment of students in educational programs that would lead to licensure as a ~~licensed practical~~ registered nurse. Money not used by a recipient nursing program must be returned to the higher education coordinating board for redistribution under this section. The board shall establish an application process for interested schools, colleges, or programs of nursing. Initial applications are due by January 1, 1991, and by January 1 of each later year. By March 1, 1991, and by March 1 of each later year, the board shall notify each applicant school, college, or program of nursing of its approximate allocation of funds in order to allow the school, college, or program to determine the number of students that can be supported by the allocation. The board shall distribute funds to the schools, colleges, or programs of nursing by August 1, 1991, and by August 1 of each later year.

Sec. 19. Minnesota Statutes 1990, section 136A.1355, subdivision 1, is amended to read:

Subdivision 1. [CREATION OF ACCOUNT.] A rural physician education account is established. The higher education coordinating board shall use money from the account to establish a loan forgiveness program for medical students agreeing to practice in designated rural areas, as defined by the board.

Sec. 20. Minnesota Statutes 1990, section 136A.233, subdivision 3, is amended to read:

Subd. 3. [PAYMENTS.] Work-study payments shall be made to eligible students by post-secondary institutions as provided in this subdivision.

(a) Students shall be selected for participation in the program by the post-secondary institution on the basis of student financial need.

(b) No eligible student shall be employed under the state work-study program while not a full-time student; provided, with the approval of the institution, a full-time student who becomes a part-time student during an academic year may continue to be employed under the state work-study program for the remainder of the academic year.

(c) Students will be paid for hours actually worked and the maximum hourly rate of pay shall not exceed the maximum hourly rate of pay permitted under the federal college work-study program.

(d) Minimum pay rates will be determined by an applicable federal or state law.

(e) Not less than ~~20~~ 30 percent of the compensation paid to the student under the state work-study program shall be paid by the eligible employer.

(f) Each post-secondary institution receiving funds for state work-study grants shall make a reasonable effort to place work-study students in employment with eligible employers outside the institution.

(g) The percent of the institution's work-study allocation provided to graduate students shall not exceed the percent of graduate student enrollment at the participating institution.

Sec. 21. Minnesota Statutes 1990, section 299A.45, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY.] Following certification under section 299A.44 and compliance with this section and rules of the commissioner of public safety and the higher education coordinating board, dependent children less than 23 years of age and the surviving spouse of a public safety officer killed in the line of duty on or after January 1, 1973, are eligible to receive educational benefits under this section. To qualify for an award, they must be enrolled in undergraduate degree or certificate programs after June 30, 1990, at a Minnesota public post-secondary institution or a private, ~~residential, two-year or four-year, liberal arts, baccalaureate degree granting college or university located in Minnesota.~~ Persons who have received a baccalaureate degree or have been enrolled full time or the equivalent of eight semesters or 12 quarters, whichever occurs first, are no longer eligible.

Sec. 22. [CHILD CARE INNOVATION GRANTS.]

Subdivision 1. [PROGRAM.] The higher education coordinating board shall establish a grant program to encourage innovative approaches in providing or financing child care services to post-secondary students.

Subd. 2. [QUALIFICATIONS.] Grants may be awarded to the governing board of a post-secondary system, to a specific college campus or organization, or to a private, nonprofit organization. No grant may exceed \$25,000.

Subd. 3. [APPLICATIONS.] The board shall determine procedures to solicit and evaluate proposals and to award grants. The board must consider the way in which a proposal would aid students needing child care, considering the limited funds available for the state child care grant program. The grants may also fund programs to assure that child care funding and delivery is part of a student's overall package of support services.

The board must not award a grant unless the proposal demonstrates a strong likelihood that the value of the services to be generated as a result of the grant substantially exceeds the amount of the grant.

Subd. 4. [REPORT.] The higher education coordinating board shall report to the appropriations and finance committees on its distribution of the grants by February 1, 1992. The board shall evaluate the projects and make its final report by January 1, 1993.

Sec. 23. [REPEALER.]

Minnesota Statutes 1990, section 136A.1351, is repealed.

Sec. 24. [EFFECTIVE DATE.]

Sections 2 and 3 are effective July 1, 1992. Section 22 is effective the day following final enactment.

## ARTICLE 6

### ENROLLMENT AND FUNDING

Section 1. Minnesota Statutes 1990, section 135A.03, subdivision 3, is amended to read:

Subd. 3. [DETERMINATION OF STUDENT ENROLLMENT.] Student enrollment shall be the full-year equivalent or average daily membership enrollment in each instructional category in the fiscal year two years before the fiscal year for which the appropriations are being made, except as provided in subdivision 3a. Student enrollment for the purpose of calculating appropriations for the second year of the biennium may be estimated on the basis of the latest enrollment data available. Student enrollment shall include students enrolled in courses that award credit or otherwise satisfy any of the requirements of an academic or vocational program.

Sec. 2. Minnesota Statutes 1990, section 135A.03, is amended by adding a subdivision to read:

Subd. 3a. [EXCLUSIONS FROM ENROLLMENT.] Student enrollment for the purposes of average cost funding shall not include:

(1) any students, except those enrolled in programs that lead to a doctoral level degree, who do not meet the residency criteria established under subdivision 7;

(2) except at the technical colleges, enrollment at an off-campus site or center that is not specifically authorized by the legislature;

(3) enrollment in extension at the technical colleges;

(4) students concurrently enrolled in a secondary school for whom the institution is receiving any compensation under the post-secondary enrollment options act; and

(5) students enrolled in recreational or leisure-time activity courses, except for those students enrolled in a degree-granting program for whom the credits would apply toward a baccalaureate degree.

Sec. 3. Minnesota Statutes 1990, section 135A.03, is amended by adding a subdivision to read:

Subd. 7. [RESIDENCY RESTRICTIONS.] In calculating student enrollment for appropriations, only the following may be included:

(1) students who resided in the state for at least one calendar year prior to applying for admission;

(2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere; and

(3) residents of other states who are attending a Minnesota institution under a tuition reciprocity agreement.

Sec. 4. Laws 1990, chapter 591, article 3, section 10, is amended to read:

Sec. 10. [CONDITIONS.]

(a) The state university board, the state board for community colleges, the state board of vocational technical education, and their respective campuses must not enter into new long-term lease arrangements, significantly increase the course offerings at off-campus sites, enter any 2 + 2 arrangements, or significantly increase staffing levels for off-campus sites between the effective date of this section and the end of the ~~1990-1991~~ 1992-1993 academic year. A current long-term lease may be renewed if it expires during this period. The board of regents is requested to abide by these conditions until the end of the ~~1990-1991~~ 1992-1993 academic year.



(b) This section does not apply to actions of Metropolitan State University that are part of its plan to consolidate its sites in the seven-county metropolitan area. The state university board shall consult with the chairs of the house appropriations and senate finance committees in carrying out its plans. For purposes of this paragraph, "plan to consolidate" does not include entering into any 2 + 2 arrangements.

#### Sec. 5. [QUALITY INCENTIVES.]

Subdivision 1. [LEGISLATIVE INTENT.] In order to encourage a better match between student abilities and needs and system mission and strengths, and to promote better opportunities for student success and enhanced instructional quality, the legislature intends to provide funding for improvements in rates of student retention, graduation, and transfer from two- to four-year systems.

Subd. 2. [PROPOSALS.] By September 15, 1991, each public post-secondary system shall propose to the education divisions of the appropriations and finance committees (1) mechanisms to increase its quality in these areas, and (2) methods by which the increases may be measured.

#### Sec. 6. [HECB RECOMMENDATIONS TO LEGISLATURE.]

By January 15, 1993, the higher education coordinating board shall present to the education committees of the legislature recommendations for linking funding of post-secondary education systems to achievement of the system plans and missions that are required under Minnesota Statutes, section 135A.06, and to achievement by students of system and institution learner outcomes.

#### Sec. 7. [ENROLLMENT AUDIT.]

The legislative audit commission and the commissioner of finance are requested to undertake a study of enrollment, including an audit of full-year equivalents, in the technical college and community college systems. The study should examine the changes in full-year equivalents since the enactment of average cost funding, the distribution of students in credit and noncredit programs, degree and nondegree programs, the inclusion of students in average cost funding for whom the systems are receiving alternative funding, and the changes in enrollment and cost among the average cost funding cells. The auditor and the commissioner are requested to report their findings and recommendations to the education divisions of the appropriations and finance committees by February 15, 1992.

#### Sec. 8. [EFFECTIVE DATE.]

Sections 5 and 7 are effective the day following final enactment.

ARTICLE 7  
MISCELLANEOUS

Section 1. Minnesota Statutes 1990, section 135A.05, is amended to read:

135A.05 [TASK FORCE.]

The executive director of the Minnesota higher education coordinating board shall administer a task force on average cost funding. The task force shall include representation from each of the public systems of post-secondary education, post-secondary students, the education division of the house appropriations committee, the education subcommittee division of the senate finance committee, and the office of the commissioner of finance, ~~the office of state auditor, and the uniform financial accounting and reporting advisory council.~~ The task force shall be convened and chaired by the executive director or a designee and staffed by the higher education coordinating board. The task force shall review and make recommendations on the definition of instructional cost in all four systems, the method of calculating average cost for funding purposes, the method used to assign programs to the proper level of cost at each level of instruction, the adequacy of the accounting data for defining instructional cost in a uniform manner, and the biennial budget format to be used by the four systems in submitting their biennial budget requests. The task force shall submit a report on these matters to the legislature by December 1 of each odd-numbered year. The task force expires June 30, 1993.

Sec. 2. [135A.131] [LOCAL ASSESSMENT.]

Each public post-secondary governing board may pay when due any assessment by a local unit of government that is less than five percent of the board's appropriation for repair and replacement.

Sec. 3. Minnesota Statutes 1990, section 136.11, subdivision 3, is amended to read:

Subd. 3. [UNIVERSITY ACTIVITY FUND.] The state university board shall establish in each university a fund to be known as the university activity fund. The purpose of this fund shall be to provide for the administration of university activities designed for student recreational, social, welfare, and educational pursuits supplemental to the regular curricular offerings. The university activity fund shall encompass accounts for student activities, authorized university agencies, authorized auxiliary enterprises, and student loans,

and grants, and other nontreasury accounts, in addition such other accounts as the board may prescribe.

Sec. 4. Minnesota Statutes 1990, section 136.11, is amended by adding a subdivision to read:

Subd. 3a. [SYSTEMWIDE ADMINISTRATIVE FUND.] The chancellor may establish a fund within the system office for system-wide purposes including management of certain employee funds, contracts, student equipment purchases, and receipt and transfer of foreign program funds.

Sec. 5. Minnesota Statutes 1990, section 136.11, subdivision 5, is amended to read:

Subd. 5. [ADMINISTRATION OF ACTIVITY FUND MONEYS.] The state university board independent of other authority and notwithstanding chapters 16A and 16B, shall administer the money collected for the university activities fund and the systemwide administrative fund. All university activity fund money collected shall be retained by the president of each state university to be administered under the rules of the state university board by the presidents of the respective universities subject to audit of the legislative auditor.

Sec. 6. Minnesota Statutes 1990, section 136.14, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The state university board shall have the educational management, supervision, and control of the state universities and of all related property. It shall appoint all presidents, teachers, and other necessary employees and fix their salaries. It shall prescribe courses of study, conditions of admission, prepare and confer diplomas, report graduates of the state university department, and adopt suitable policies for the universities. Sections 14.01 to 14.47 do not apply to policies and procedures of the board. It shall, as a whole or by committee, visit each state university at least once in each year for the purpose of meeting with administrators, faculty, students and the community to discuss such matters as facilities, modes of instruction, curriculum, extracurricular programs and management. The board shall schedule meetings as it deems necessary, but it shall hold at least 11 monthly meetings each year.

Sec. 7. [136.172] [LITIGATION AWARDS.]

Notwithstanding any law to the contrary, the state university board may keep money received from successful litigation by or against the board. Awards made to the state or the board resulting from litigation against or by the board must be kept by the board to

the credit of the account from which the litigation was originally funded. An award that exceeds the costs incurred in the litigation shall be used by the board to reduce future repair or replacement or capital requests. The board shall report on any awards it receives as part of its biennial budget request.

Sec. 8. Minnesota Statutes 1990, section 136.61, subdivision 3, is amended to read:

Subd. 3. The state board for community colleges shall elect a president, a secretary and such other officers as it may desire. It shall fix its meeting dates and places but it shall hold at least 11 monthly meetings each year. The commissioner of administration shall provide it with appropriate offices.

Sec. 9. Minnesota Statutes 1990, section 136C.03, subdivision 3, is amended to read:

Subd. 3. [ADMINISTRATION.] The state board shall elect a chair and other officers as it may desire. It shall determine its meeting dates and places, but it shall hold at least 11 monthly meetings each year. The commissioner of administration shall provide the state board with appropriate offices.

Sec. 10. [CREDIT TRANSFER.]

By September 15, 1991, the higher education advisory council shall resolve differences and inconsistencies within and among the post-secondary systems relating to educationally sound transfer of credit policies, including system policies on the award of credits, transferability of general education components, use of tests for determining credit or proficiency, and provision and use of appeals processes. The legislature intends that credit transfer policies provide for the broadest and most simple mechanisms that are feasible while protecting the academic quality of institutions and programs.

Sec. 11. [EFFECTIVE DATE.]

Section 10 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to higher education; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, and Mayo medical foundation, with certain conditions; amending Minnesota Statutes 1990, sections 135A.03, subdivision 3, and by adding subdivisions; 135A.05; 136.11, subdivisions 3, 5, and by

adding a subdivision; 136.14, subdivision 1; 136.61, subdivision 3; 136A.101, subdivision 7, and by adding subdivisions; 136A.121, subdivisions 6, 11, and 16; 136A.125, subdivisions 2, 3, 4, and 6, and by adding a subdivision; 136A.132, subdivisions 3, 5, and 6; 136A.1352, subdivision 1; 136A.1353, subdivision 4; 136A.1355, subdivision 1; 136A.233, subdivision 3; 136C.03, subdivision 3; 299A.45, subdivision 1; 626.84, subdivision 1; and Laws 1990, chapter 591, article 3, section 10; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; 136A; 168; and 626; repealing Minnesota Statutes 1990, sections 136A.1351; and 626.86.”

The motion prevailed and the amendment was adopted.

Carlson moved to amend S. F. No. 1535, as amended, as follows:

Page 5, after line 34, insert subdivisions to read:

“Subd. 6. Moorhead Technical College

Independent school district No. 152, Moorhead Technical College, may spend up to \$350,000 to construct classroom and related space for farm business, small business, and other management programs at Moorhead Technical College. The expenditure must be made entirely from local money.

Subd. 7. Northeast Metro Technical College

Intermediate school district No. 916, Northeast Metro Technical College, may spend up to \$325,500 to construct a media center and to make electrical and mechanical renovations at Northeast Metro Technical College. The expenditure must be made entirely from local money.

Subd. 8. Detroit Lakes Technical College

The commissioner of finance shall give priority funding to the Detroit Lakes Technical College building project authorized by Laws 1990, chapter 610,

article 1, section 2, subdivision 7, in the event that cashflows for currently authorized projects recommended by the Governor are modified, suspended, or delayed resulting in additional funds for debt service within the limits appropriated for the biennium ending June 30, 1993."

Page 6, after line 48, insert subdivisions to read:

"Subd. 4. Mankato State

Of the money appropriated in Laws 1990, chapter 610, article 1, section 4, subdivision 3, paragraph (a), to provide for heating plant rehabilitation at the Mankato campus, \$1,500,000 may be used to install a campus chilled water system. The existing heating plant shall be expanded to accommodate the rehabilitation and the chilled water system.

Subd. 5. St. Cloud State

Notwithstanding Minnesota Statutes, chapter 16B, for fiscal year 1992, the St. Cloud State University Foundation Incorporated may construct an addition to the existing business education building, a state-owned building located on the St. Cloud State University campus. The foundation may provide initial funds to the state university board to contract for design and construction. The state university board shall supervise and control the preparation of plans and specifications for the construction of the building addition. The building addition shall be leased and then donated to St. Cloud State University, subject to the approval of the board. The term of the lease shall not exceed five years. The board shall have approval authority for the design and lease. Title to the building shall pass to the state immediately upon donation or when all the terms of the lease have been met. Prior to the design, construction, or lease, the

board shall report its plans to the chairs of the senate finance and house appropriations committees.

Notwithstanding Minnesota Statutes, chapter 94, the state university board may enter into an agreement with the city of St. Cloud to exchange parcels of land. The conveyances must be made for no monetary consideration and by quitclaim deed in a form approved by the attorney general. Before the conveyances, the state university board and the city of St. Cloud shall enter an agreement on temporary easements on the parcels of land to be exchanged."

Pages 10 through 15, delete article 2 and renumber the remaining articles

The motion prevailed and the amendment was adopted.

Gruenes, Dorn, Carlson and Goodno moved to amend S. F. No. 1535, as amended, as follows:

Page 3, after line 33, add a subdivision to read:

"Subd. 4. Financial Aid Eligibility

For the biennium, a student enrolled in a degree program at a public post-secondary institution who is temporarily participating in a special program at another Minnesota public post-secondary institution shall be eligible to apply for state grants and loans as if the student had formally transferred to the second institution."

Renumber the remaining subdivisions

The motion prevailed and the amendment was adopted.

Haukoos moved to amend S. F. No. 1535, as amended, as follows:

Page 22, after line 14, add a section to read:

"Sec. 4. Minnesota Statutes 1990, section 136A.101, subdivision 8, is amended to read:

Subd. 8. "Resident student" means a student who meets one of the following conditions:

(1) an independent student who has resided in Minnesota for purposes other than post-secondary education for at least 12 months;

(2) a dependent student whose parent or legal guardian resides in Minnesota at the time the student applies;

(3) a student who graduated from a Minnesota high school, unless the student is a resident of a bordering state attending a Minnesota high school; or

(4) a student who, after residing in the state for a minimum of one year, earned a high school equivalency certificate in Minnesota."

Renumber the remaining sections

The motion prevailed and the amendment was adopted.

McEachern and Carlson moved to amend S. F. No. 1535, as amended, as follows:

Page 5, line 29, after the period insert:

"The number of students in special populations served at each education level must be considered in developing the process."

The motion prevailed and the amendment was adopted.

Frerichs; Tompkins; Heir; Smith; Pellow; Seaberg; Anderson, R. H.; Davids; Sviggum; Weaver; Bettermann; Koppendrayer; McPherson; Hufnagle; Runbeck and Waltman moved to amend S. F. No. 1535, as amended, as follows:

Page 3, line 5, delete "\$250,000" and insert "\$100,000"

A roll call was requested and properly seconded.

The question was taken on the Frerichs et al amendment and the roll was called. There were 45 yeas and 80 nays as follows:



Those who voted in the affirmative were:

Anderson, R. H.	Frerichs	Johnson, V.	Onnen	Stanius
Bettermann	Gutknecht	Koppendrayner	Ozment	Sviggum
Blatz	Hartle	Krinkie	Pauly	Tompkins
Boo	Heir	Leppik	Pellow	Uphus
Davids	Henry	Lynch	Runbeck	Valento
Dempsey	Hufnagle	Macklin	Schafer	Waltman
Dille	Hugoson	McPherson	Schreiber	Weaver
Erhardt	Jennings	Nelson, S.	Seaberg	Welker
Frederick	Johnson, A.	Newinski	Smith	Winter

Those who voted in the negative were:

Abrams	Dorn	Kinkel	Olsen, S.	Scheid
Anderson, I.	Farrell	Krueger	Olson, E.	Segal
Anderson, R.	Garcia	Lasley	Olson, K.	Simoneau
Battaglia	Girard	Lieder	Omman	Skoglund
Bauerly	Goodno	Limmer	Orenstein	Solberg
Beard	Greenfield	Long	Orfield	Sparby
Begich	Gruenes	Lourey	Osthoft	Steensma
Bertram	Hanson	Mariani	Ostrom	Swenson
Bodahl	Hausman	Marsh	Pelowski	Thompson
Brown	Jacobs	McEachern	Peterson	Trimble
Carlson	Janezich	McGuire	Pugh	Tunheim
Carruthers	Jefferson	Milbert	Reding	Vellenga
Clark	Johnson, R.	Morrison	Rest	Wagenius
Cooper	Kahn	Munger	Rice	Wejzman
Dauner	Kalis	Murphy	Rodosovich	Wenzel
Dawkins	Kelso	O'Connor	Sarna	Spk. Vanasek

The motion did not prevail and the amendment was not adopted.

Dille moved to amend S. F. No. 1535, as amended, as follows:

Page 22, after line 14, add a section to read:

"Sec. 4. Minnesota Statutes 1990, section 136A.101, subdivision 8, is amended to read:

Subd. 8. "Resident student" means a student who meets one of the following conditions:

(1) an independent student who has resided in Minnesota for purposes other than post-secondary education for at least 12 months;

(2) a dependent student whose parent or legal guardian resides in Minnesota at the time the student applies;

(3) a student who graduated from a Minnesota high school; or

(4) a student who, after residing in the state for a minimum of one year, earned a high school equivalency certificate in Minnesota; or

(5) a student who has been married to a Minnesota resident for a minimum of one year."

Renumber the remaining sections

The motion prevailed and the amendment was adopted.

S. F. No. 1535, A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; creating the higher education board; merging the state university, community college, and technical college systems; amending Minnesota Statutes 1990, sections 15A.081, subdivision 7b; 135A.03, subdivision 3; 135A.05; 136.11, subdivisions 3, 5, and by adding a subdivision; 136.142, subdivision 1, and by adding a subdivision; 136A.121, subdivision 10, and by adding subdivisions; 136A.233, subdivision 3; 179A.10, subdivision 2; and 298.28, subdivisions 4, 7, 10, 11, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; 136A; 136E; and 298; repealing Minnesota Statutes 1990, section 136A.05, subdivision 2.

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 99 yeas and 33 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Kahn	O'Connor	Scheid
Anderson, R.	Farrell	Kalis	Ogren	Segal
Anderson, R. H.	Frederick	Kelso	Olson, E.	Simoneau
Battaglia	Garcia	Kinkel	Olson, K.	Skoglund
Bauerly	Girard	Krueger	Omann	Solberg
Beard	Goodno	Lasley	Orenstein	Sparby
Begich	Greenfield	Lieder	Orfield	Stanis
Bertram	Gruenes	Limmer	Osthoff	Steensma
Bettermann	Gutknecht	Long	Ostrom	Thompson
Bishop	Hanson	Lourey	Ozment	Trimble
Bodahl	Hartle	Mariani	Pelowski	Tunheim
Boo	Hasskamp	Marsh	Peterson	Uphus
Brown	Haukoos	McEachern	Pugh	Vellenga
Carlson	Hausman	McGuire	Reding	Wagenius
Carruthers	Jacobs	Milbert	Rest	Wejcman
Clark	Janezich	Morrison	Rice	Welle
Cooper	Jefferson	Munger	Rodosovich	Wenzel
Dauner	Johnson, A.	Murphy	Rukavina	Winter
Dempsey	Johnson, R.	Nelson, K.	Sarna	Spk. Vanasek
Dille	Johnson, V.	Nelson, S.	Schafer	

Those who voted in the negative were:

Abrams	Hufnagle	Lynch	Pellow	Tompkins
Blatz	Hugoson	Macklin	Runbeck	Valento
Davids	Jaros	McPherson	Schreiber	Waltman
Erhardt	Knickerbocker	Newinski	Seaberg	Weaver
Frerichs	Koppendrayner	Olsen, S.	Smith	Welker
Heir	Krinkie	Onnen	Svigum	
Henry	Leppik	Pauly	Swenson	

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

There being no objection, the order of business reverted to Reports of Standing Committees.

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 1655, A bill for an act relating to taxation; authorizing the department of trade and economic development to issue obligations to finance construction of aircraft maintenance and repair facilities; providing tax credits for job creation; providing an exemption from sales tax for certain equipment and materials; authorizing establishment of tax increment financing districts in the cities of Duluth and Hibbing; authorizing the metropolitan airports commission to operate outside the metropolitan area; amending Minnesota Statutes 1990, sections 290.06, by adding a subdivision; and 473.608, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116J and 297A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

“Section 1. [116R.01] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 1 to 15.

Subd. 2. [COMMISSIONER.] “Commissioner” means the commissioner of finance.

Subd. 3. [DEPARTMENT.] “Department” means the department of finance.

Sec. 2. [116R.02] [BOND ISSUE; SALE AUTHORIZATION.]

Subdivision 1. [USE OF PROCEEDS.] The commissioner of fi-

nance, upon the request of the commissioner of trade and economic development, shall issue and sell revenue bonds in one or more series or issues for the purposes provided in this section in the aggregate principal amount of up to \$350,000,000.

Subd. 2. [LOAN, LEASE, AND REVENUE AGREEMENTS.] The commissioner may make loans or enter into lease agreements or other revenue agreements for the facilities described in subdivisions 5 and 6. The commissioner may provide for servicing of the loans and agreements, the times they are payable and the amounts of payments, the amount of the loans and agreements, their security, and other terms, conditions, and provisions necessary or convenient in connection with them and may enter into all necessary contracts and security instruments in connection with them. The commissioner shall obtain the best available security for the loans or lease agreements. The facilities described in subdivisions 5 and 6 may be pledged as collateral for the loan.

Subd. 3. [APPLICATIONS.] An applicant may file a written application with the commissioner of trade and economic development, to be considered by the commissioner of trade and economic development, for a loan or lease agreement or other revenue agreement for the aircraft facilities described in subdivisions 5 and 6. In general, an application must provide information similar to that required by an investment banking or other financial institution considering a project for debt financing. Except for federal and state securities disclosure requirements, the following data submitted in connection with the application is nonpublic data: business plans, financial statements, customer lists, and market and feasibility studies paid for with nonpublic money.

Subd. 4. [NATURE OF OBLIGATIONS; REPAYMENT; SECURITY.] (a) Bonds issued under sections 1 to 15 are not subject to section 16B.06. As described in sections 1 to 15, the full faith and credit and taxing powers of the state and St. Louis county may be pledged for the payment of these bonds. To provide the money appropriated in this act, the commissioner of finance, upon the occurrence of the deficiency addressed in section 13, subdivision 3, shall sell and issue bonds of the state in an amount not to exceed \$125,000,000 for the facility described in subdivision 5, and in an amount not to exceed \$50,000,000 for the facility described in subdivision 6 in the manner, on the terms, and with the effect prescribed by this act and sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. St. Louis county may issue general obligation bonds for the purposes described in this subdivision. The general obligation bonds issued by St. Louis county and the pledge of St. Louis county are not subject to any net debt limitation. A levy of taxes for the St. Louis county general obligation bonds is not subject to any levy limitations and may be issued without an election.

(b) Of the bonds issued to finance the facility described in subdivision 5, bonds in the principal amount of \$125,000,000 must be secured by the general obligation of the state or the pledge of any other revenues, property, guaranties, or other credit, and \$12,600,000 must be secured by the general obligation of St. Louis county.

(c) Of the bonds issued to finance the facility described in subdivision 6, bonds in the principal amount of \$50,000,000 must be secured by the general obligation of the state or the pledge of any other revenues, property, guaranties, or other credit, and \$15,000,000 must be secured by the general obligation of St. Louis county.

(d) If a deficiency occurs as provided in section 13, the state shall issue all of the general obligation bonds required to be issued under this subdivision by the state before St. Louis county is required to issue general obligation bonds under this subdivision.

**Subd. 5. [USE OF PROCEEDS; AIRCRAFT MAINTENANCE FACILITY.]** The proceeds of the bonds issued in a principal amount not to exceed \$250,000,000 must be used to finance the construction of a heavy maintenance facility for aircraft to be located at the Duluth international airport and any costs of issuance, reserves, credit enhancement, or an initial period of interest payments related to the bonds or the facility. The facility must be owned by the metropolitan airports commission and leased to and operated by an airline company for use as a heavy maintenance base. In the event of a default under the loan, lease agreement, or other revenue agreement, the facility may be leased to another person for operation as a revenue-producing enterprise, subject to the approval of the commissioner.

**Subd. 6. [USE OF PROCEEDS; AIRCRAFT ENGINE REPAIR FACILITY.]** The proceeds of the bonds issued in a principal amount not to exceed \$100,000,000 must be used to finance an aircraft engine repair facility in the city of Hibbing and any costs of issuance, reserves, credit enhancement, or an initial period of interest payments related to the bonds or the facility. The facility must be publicly owned, but may be leased, with or without a purchase option exercisable at any price, to any person for the primary purpose of repairing aircraft engines or components.

**Subd. 7. [ENVIRONMENTAL ASSESSMENT.]** Notwithstanding any other law or rule, no environmental impact statement must be completed prior to the approval of an application and the issuance of a conditional commitment for the loan, or the taking of any other action permitted by sections 1 to 15, including the issuance of bonds, which is considered necessary or desirable by the commissioner to prepare for a final commitment and to make it effective. Environmental review, to the extent required by law, shall be made in

conjunction with the issuance by state agencies of environmental permits for the project. Permits may be applied for prior to the issuance of a conditional commitment. Action shall be taken as expeditiously as possible on environmental review and all permits required.

Sec. 3. [116R.03] [GENERAL POWERS.]

For the purpose of exercising the specific powers authorized under sections 1 to 15 and effectuating the other purposes of sections 1 to 15, the commissioner may:

(1) acquire, hold, and dispose of real or personal property;

(2) enter into agreements, contracts, or other transactions with any federal or state agency, any person and any domestic or foreign partnership, corporation, association, or organization, including contracts or agreements for administration and implementation of all or part of sections 1 to 15;

(3) acquire real property, or an interest therein, by purchase or foreclosure, where the acquisition is necessary or appropriate;

(4) enter into agreements with lenders, borrowers, or the issuers of securities for the purpose of regulating the development and management of any facility financed in whole or in part by the proceeds of bonds or loans;

(5) enter into agreements with other appropriate federal, state, or local governmental units; and

(6) contract with, use, or employ any federal, state, regional, or local public or private agency or organization, legal counsel, financial advisors, investment bankers or others, upon terms the commissioner considers necessary or desirable, to assist in the exercise of any of the powers authorized under sections 1 to 15 and to carry out the objectives of sections 1 to 15 and may pay for the services from bond proceeds or otherwise available department money.

Sec. 4. [116R.04] [REVENUE BONDS; PURPOSES, TERMS, APPROVAL.]

Subdivision 1. [BONDS.] The commissioner from time to time may issue negotiable bonds in one or more series or issues in a principal amount which, in the opinion of the commissioner of trade and economic development, is necessary to provide sufficient funds for achieving the purposes of sections 1 to 15, including the construction of a heavy maintenance facility for aircraft to be located at the Duluth international airport, the financing of an aircraft engine repair facility in the city of Hibbing, the payment of

interest on bonds of the commissioner, the establishment of reserves to secure the bonds, and the payment of all other expenditures of the commissioner incident to and necessary or convenient to carry out the purposes and powers of sections 1 to 15. The bonds may be issued as bonds or notes or in any other form authorized by law.

Subd. 2. [REFUNDING OF BONDS.] The commissioner from time to time may issue bonds for the purpose of refunding any bonds then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the redemption date next succeeding the date of delivery of those refunding bonds. The proceeds of any refunding bonds may, in the discretion of the commissioner, be applied to the purchase or payment at maturity of the bonds to be refunded, or to the redemption of such outstanding bonds on the redemption date next succeeding the date of delivery of such refunding bonds and may, pending such application, be placed in escrow to be applied to such purchase, retirement, or redemption. Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations that are permitted investments under section 11A.24, maturing at a time or times appropriate to assure the prompt payment of the principal of and interest and redemption premiums, if any, on the bonds to be refunded. The income earned or realized on any such investment may also be applied to the payment of the bonds to be refunded. After the terms of the escrow have been fully satisfied, any balance of such proceeds and any investment income may be returned to the general fund for use in any lawful manner. All refunding bonds issued under the provisions of this subdivision must be issued and secured in the manner provided by resolution of the commissioner.

Subd. 3. [KIND OF BONDS.] All bonds issued under this section must be issued in the form and manner provided in section 16A.672.

Subd. 4. [COMPLIANCE WITH FEDERAL LAW.] The commissioner may covenant and agree with the holders of the bonds issued under this section that the state will comply, insofar as possible, with the provisions of the United States Internal Revenue Code now or hereafter enacted that are applicable to the bonds and that establish conditions under which the interest to be paid on the bonds will not be includable in gross income for federal tax purposes.

Subd. 5. [TAXABILITY OF INTEREST.] Interest on the bonds authorized by this section may be issued without regard to whether the interest to be paid on them is includable in gross income for federal tax purposes.

Sec. 5. [116R.05] [REVENUE BONDS; RESOLUTIONS AUTHORIZING, ADDITIONAL TERMS, SALE.]

The bonds must be authorized by a resolution or resolutions of the commissioner, bear such date or dates, mature at such time or times,

bear interest at such rate or rates, be in such denominations, be in such form, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States, at such place or places within or without the state, and be subject to such terms of redemption or purchase prior to maturity as the resolutions or certificates may provide. If, for any reason, whether existing at the date of issue of any bonds or at the date of making or purchasing any loan or securities from the proceeds or after that date, the interest on any bonds is or becomes subject to federal income taxation, this shall not impair or affect the validity or the provisions made for the security of the bonds. The commissioner may make covenants and take or cause to be taken actions which are necessary or desirable and possible to comply with conditions established by federal law or regulations for the exemption of interest on the obligations. The commissioner may refrain from compliance with those conditions if in the commissioner's judgment this would serve the purposes and policies set forth in sections 1 to 15 with respect to any particular issue of bonds, unless this would violate covenants made by the commissioner. The bonds may be sold at public or private sale at a price or prices determined by the commissioner. The underwriting discount, spread, or commission paid or allowed to the underwriters of the bonds, however, must be an amount not in excess of the amount determined by the commissioner to be reasonable in the light of the risk assumed and the expenses of issuance, if any, required to be paid by the underwriters.

**Sec. 6. [116R.06] [REVENUE BONDS; OPTIONAL RESOLUTION AND CONTRACT PROVISIONS.]**

Any resolution authorizing any bonds or any issue of bonds may contain provisions, which must be a part of the contract with the holders of the bonds, as to the matters referred to in this section.

(a) It may pledge or create a lien on money or property and any money held in trust or otherwise by others to secure the payment of the bonds or of any series or issue of bonds, subject to any agreements with bondholders which exist.

(b) It may provide for the custody, collection, securing, investment, and payment of money.

(c) It may set aside reserves or sinking funds and provide for their regulation and disposition and may create other special funds into which money may be deposited.

(d) It may limit the loans and securities to which the proceeds of sale of bonds may be applied and may pledge repayments thereon to secure the payment of the notes or bonds or of any series or issue of notes or bonds.

(e) It may limit the issuance of additional bonds, the terms upon



which additional bonds may be issued and secured, and the refunding of outstanding or other bonds.

(f) It may prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent to the amendment or abrogation, and the manner in which that consent may be given.

(g) It may vest in a trustee or trustees property, rights, powers, and duties in trust determined by the commissioner, which may include any or all of the rights, powers, and duties of the bondholders, or may limit the rights, powers, and duties of the trustee.

(h) It may define the acts or omissions to act which constitute a default in the obligations and duties of the commissioner and may provide for the rights and remedies of the holders of bonds in the event of a default, and provide any other matters of like or different character, consistent with the general laws of the state and other provisions of sections 1 to 15, which in any way affect the security or protection of the bonds and the rights of the bondholders.

#### Sec. 7. [116R.07] [PLEDGES.]

Any pledge made by the commissioner is valid and binding from the time the pledge is made. The money or property pledged and later received by the commissioner is immediately subject to the lien of the pledge without any physical delivery of the property or money or further act, and the lien of any pledge is valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the commissioner, whether or not those parties have notice of the lien or pledge. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

#### Sec. 8. [116R.08] [REVENUE BONDS; NONLIABILITY OF INDIVIDUALS.]

The commissioner and the commissioner's staff and any person executing the bonds are not personally liable on the bonds or subject to any personal liability or accountability by reason of their issuance.

#### Sec. 9. [116R.09] [REVENUE BONDS; PURCHASE AND CANCELLATION.]

The commissioner, subject to agreements with bondholders which may then exist, has power out of any funds available for the purpose to purchase bonds of the commissioner at a price not exceeding (a) if the bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date thereon,

or (b) if the bonds are not redeemable, the redemption price applicable on the first date after the purchase upon which the bonds become subject to redemption plus accrued interest to that date.

**Sec. 10. [116R.10] [STATE PLEDGE AGAINST IMPAIRMENT OF CONTRACTS.]**

The state pledges and agrees with the holders of any bonds issued under sections 1 to 15, that the state will not limit or alter the rights vested in the commissioner to fulfill the terms of any agreements made with the bondholders, or in any way impair the rights and remedies of the holders until the bonds, together with interest on them, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders, are fully met and discharged. The commissioner may include this pledge and agreement of the state in any agreement with the holders of bonds issued under sections 1 to 15.

**Sec. 11. [116R.11] [AIRCRAFT FACILITIES FUND.]**

The commissioner shall establish an aircraft facilities fund. The commissioner may establish whatever accounts might be necessary to carry out sections 1 to 15. The state treasurer or any trustee appointed by the commissioner under sections 1 to 15 shall maintain permanently on official books and records debt service accounts separate from all other funds and accounts, to record all receipts and disbursements of money for principal and interest payments on bonds. No later than the due date of each principal and interest payment on the bonds, the commissioner shall withdraw from the proceeds of the bonds, or from revenues on hand and available for the purpose, and shall deposit in the debt service accounts the amount, if any, required in the account by the resolution or resolutions of the commissioner.

**Sec. 12. [116R.12] [POWERS AND DUTIES OF TRUSTEE.]**

Subdivision 1. [GENERAL.] The trustee, if any, designated in any indenture or resolution securing an issue of bonds may, and upon written request of the holders of 25 percent in principal amount of the notes or bonds then outstanding shall, in the trustee's own name, subject to the provisions of the indenture or resolution:

(1) enforce all rights of the bondholders, including the right to require the commissioner to collect fees, charges, interest, and payments on leases, loans, or interests therein held by the commissioner and eligible securities purchased by it adequate to carry out any agreement as to, or pledge of, those fees, charges, and payments, and to require the commissioner to carry out any other agreements with the holders of the notes or bonds and to perform the duties required under sections 1 to 15;

(2) bring suit upon the bonds;

(3) require the commissioner to account as if it were the trustee of any express trust for the holders of the bonds;

(4) enjoin any acts or things which may be unlawful or in violation of the rights of holders of the bonds; or

(5) declare all the bonds due and payable, and if all defaults are made good, then, with the consent of the holders of 25 percent of the principal amount of the bonds then outstanding, the trustee may annul the declaration and consequences.

Subd. 2. [ADDITIONAL POWERS.] In addition to the powers in subdivision 1, the trustee has all of the powers necessary or appropriate for the exercise of any functions specifically set forth in this section or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights.

Subd. 3. [VENUE; NOTICE.] The venue of any action or proceedings brought by a trustee is in Ramsey county. Before declaring the principal of bonds due and payable, the trustee shall first give 30 days' notice in writing to the commissioner.

### Sec. 13. [116R.13] [REVENUE BOND ACCOUNT; REPORTS.]

Subdivision 1. [AUTHORITY.] The commissioner may create and establish a special account or accounts for the security of one or more or all series of its bonds, which accounts are known as debt service reserve accounts. The commissioner may pay into each debt service reserve account:

(1) any money appropriated by the state only for the purposes of that account;

(2) any money transferred from the security fund for the purposes of that account;

(3) any proceeds of sale of bonds to the extent provided in the resolution or indenture authorizing their issuance;

(4) any money directed to be transferred by the commissioner to that debt service reserve account; and

(5) any other money made available to the commissioner only for the purpose of that account from any other source.

Subd. 2. [USE OF MONEY.] The money held in or credited to each debt service reserve account, except as provided in this section, must be used solely for the payment of the principal of bonds of the

commissioner as the bonds mature, the purchase of the bonds, the payment of interest on the bonds, or the payment of any premium required when the bonds or notes are redeemed before maturity; provided, that money in a debt service reserve account may not be withdrawn at any time in an amount which would reduce the amount of the account to less than the amount which the commissioner determines to be reasonably necessary for the purposes of the account, except for the purpose of paying principal or interest due on bonds secured by the account, for the payment of which other money is not available.

Subd. 3. [GENERAL OBLIGATION BONDS.] If the amount in any debt service reserve account falls below the minimum required in a resolution or resolutions of the commissioner, the commissioner shall issue general obligation bonds in accordance with section 16A.641 except as otherwise provided in this section unless provision is made for restoring the deficiency from other sources. The bonds may be sold at public or private sale at a price or prices determined by the commissioner. The underwriting discount, spread, or commission paid or allowed to the underwriters of the bonds, however, must be an amount not in excess of the amount determined by the commissioner to be reasonable in light of the risk assumed and the expense of issuance, if any, required to be paid by the underwriters.

Subd. 4. [LIMITATION.] If the commissioner creates a debt service reserve account for the security of any series of bonds, the commissioner may not issue any additional bonds which are similarly secured if the amount of any of the debt service reserve accounts at the time of issuance does not equal or exceed the minimum amount, if any, required by the resolution creating that account, unless the commissioner deposits in each account at the time of issuance, from the proceeds of the bonds or otherwise, an amount which, together with the amount then in the account, will not be less than the minimum amount required.

Subd. 5. [EXCESS MONEY.] To the extent consistent with the resolutions and indentures securing outstanding bonds, the commissioner may, at the close of any fiscal year, transfer to any other account from any debt service reserve account, any excess in that account over the amount considered by the commissioner to be reasonably necessary for the purpose of the account. Any excess must be transferred first to the security account to the extent of any prior withdrawals from the security account which have not previously been restored to the security account.

Subd. 6. [CONSTRUCTION.] Nothing in this section may be construed to limit the right of the commissioner to create and establish by resolution or indenture other accounts or security in addition to debt service reserve accounts which are necessary or desirable in connection with any bonds or programs.

## Sec. 14. [116R.15] [CONSTRUCTION.]

Sections 1 to 15 are necessary for the welfare of the state of Minnesota and its inhabitants; therefore, they shall be liberally construed to effect their purpose.

## Sec. 15. [116R.16] [SEVERABILITY; ACTIONS.]

Each of the provisions of sections 1 to 15, and each application thereof to particular circumstances, is severable. If any provision or application is found to be unconstitutional and void, it is the intention that the remaining provisions and applications shall be valid and enforceable to the full extent possible under section 645.20.

Sec. 16. Minnesota Statutes 1990, section 290.06, is amended by adding a subdivision to read:

Subd. 24. [CREDIT FOR JOB CREATION.] A corporation that leases and operates a heavy maintenance base for aircraft that is owned by the state of Minnesota or one of its political subdivisions, or an engine repair facility described in section 2, subdivision 6, or both, may take a credit against the tax due under this chapter. For the first taxable year when the facility has been in operation for at least three consecutive months, the credit is equal to \$5,000 multiplied by the number of persons employed by the corporation on a full-time basis at the facility on the last day of the taxable year, not to exceed the number of persons employed by the corporation on a full-time basis at the facility on the date 90 days before the last day of the taxable year. For each of the succeeding four taxable years, the credit is equal to \$5,000 multiplied by the number of persons employed by the corporation on a full-time basis at the facility on the last day of the taxable year, not to exceed the number of persons employed by the corporation on a full-time basis at the facility on the date 90 days before the last day of the taxable year. If the credit provided under this subdivision exceeds the tax liability of the corporation for the taxable year, the excess amount of the credit may be carried over to each of the ten taxable years succeeding the taxable year. The entire amount of the credit must be carried to the earliest taxable year to which the amount may be carried. The unused portion of the credit must be carried to the following taxable year. No credit may be carried to a taxable year more than ten years after the taxable year in which the credit was earned.

## Sec. 17. [297A.2571] [AIRCRAFT FACILITY MATERIALS; EX-EMPTIONS.]

Materials, equipment, and supplies used or consumed in constructing, or incorporated into the construction of, a heavy maintenance facility for aircraft that is to be owned by the state of Minnesota or one of its political subdivisions and leased by an

airline company, or an aircraft engine repair facility described in section 2, subdivision 6, are exempt from the taxes imposed under this chapter and from any sales and use tax imposed by a local unit of government, notwithstanding any ordinance or city charter provision. Except for equipment owned or leased by a contractor, all machinery, equipment, tools, accessories, appliances, contrivances, furniture, fixtures, and all tangible personal property of any other nature or description necessary to the construction and equipping of that facility in order to provide those services is also exempt.

Sec. 18. Minnesota Statutes 1990, section 473.608, subdivision 1, is amended to read:

Subdivision 1. The corporation, subject to the conditions and limitations prescribed by law, shall possess all the powers as a body corporate necessary and convenient to accomplish the objects and perform the duties prescribed by sections 473.601 to 473.679, including but not limited to those hereinafter specified. These powers, except as limited by section 473.622, may be exercised at any place within 35 miles of the city hall of either Minneapolis or St. Paul, and in the metropolitan area, and in the city of Duluth for the purpose of owning and leasing the facility described in section 2, subdivision 5.

Sec. 19. [CITY OF DULUTH; TAX INCREMENT FINANCING DISTRICT.]

Subdivision 1. [AUTHORIZATION.] The city of Duluth may create a tax increment financing district, as provided in this subdivision, on property located at the Duluth international airport. Except as provided otherwise in this section, the provisions of Minnesota Statutes, sections 469.174 to 469.179, shall apply to the district. The district shall consist of parcels on which the facility described in section 2, subdivision 5, is proposed to be located. The city or any of its authorities or agencies listed in Minnesota Statutes, section 469.174, subdivision 2, may be the "authority" for purposes of Minnesota Statutes, sections 469.174 to 469.179. The authority or agency being utilized for this tax increment financing district shall be expanded by two members. The additional two members shall be appointed by the St. Louis county board for terms as designated by the county board.

Subd. 2. [CHARACTERISTICS OF THE DISTRICT.] (a) The district shall be a redevelopment district as defined in Minnesota Statutes, section 469.174, subdivision 10, except that the durational limit under Minnesota Statutes, section 469.176, subdivision 1, paragraph (e), shall be extended to 30 years.

(b) Notwithstanding Minnesota Statutes, section 469.176, subdivision 4c, the revenue derived from tax increments from this district must be used to pay debt service on obligations issued under section

2, subdivision 4, paragraph (b), in a principal amount not to exceed \$47,600,000.

(c) The provisions of Minnesota Statutes, section 273.1399, do not apply to the district.

**Sec. 20. [CITY OF HIBBING; TAX INCREMENT FINANCING DISTRICT.]**

Subdivision 1. [AUTHORIZATION.] (a) The city of Hibbing may create a tax increment financing district, as provided in this subdivision, on property located in the city of Hibbing. Except as provided otherwise in this section, the provisions of Minnesota Statutes, sections 469.174 to 469.179, shall apply to the district. The district shall consist of parcels on which the facility described in section 2, subdivision 6, is proposed to be located and with the approval of the St. Louis county board, any other adjoining areas into which expansion of the facility or development caused by the facility may be expected to occur. The city or any of its authorities or agencies listed in Minnesota Statutes, section 469.174, subdivision 2, may be the "authority" for purposes of Minnesota Statutes, sections 469.174 to 469.179. The authority or agency being utilized for this tax increment financing district shall be expanded by two members. The additional two members shall be appointed by the St. Louis county board for terms as designated by the county board.

(b) With the consent of the governing bodies of St. Louis county and the city of Chisholm and without an election, either or both St. Louis county and the city of Chisholm may treat an obligation or any portion thereof, of the city of Hibbing issued under Minnesota Statutes, section 469.178, subdivision 2, as a general obligation of St. Louis county or the city of Chisholm, by pledging their full faith and credit and taxing power. The obligations, the pledge of St. Louis county, and the pledge of the city of Chisholm are not subject to any net debt limitation. A levy of taxes for the obligations is not subject to any levy limitations. The obligations may be sold at public or private sale.

Subd. 2. [CHARACTERISTICS OF THE DISTRICT.] (a) The district shall be a redevelopment district as defined in Minnesota Statutes, section 469.174, subdivision 10, except that the durational limit under Minnesota Statutes, section 469.176, subdivision 1, paragraph (e), shall be extended to 30 years.

(b) Notwithstanding Minnesota Statutes, section 469.176, subdivision 4c, the revenue derived from tax increments from this district and the proceeds of obligations secured by or payable from the tax increments, after reduction for costs of issuance, reserves, and capitalized interest, must be used to pay debt service on obligations issued for the purpose provided in section 2, subdivision 6.

(c) The provisions of Minnesota Statutes, section 273.1399, do not apply to the district.

Sec. 21. [PURPOSE.]

The purpose of sections 1 to 15 is to foster long-term economic growth and job creation by financing an aircraft maintenance facility and an aircraft engine repair facility. State bonds are authorized to be issued and the proceeds of their sale are appropriated under the authority of article XI, section 5, clauses (a) and (g), of the Minnesota Constitution. In authorizing the financing of the aircraft facilities, the legislature is acting in all respects for the benefit of the people of the state of Minnesota to serve the public purpose of fostering economic development within the state.

Sec. 22. [EFFECTIVE DATE.]

Section 16 is effective for taxable years beginning after December 31, 1991."

Delete the title and insert:

"A bill for an act relating to taxation; authorizing the department of trade and economic development to issue obligations to finance construction of aircraft maintenance and repair facilities; providing tax credits for job creation; providing an exemption from sales tax for certain equipment and materials; authorizing establishment of tax increment financing districts in the cities of Duluth and Hibbing; authorizing the metropolitan airports commission to operate outside the metropolitan area; amending Minnesota Statutes 1990, sections 290.06, by adding a subdivision; and 473.608, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 297A; proposing coding for new law as Minnesota Statutes, chapter 116R."

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

The report was adopted.

## FIRST READING OF SENATE BILLS

S. F. No. 1533, A bill for an act relating to the organization and operation of state government; appropriating money for the protection of the state's environment and natural resources; amending Minnesota Statutes 1990, sections 14.18; 41A.09, subdivision 3; 85A.02, subdivision 17; 103B.321, subdivision 1; and 116P.11.



The bill was read for the first time.

#### SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Battaglia moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1533 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Battaglia moved that the Rules of the House be so far suspended that S. F. No. 1533 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1533 was read for the second time.

Battaglia moved to amend S. F. No. 1533, as follows:

Delete everything after the enacting clause and insert:

#### “ARTICLE 1

#### APPROPRIATIONS

##### Section 1. [ENVIRONMENT AND NATURAL RESOURCES; APPROPRIATIONS.]

The sums shown in the columns marked “APPROPRIATIONS” are appropriated from the general fund, or another fund named, 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	\$142,880,500	\$140,594,500	\$283,475,000
Environmental	15,584,000	17,835,000	33,419,000
Metro Landfill			
Contingency Trust	1,663,000	797,000	2,460,000
Special Revenue	1,040,000	1,040,000	2,080,000
Natural Resources	17,842,000	17,634,000	35,476,000
Game and Fish	49,402,000	50,564,000	99,966,000

Permanent School Trust	267,000	363,000	630,000
Minnesota Resources Environmental Trust	16,569,000	.....	16,569,000
Oil Overcharge	15,360,000	.....	15,360,000
	3,500,000	.....	3,500,000
TOTAL	264,107,500	228,827,500	492,935,000

APPROPRIATIONS  
Available for the Year  
Ending June 30  
1992      1993

Sec. 2. POLLUTION CONTROL  
AGENCY

Subdivision 1. Total Appropriation	30,790,000	30,068,000
	1992	1993
Approved Complement --	702	690
General --	206	176
Environmental --	186	204
Federal --	235	235
Metro Landfill Contingency --	2	2
Special Revenue --	73	73

Summary by Fund

General	12,818,000	10,711,000
Environmental	15,454,000	17,705,000
Metro Landfill Contingency	1,663,000	797,000
Special Revenue	855,000	855,000

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

Subd. 2. Water Pollution Control

6,992,000	5,508,000
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		1992	1993
		\$	\$
Summary by Fund			
General	5,105,000	3,553,000	
Environmental	1,887,000	1,955,000	

\$1,190,000 the first year is for grants to local units of government for the clean water partnership program. Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the bien-nium.

\$100,000 the first year is for grants to municipalities who have experienced catastrophic failure of wastewater treatment facilities resulting from unstable geological formations and which required immediate action to avoid impacts to drinking water supplies.

\$250,000 the first year is for a grant to the Western Lake Sanitary Sewer District for the payment of debt service.

#### Subd. 3. Air Pollution Control

4,562,000	5,801,000
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#### Summary by Fund

General	1,699,000	940,000
Environmental	2,008,000	4,006,000
Special Revenue	855,000	855,000

#### Subd. 4. Groundwater and Solid Waste Pollution Control

10,038,000	9,366,000
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#### Summary by Fund

General	2,124,000	2,313,000
Environmental	6,259,000	6,264,000
Metro Landfill		
Contingency	1,655,000	789,000

All money in the environmental response, compensation, and compliance account in the environmental fund not otherwise appropriated is appropriated

1992

1993

\$

\$

to the commissioner of finance for transfer to the pollution control agency and the commissioner of agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (4), (11), (12), and (13). This appropriation is available until June 30, 1993.

\$1,000,000 the first year and \$1,000,000 the second year are appropriated from the motor vehicle transfer account for transfer to the environmental response, compensation, and compliance account in the environmental fund.

The commissioner, in cooperation with the legislative commission on waste management and other affected parties shall study and submit a report to the legislative commission on waste management identifying and evaluating options for ensuring the long-term financial viability of the Minnesota environmental, response, compensation, and compliance account (superfund) by November 1, 1991. The commission shall evaluate the report and make recommendations to the chairs of the house appropriations and senate finance committees for implementation of a long-term funding strategy by February 1, 1992.

All money in the metropolitan landfill abatement account in the environmental fund not otherwise appropriated is appropriated to the pollution control agency for payment to the metropolitan council and may be used by the council for the purposes of Minnesota Statutes, section 473.844. The council may not spend the money until the legislative commission on waste management has made its recommendations on the budget and work program submitted by the council.

	1992	1993
\$		\$

Any unencumbered balance from the metropolitan landfill contingency action trust fund remaining in the first year does not cancel but is available for the second year.

\$92,000 the first year and \$127,000 the second year is for a grant to the department of administration for assistance in funding a central materials recovery facility if such a facility is constructed by the department of administration.

#### Subd. 5. Hazardous Waste Pollution Control

4,993,000	5,095,000
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#### Summary by Fund

General	1,786,000	1,782,000
Environmental	3,207,000	3,313,000

#### Subd. 6. Regional Support Environmental

52,000	52,000
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The commissioner shall prepare a study on regionalization for presentation to the chairs of the house and senate committees on governmental operations, the house appropriations committee and the senate finance committee by January 1, 1992. The study shall identify options and costs associated with relocating specific agency functions to locations other than the agency's central office. The report shall identify the specific functions that would be relocated, the rationale used for selecting these specific functions for relocation, the geographic areas of the state that would receive these functions, the numbers of personnel involved in the relocation, the impact on service to the public of the proposed relocations, an implementation strategy for the proposed plan and the costs associated with the regionalization of

	\$	1992	\$	1993
these functions in comparison to the savings, if any, accrued from the relocation.				

## Subd. 7. General Support

	5,250,000	5,343,000
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## Summary by Fund

General	2,104,000	2,123,000
Environmental	2,041,000	2,115,000
Metro Landfill		
Contingency	8,000	8,000

The program permit and assessment fees of the pollution control agency shall equal as nearly as possible the amount appropriated from the special revenue fund for the biennium and may not include any amounts to cover the cost items in Minnesota Statutes, section 16A.128, subdivision 1a, except to the extent that the cost items are included in the appropriations.

## Sec. 3. OFFICE OF WASTE MANAGEMENT

	20,533,000	20,525,000
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	1992	1993
Approved Complement –	54	54
General –	47	47
Bond Proceeds –	3	3
Environmental –	3	3
Federal –	1	1

## Summary by Fund

General	19,686,000	19,678,000
Environmental	847,000	847,000

\$14,008,000 the first year and \$14,008,000 the second year are for SCORE block grants to counties.

The director, in cooperation with the pollution control agency and the legis-

	1992	1993
	\$	\$

lative commission on waste management shall study mechanisms for assessing the costs of waste disposal to the source of particular types of waste based on the impact that the particular waste has on the waste stream and the environment. The study should develop recommendations for a fee structure and identify the costs associated with implementing a fee structure for disposal based on the type of waste being disposed. A report shall be submitted to the legislative commission on waste management for consideration by January 1992.

Sec. 4. ZOOLOGICAL BOARD	8,971,000	8,826,000
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	1992	1993
Approved Complement -	159	159
General -	141	141
Special Revenue -	15	15
Gift -	3	3

\$125,000 in the first year is for major maintenance. In addition, any revenue received from the proposed bird amphitheater admissions sales during the second year of the biennium beyond the first \$400,000 in revenue from this particular revenue source is available for use by the board for major maintenance until expended.

The board shall adopt a system for charging nonresident visitors parking fees on days when the zoo is open to the public without an admission fee.

#### Sec. 5. NATURAL RESOURCES

Subdivision 1. Total Appropriation	145,191,000	146,284,000.
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	1992	1993
Agency Approved -		
Full-Time Equivalency	2,736	2,741

		1992	1993
		\$	\$
Summary by Fund			
General	77,680,000	77,723,000	
Game and Fish	49,402,000	50,564,000	
Natural Resources	17,842,000	17,634,000	
Permanent School	267,000	363,000	

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

Of the total amount appropriated to the commissioner by this act, no more than \$98,200,000 the first year and \$97,800,000 the second year may be used for salary related expenses unless adjusted in accordance with the provisions of Minnesota Statutes, section 16A.123, subdivision 5.

#### Subd. 2. Mineral Resources Management

5,295,000	5,272,000
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#### (a) Mineral Resources

4,852,000	4,829,000
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\$325,000 the first year and \$325,000 the second year are for iron ore cooperative research, of which \$200,000 the first year and \$200,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$844,000 the first year and \$826,000 the second year are for mineral diversification. Any unencumbered balance remaining in the first year does not cancel but is available for the second year. The commissioner is authorized one complement position in the unclassified service from the mineral lease account.



	1992	1993
	\$	\$
(b) Mineland Reclamation		
	443,000	443,000

Subd. 3. Water Resources Management

8,356,000	7,965,000
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Summary by Fund

General	8,259,000	7,866,000
Natural Resources	97,000	99,000

\$1,107,000 the first year and \$1,106,000 the second year are available for shoreland management grants to include \$125,000 each year of the biennium for a grant to the North Shore Management Board. Pursuant to existing law and department rules, the metropolitan area shall be considered in distribution of these funds. The unencumbered balance at the end of the first year does not cancel and is available for the second year.

\$75,000 the first year and \$75,000 the second year is to conduct the stream maintenance program under Minnesota Statutes, section 103G.701. Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium.

\$70,000 the first year is available for flood damage reduction grants to the Gilmore Creek and United States Corps of Engineers contract for hydraulic modeling in the Red River Valley.

\$10,000 the first year is available for stream stabilization on the Snake River.

\$300,000 of this appropriation in the first year is from the general fund for a loan to the city of Fridley for the purpose of reconstructing the Locke Lake

	1992	1993
	\$	\$
dam pursuant to Minnesota Statutes, section 103G.511, subdivision 10. Notwithstanding Minnesota Statutes, section 103G.511, subdivision 10, clause (e), principal and interest payments received by the commissioner of finance in repayment of the loan shall be deposited in the general fund.		

Subd. 4. Forest Management

23,130,000	23,286,000
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\$750,000 the first year and \$750,000 the second year are for emergency fire fighting. Of this amount, \$500,000 the first year and \$550,000 the second year are for presuppression costs of emergency fire fighting and are not subject to transfer. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. If these appropriations are insufficient to cover all costs of suppression, the amount necessary to pay for emergency firefighting expenses during the biennium is appropriated from the general fund.

\$343,000 the first year and \$343,000 the second year are for grants to the University of Minnesota College of Natural Resources for hybrid aspen and hybrid larch research and development at the North Central Experiment Station at Grand Rapids.

\$80,000 the first year and \$80,000 the second year from the general fund under Minnesota Statutes, section 89.04, are for grants to the board of water and soil resources for cost-sharing with landowners in the state forest improvement program.

Subd. 5. Parks and Recreation Management

18,926,000	19,278,000
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		1992	1993
		\$	\$
Summary by Fund			
General	18,342,000	18,689,000	
Natural Resources	584,000	589,000	

\$584,000 the first year and \$589,000 the second year are from the water recreation account in the natural resources fund for state park development projects. If the appropriation in either year is insufficient, the appropriation for the other year is available for it.

The commissioner shall operate pumping facilities at Hill Annex Mine state park sufficient to maintain a water level not to exceed the height of the area known as "pocket A" for the duration of the biennium to assess the pumping and operational costs associated with maintaining this water level. The commissioner shall report the projected pumping and operational costs of maintaining this level to the legislature no later than January 1, 1993.

\$60,000 and three full-time equivalent positions the first year and \$60,000 and three full-time equivalent positions the second year are for an increase in the state park planning effort.

#### Subd. 6. Trails and Waterways

10,993,000	11,095,000
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#### Summary by Fund

General	1,229,000	1,227,000
Game and Fish	750,000	770,000
Natural Resources	9,014,000	9,098,000

\$2,248,000 the first year and \$2,248,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for snowmobile grants-in-aid.

\$250,000 the first year and \$250,000 the second year are from the water

	1992	1993
	\$	\$
recreation account in the natural resources fund for a safe harbor program on Lake Superior. Any unencumbered balance at the end of the first year does not cancel and is available for the second year.		

The commissioner shall submit recommendations to the legislature before January 1, 1992, concerning the snowmobile account, its continuing viability, and the grants made to local governments from the snowmobile account for grants-in-aid trail operations and maintenance equipment. The recommendations should address, at a minimum, ways to ensure funding for trail-grooming equipment and the appropriateness of the present formula dedicating a share of the unrefunded gas tax to the snowmobile account.

**Subd. 7. Fish and Wildlife Management**

35,706,000	36,614,000
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**Summary by Fund**

General	2,740,000	2,733,000
Game and Fish	31,061,000	31,728,000
Natural Resources	1,905,000	2,153,000

\$847,000 in the first year and \$847,000 the second year are appropriated from the game and fish fund for payments to counties in lieu of taxes on acquired wildlife lands and is not subject to transfer.

\$1,467,000 the first year and \$1,704,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year does not cancel but is available the second year.

\$130,000 the first year and \$130,000 the second year are for deer and bear

	1992	1993
	\$	\$

management to include emergency deer feeding. If the appropriation for either year is insufficient, the appropriation for the other year is available.

\$250,000 and three full-time equivalent positions each year is from the game and fish fund for an accelerated deer habitat improvement program and shall not be considered as part of the budget base for the 1994-1995 biennium.

The commissioner, in cooperation with the commissioner of agriculture shall study and make recommendations to the legislature by January 1, 1993, for a program for providing assistance to farmers for crop damage caused by wild animals.

\$75,000 the first year is from the game and fish fund for construction of barrier reefs on Lake of the Woods for fish habitat improvement.

\$100,000 each year is appropriated from the game and fish fund for expansion of the aquatic education program in the seven-county metropolitan area.

\$1,651,000 the first year and \$1,644,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands, established under Minnesota Statutes, section 84.95, subdivision 2. Any unencumbered balance for the first year does not cancel but is available for use the second year.

Notwithstanding any other law to the contrary, the commissioner shall not use public funds to construct a shooting range at the Carlos Avery Game Farm.

#### Subd. 8. Enforcement

14,159,000	14,426,000
------------	------------

		1992	1993
	\$		\$
Summary by Fund			
General	2,226,000	2,220,000	
Game and Fish	9,366,000	9,610,000	
Natural Resources	2,567,000	2,596,000	

\$1,125,000 the first year and \$1,125,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety.

\$125,000 the first year and \$125,000 the second year is from the game and fish fund to assist in filling the six existing vacant field officer positions. The balance of funds necessary to fill these vacancies and to maintain a full complement of field officers during the biennium shall be derived from savings generated by reducing the number of supervisory positions within the division.

The commissioner shall evaluate the number of metropolitan conservation officer stations in relation to the population and need in the metropolitan area and make recommendations to the legislature for appropriate readjustment of assignments by January 1, 1992.

#### Subd. 9. Field Operations Support

11,170,000      10,761,000

#### Summary by Fund

General	5,347,000	5,338,000
Game and Fish	4,511,000	4,636,000
Natural Resources	1,045,000	424,000
Permanent School	267,000	363,000

\$498,000 the first year and \$594,000 the second year are for land sale costs under Minnesota Statutes, section 92.67, subdivision 3. Any unencumbered balance remaining in the first

	1992	1993
	\$	\$

year does not cancel and is available for the second year.

Any unencumbered balance remaining in the appropriation under Minnesota Statutes, section 92.46, subdivision 1, paragraph (d), in the first year does not cancel and is available for the second year.

\$630,000 the first year is from the land acquisition account in the natural resources fund and is for acquisition costs associated with Tettegouche state park and Glendalough state park. Any funds for Glendalough state park acquisition are dependent upon passage of law establishing the statutory boundaries of the proposed park. Any unencumbered balance from this appropriation at the end of the first year does not cancel and is available for the second year.

**Subd. 10. Regional Operations Support**

5,121,000	5,136,000
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**Summary by Fund**

General	3,984,000	3,969,000
Game and Fish	888,000	913,000
Natural Resources	249,000	254,000

**Subd. 11. Special Services and Programs**

5,853,000	5,881,000
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**Summary by Fund**

General	4,558,000	4,559,000
Game and Fish	482,000	494,000
Natural Resources	813,000	828,000

\$103,000 the first year and \$103,000 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper

	1992	1993
	\$	\$
Mississippi within areas under its jurisdiction.		

\$17,000 the first year and \$17,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement their portion of the comprehensive plan for the upper Mississippi.

Notwithstanding any other law to the contrary, any reductions in the department of natural resources' agency operating budget or reductions in agency program efforts prompted by specific legislative action or economic conditions during the biennium shall not be applied against the budget for the Minnesota Conservation Corps. Should the need arise, the commissioner shall reallocate resources within the department to ensure that the corps is maintained at no less than the same level of effort as accomplished during the 1990-1991 biennium.

The commissioner of the department of natural resources shall have the authority to contract with and make grants to nonprofit agencies to carry out the purposes, plans, and programs of the office of youth programs, Minnesota conservation corps.

#### Subd. 12. Administrative Management Services

6,482,000	6,570,000
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#### Summary by Fund

General	2,570,000	2,564,000
Game and Fish	2,344,000	2,413,000
Natural Resources	1,568,000	1,593,000

Notwithstanding any other law to the contrary, the commissioner, in cooperation with the commissioner of employee



	1992	1993
	\$	\$

relations shall reassign the critical incident stress debriefing unit to the department of employee relations.

Sec. 6. BOARD OF WATER AND SOIL RESOURCES

8,076,000	8,020,000
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	1992	1993
Approved Complement -	37	37
General -	34	34
Federal -	2	2
Bond -	1	1

\$10,000 the first year and \$10,000 the second year are for the International Water Coalition.

\$849,000 the first year and \$849,000 the second year are for general purpose grants to soil and water conservation districts, including conservation tillage and review and comment on water permits. Upon approval of the board, expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts.

\$189,000 the first year and \$189,000 the second year are for grants to watershed districts and other local units of government in the southern Minnesota river basin study area 2 for flood plain management.

\$1,461,000 the first year and \$1,461,000 the second year are for grants to soil and water conservation districts for cost-sharing contracts for erosion control and water quality management.

\$159,000 the first year and \$159,000 the second year are for grants-in-aid to soil and water conservation districts and local units of government to assist them in solving sediment and erosion

1992

\$

1993

\$

control problems. Grants must not exceed 50 percent of total project costs or 50 percent of the local share if federal money is used. Priority must be given to projects designed to solve lakeshore, stream bank, and roadside erosion and to projects eligible for federal matching money.

\$2,435,000 the first year and \$2,535,000 the second year are for comprehensive local water planning.

\$902,000 the first year and \$902,000 the second year are for technical services and implementation of the conservation reserve program. Of this appropriation, \$750,000 the first year and \$750,000 the second year must be distributed to soil and water conservation districts.

\$200,000 the first year is for a pilot project for a statewide abandoned well inventory. The board shall select counties for inclusion in this pilot that are representative of geographic, hydrological, geologic, and demographic areas of the state. The pilot will include an effort to identify the locations of abandoned wells in the selected counties and an analysis of the costs and an evaluation of the need for a statewide inventory of abandoned wells. The board shall submit a report to the legislature with its findings and recommendations by December 1, 1992. Any unencumbered balance at the end of the first year does not cancel and is available for the second year.

Any unencumbered balance in the board's program of grants to soil and water conservation districts and counties does not cancel at the end of the first year and is available for the second year for the same grant program.

	1992	1993
	\$	\$
<b>Sec. 7. AGRICULTURE</b>		
Subdivision 1. Total Appropriation	\$12,452,000	\$12,444,000
	1992	1993
Approved Complement –	537	537
General –	218	218
Environmental –	2	2
Special/Revolving –	293	293
Federal –	24	24

#### Summary by Fund

General	12,137,000	12,129,000
Environmental	130,000	130,000
Special Revenue	185,000	185,000

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

#### Subd. 2. Protection Service

	5,264,000	5,254,000
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#### Summary by Fund

General	5,134,000	5,124,000
Environmental	130,000	130,000

\$130,000 the first year and \$130,000 the second year are from the environmental response, compensation, and compliance account in the environmental fund.

#### Subd. 3. Promotion and Marketing

	753,000	750,000
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\$75,000 the first year and \$75,000 the second year are for transfer to the Minnesota grown matching account which may be used as grants for Minnesota grown promotion.

#### Subd. 4. Family Farm Services

	1,148,000	1,148,000
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	1992	1993
	\$	\$
<p>\$629,000 the first year and \$629,000 the second year are for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. During the biennium, such sums that are not needed for interest payment adjustments are available for farm crisis assistance. No new loans may be approved in fiscal year 1992 or 1993.</p>		

\$100,000 the first year and \$100,000 the second year are for farm crisis assistance under the family farm advocacy program. The commissioner shall target these funds to areas of the state with the greatest amount of farm stress.

\$180,000 the first year and \$180,000 the second year are for agriculture information centers and is only available on a dollar for dollar nonstate match. The funds may be released at the rate of one dollar for each dollar of matching nonstate money that is raised. The commissioner may credit in-kind contributions from nonstate sources for up to one-half of the required nonstate match. This appropriation shall be used to target the areas of the state with the greatest amount of farm stress and shall not be a part of the 1994-1995 biennial budget base.

#### Subd. 5. Administrative Support and Grants

5,287,000	5,292,000
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#### Summary by Fund

General	5,102,000	5,107,000
Special Revenue	185,000	185,000

\$185,000 the first year and \$185,000 the second year are from the commodities research and promotion account in the special revenue fund.

	1992	1993
	\$	\$

\$50,000 the first year and \$50,000 the second year are for payment of claims relating to livestock damaged by endangered animal species. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$10,000 the first year is for payment of claims relating to agricultural crops damaged by elk and is available until June 30, 1993.

\$79,000 the first year and \$79,000 the second year are for the seaway port authority of Duluth.

\$19,000 the first year and \$19,000 the second year is for a grant to the Minnesota livestock breeder's association.

In the event that supplemental grant funding is made available to the commissioner for farm and small business management programs through the technical college system, the commissioner is authorized to make a supplemental grant or grants to the board of technical colleges for the instructional materials, instructional staff, support staff, and tuition assistance costs associated with this program not to exceed the amount of supplemental funding made available. Any supplemental grants that may be made to this program shall not be considered as part of the 1994-1995 budget base for the technical college system or the department of agriculture.

Sec. 8. BOARD OF ANIMAL HEALTH

	2,085,000	2,080,000
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Approved Complement –	37	35
General –	36	34
Federal –	1	1

	1992	1993
	\$	\$
<p>This appropriation includes \$25,000 the first year and \$25,000 the second year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 must not be paid.</p>		
<p>\$150,000 the first year and \$150,000 the second year are for an integrated pseudorabies control and research program. The board of animal health must consult with the pseudorabies advisory council about how this money should be spent. The appropriation is available only as matched, dollar for dollar, by money from nonstate sources.</p>		
Sec. 9. MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION	110,000	110,000
Sec. 10. CITIZENS COUNCIL ON VOYAGEUR'S NATIONAL PARK	80,000	80,000
Sec. 11. SCIENCE MUSEUM OF MINNESOTA	1,138,000	1,138,000
<p>Upon completion of its national tour, the Science Museum of Minnesota shall donate free of charge the "Wolves and Humans" exhibit to the International Wolf Center for permanent housing. In the event that the construction necessary to display the exhibit at the International Wolf Center is not completed at the time that the tour concludes, the Science Museum of Minnesota shall provide exhibit space until the International Wolf Center is prepared to display the exhibit.</p>		
Sec. 12. MINNESOTA ACADEMY OF SCIENCE	28,000	28,000
Sec. 13. MINNESOTA HORTICULTURAL SOCIETY	71,500	71,500
<p>\$3,500 the first year and \$3,500 the second year are to increase the amount of color used in printing the Minnesota Horticulturist.</p>		

	1992	1993
	\$	\$

## Sec. 14. MINNESOTA RESOURCES

Subdivision 1. Total Appropriation	35,429,000
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## Summary by Fund

Minnesota Future Resources Fund	16,569,000
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Minnesota Environment and Natural Resources Trust Fund	15,360,000
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Oil Overcharge Money in the Special Revenue Fund	3,500,000
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The appropriations in this section are from the Minnesota future resources fund, unless another fund is named.

The appropriations in this section are available until June 30, 1993.

Subd. 2. Legislative Commission on Minnesota Resources	850,000
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For the biennium ending June 30, 1993, the commission shall monitor the programs in this section; assess the status of the state's natural resources; convene a state resource congress; establish priorities for, request, review, and recommend programs for the 1993-1995 biennium from the Minnesota future resources fund, Minnesota environment and natural resources trust fund, and oil overcharge money, and for support of the Citizen Advisory Committee activities. \$400,000 of this appropriation is from the Minnesota environment and national resources trust fund.

## Subd. 3. Recreation

(a) Off-highway Vehicle Recreation Area	75,000
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This appropriation is to the commissioner of natural resources to conduct a study in cooperation with the Minnesota 4-WD Association on the feasibility

	1992	1993
	\$	\$
ity of an off-highway vehicle recreation area.		

(b) Superior Hiking Trail	400,000
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This appropriation is to the commissioner of natural resources for planning and administrative assistance and a grant to the Superior Hiking Trail Association for planning, development, and limited use of easement acquisition. The use of conservation corps resources is strongly encouraged. Up to \$80,000 is available to the commissioner for planning and administrative assistance. Available federal and private money is appropriated.

(c) Rails-to-Trails Acquisition and Development	1,000,000
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This appropriation is to the commissioner of natural resources for acquisition and development of trails in accordance with established priorities.

(d) Local Rivers Planning	400,000
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This appropriation is to the commissioner of natural resources for grants of up to two-thirds of the cost to counties, or groups of counties acting pursuant to joint powers agreement, to develop comprehensive plans for the management and protection of up to eight rivers in northern and central Minnesota. The commissioner of natural resources shall include in the work plan for review and approval by the legislative commission on Minnesota resources a proposed list of rivers and a planning process developed by consensus of the affected counties. All plans must meet or exceed the requirements of state shoreland and floodplain laws.

(e) Access to Lakes and Rivers	1,000,000
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	1992	1993
	\$	\$
<p>This appropriation is to the commissioner of natural resources to provide boat access to major recreation lakes and rivers and to construct fishing piers in accordance with established priorities, inventory, map, and construct shore access sites in the metropolitan area.</p>		

(f) Land and Water Resource Management, Lower St. Croix Riverway	360,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources for a grant to the Minnesota-Wisconsin Boundary Area Commission to develop a management strategy, improved technical capability, and sustained local government and landowner stewardship on the jointly managed lower St. Croix.

(g) Mississippi River Valley Blufflands Initiative	150,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to assist local units of government to develop the tools necessary to protect the outstanding scenic and biological resources of the blufflands of the Mississippi Valley in Goodhue, Wabasha, Winona, and Houston counties.

(h) Reclamation of Recreation Systems and Environmental Resources	200,000
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This appropriation is to the University of Minnesota, College of Architecture and Landscape Architecture, to investigate urban design strategies for enhancing recreational amenities in suburban areas. The investigation shall be done in cooperation with the metropolitan council. The legislative commission on Minnesota resources

	1992	1993
	\$	\$
may convene a steering committee to ensure coordination and practical results.		
(i) Preservation of Historic Shipwrecks, Lake Superior	100,000	
\$80,000 is to the Minnesota historical society to investigate the historic significance of shipwrecks on the North Shore of Lake Superior in accordance with priorities for placement on the National Register of Historic Places; to develop preservation plans to implement the federal Abandoned Shipwrecks Act; and to conduct a survey of the underwater resources in the vicinity of Split Rock Lighthouse.		
\$20,000 is to the commissioner of natural resources to develop facilities at Split Rock Lighthouse State Park for diver access.		
(j) Grand Portage State Park Development	635,000	
This appropriation is to the commissioner of natural resources for initial development of Grand Portage State Park.		
(k) Land and Water Conservation Fund Administration	84,000	
This appropriation is to the commissioner of natural resources for administration of the federal land and water conservation program and other grant administration activities assigned to the commissioner in this section.		
(l) Historic Records Database – Final Phase	180,000	
This appropriation is to the Minnesota historical society to automate and make widely accessible the society's collections.		

	1992	1993
	\$	\$
(m) Fur Trade Research and Planning	250,000	

This appropriation is to the Minnesota historical society to plan and design the visitor center at the Northwest Company Fur Post Historic Site, and for site improvements at that site. No more than \$100,000 may be spent for site improvements.

(n) Mystery Cave Resource Evaluation	150,000
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This appropriation is to the commissioner of natural resources to perform a resource inventory and study of Mystery Cave to include groundwater, cave meteorology, geology, and biology as part of the park plan.

(o) North Shore Harbor Plan Implementation

Any unencumbered balance from the appropriation in Laws 1989, chapter 335, article 1, section 29, subdivision 3, paragraph (o), does not cancel on June 30, 1991, and is available until June 30, 1993.

If the match requirements in Laws 1989, chapter 335, article 1, section 29, subdivision 3, paragraph (o), are met on or before June 30, 1991, this appropriation shall be available to the commissioner of natural resources for a grant to the city of Duluth for a breakwater.

If the match requirement is not met on or before June 30, 1991, this appropriation is to the commissioner of natural resources for a grant to the North Shore Management Board to begin implementation of the North Shore Harbor study funded in Laws 1989, chapter 335, article 1, section 29, subdivision 3, paragraph (n).

	1992	1993
	\$	\$
<b>Subd. 4. Water</b>		
(a) Stream and Watershed Information System	200,000	
This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of state planning to develop an integrated system of information relating to streams, watersheds, and retrieval and analysis tools.		
(b) South Central Minnesota Surface Water Resource Atlases and Data Base	300,000	
This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources for a grant to Mankato State University for development of surface hydrology atlases and data base in both hard and electronic format for the 13 counties of south central Minnesota.		
(c) Minnesota River Basin Water Quality Monitoring	700,000	
This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of the pollution control agency. This is the final two years of a multiagency four-year effort to identify the sources of nonpoint pollution threatening the water quality and uses of the Minnesota River. The results will be used to direct state and local implementation programs. Federal matching money is appropriated.		
(d) Waterwatch – Citizen Monitoring and Protection Program	272,000	
This appropriation is to the commissioner of the pollution control agency to encourage and coordinate citizen and student volunteer monitoring of water		

	1992	1993
	\$	\$
quality and biological indicators for Minnesota's lakes and streams.		

(e) Bioremedial Technology for Groundwater	96,000
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This appropriation is to the University of Minnesota, Department of Civil and Mineral Engineering, for a pilot demonstration of technology for in situ biodegradation of organic pollutants in groundwater.

(f) County Geologic Atlas and Groundwater Sensitivity Mapping	1,400,000
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\$800,000 is from the Minnesota environment and natural resources trust fund to the University of Minnesota, Minnesota Geologic Survey, to expand production of county geologic atlases and create a new atlas services office.

\$600,000 is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources for groundwater sensitivity mapping.

(g) Aquifer Analyses in southeast Minnesota	73,000
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This appropriation is to the commissioner of natural resources for a grant to Winona State University to perform aquifer tests in southeast Minnesota in order to determine aquifer characteristics, surface-subsurface groundwater interaction, and aquifer interaction.

(h) Clean Water Partnership Grants to Local Units of Government	700,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of the pollution control agency for Clean Water Partnership grants under Minnesota Statutes, section 115.096.

	1992	1993
\$		\$

In addition to the required work program, grants may not be approved until grant proposals have been submitted to the legislative commission on Minnesota resources and the commission has either made a recommendation or allowed 30 days to pass without making a recommendation.

(i) Cannon River Watershed Grants	60,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the board of water and soil resources to provide research and demonstration grants to counties consistent with the comprehensive local water management program under Minnesota Statutes, chapter 110B, as part of the Cannon River watershed protection program.

(j) Mitigating Mercury in Northeast Minnesota Lakes	300,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of the pollution control agency to investigate how to mitigate the damage caused by the presence of mercury in northeast Minnesota lakes.

(k) Development and Application of Aeration Technologies	148,000
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This appropriation is to the University of Minnesota, St. Anthony Falls Hydraulic Laboratory, to study how to optimize membrane aeration and the hydraulic design of bypass type aerator systems.

(l) Lake Superior Initiative – Institute for Research	400,000
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This appropriation is to the University of Minnesota, Graduate School, to establish an institute for Lake Superior

	1992	1993
	\$	\$
Research that would develop a strong multifaceted research effort.		

(m) Lake Mille Lacs Public Land Use Plan	20,000
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*This appropriation is to the commissioner of natural resources to plan for shoreline management of publicly-owned lands around Lake Mille Lacs.*

(n) Ecological Evaluation of Year-Round Aeration	100,000
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*This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to collect baseline data on aerated and nonaerated lakes and determine ecological impacts of aeration.*

#### Subd. 5. Education

(a) Environmental Education Program	790,000
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*\$400,000 is from the Minnesota environment and natural resources trust fund to the commissioner of education to develop and implement model K-12 environmental education curriculum integration. This program will incorporate ongoing models of other deliverers of environmental education.*

*\$30,000 is from the Minnesota environment and natural resources trust fund to the commissioner of education for a grant to the Minnesota Community Education Association to incorporate environmental education into the community education system.*

*\$60,000 is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to complete a long-term plan for the development and coordination of environmental learning centers.*

	1992	1993
	\$	\$
\$85,000 is from the Minnesota environment and natural resources trust fund to the commissioner of state planning for a grant to the Audubon Center of the Northwoods for an assessment of environmental learning center programs and services.		

\$215,000 is from the Minnesota environment and natural resources trust fund to the commissioner of state planning to develop a statewide environmental education plan. The statewide plan will integrate the plans, strategies, and policies of the department of education, post-secondary institutions, the department of natural resources, and other deliverers of environmental education.

(b) Teacher Training for Environmental Education	5,000
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This appropriation is to the commissioner of education for a grant to the St. Paul Chapter of the National Audubon Society for scholarships for the training of teachers in environmental education integration.

(c) Video Education Research and Demonstration Project	100,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of education for a grant to Twin Cities Public Television to develop a video education demonstration project and a model for a statewide video environmental education communication network.

(d) Integrated Resource Management Education and Training Program	300,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner



	1992	1993
	\$	\$

of natural resources to provide training and internship programs in natural resource management.

(e) Continuing Education in Outdoor Recreation for Natural Resource Managers

125,000

This appropriation is to the University of Minnesota, Department of Forest Resources, to develop and implement an outdoor recreation short course for natural resource planners and managers with outdoor recreation responsibilities.

(f) Environmental Exhibits Collaborative

400,000

This appropriation is from the Minnesota environment and natural resources trust fund to the Science Museum of Minnesota to establish a statewide collaborative to share and create traveling water-related exhibits and programs for schools and family groups at different sites.

(g) Upper Mississippi River Environmental Education Center

600,000

This appropriation is to the commissioner of natural resources for a grant to the city of Winona to develop detailed architectural designs necessary to obtain federal construction funding for an Upper Mississippi River Environmental Education Center. This appropriation is contingent upon federal commitment of at least \$6,000,000 for construction and for future operation and maintenance.

(h) Urban Rangers Program

100,000

This appropriation is to the commissioner of education for a grant to the Minneapolis Park and Recreation Board to develop an urban environ-

	1992	1993
	\$	\$
mental curriculum for elementary students and families conducted at 44 city recreation centers.		

(i) Crosby Farm Park Nature Program	85,000
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This appropriation is to the commissioner of education for a grant to the city of St. Paul to institute a nature study program at Crosby Farm Park to introduce inner city residents and minorities to learning opportunities concerning natural resources and how to conserve and protect those resources.

(j) Youth in Natural Resources	250,000
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This appropriation is to the commissioner of natural resources to develop a career exploration program for minority youths and to test their vocational interests, skills, and aptitudes.

(k) Environmental Education for Handicapped	130,000
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This appropriation is to the commissioner of education for a grant to Vinland National Center to develop a program model in environmental education, including education of persons with disabilities, and to teach the model to educators, environmentalists, and the disability community.

#### Subd. 6. Agriculture

(a) Biological Control of Pests	650,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of agriculture to collect and identify potential biological control agents, and to develop and test biological control agents for a variety of pests. A grant request to supplement this appropriation must be submitted to the U.S. Department of Agriculture and the re-

	1992	1993
	\$	\$

sults reported to the legislative commission on Minnesota resources.

(b) Review Levels of Pesticides at Spill Sites	300,000
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This appropriation is to the commissioner of agriculture for a literature search and publication of remediation technologies for pesticide spills, laboratory research on the fate of elevated levels of pesticides in soil, and evaluation of bioremediation techniques.

(c) Effective Nitrogen and Water Management for Sensitive Areas	300,000
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This appropriation is to the commissioner of agriculture to provide an integrated research information base on risks of groundwater pollution involved in nitrogen and water management for crop production.

(d) Conservation Reserve Easements	1,000,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the board of water and soil resources to acquire perpetual easements under Minnesota Statutes, section 40.43, subdivision 3, with priority for wetland areas, to enhance wildlife habitat, control erosion, and improve water quality.

(e) Native Grass and Wildflower Seed	130,000
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This appropriation is to the commissioner of agriculture in cooperation with the commissioner of natural resources to develop the varietal, cultural, and market information necessary to encourage expanded commercial production of Minnesota origin native wildflower and grass seed.

(f) Community Gardening Program	110,000
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	1992	1993
	\$	\$

This appropriation is to the University of Minnesota, Minnesota Extension Service, in cooperation with the Minnesota State Horticultural Society and the Self Reliance Center to provide gardening information and technical assistance in metropolitan and non-metropolitan areas.

#### Subd. 7. Forestry

(a) Minnesota Old-Growth Forests – Character and Identification	150,000
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This appropriation is to the commissioner of natural resources to develop quantitative, structural definitions of Minnesota old-growth forest types, examine the importance of old growth as sensitive habitat, and evaluate old-growth forest stands that are identified as the department of natural resources old-growth guidelines are implemented.

(b) Nutrient Cycling and Tree Species Suitability	220,000
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This appropriation is to the University of Minnesota, Department of Forest Resources, to assess the role of nutrient cycling and associated management practices for sustainability of Minnesota's forest resources under scenarios of increased harvesting and atmospheric change.

(c) State Forest Land Acquisition	500,000
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This appropriation is to the commissioner of natural resources to acquire lands in the highest priority purchase compartments in the R. J. Dorer Memorial Hardwood State Forest.

(d) Regeneration and Management of Minnesota's Oak Forests	225,000
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	1992	1993
	\$	\$
<p>This appropriation is to the University of Minnesota, Minnesota Extension Service, for research and education in oak regeneration and management.</p>		

(e) Private Forest Management for Oak Regeneration	200,000	
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This appropriation is to the commissioner of natural resources to increase technical assistance to private forest landowners in southern Minnesota for oak regeneration.

(f) Aspen Hybrids and New Tissue Culture Techniques	70,000	
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This appropriation is to the University of Minnesota, Department of Forest Resources, to research tissue cultured aspen and hybrid aspen clones.

(g) Aspen Decay Models for Mature Aspen Stands	85,000	
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This appropriation is to the commissioner of natural resources to contract with Koochiching county and the University of Minnesota, College of Natural Resources, to develop models for aspen decay in mature aspen stands.

#### Subd. 8. Fisheries

(a) Pilot Fish Pond Complex – Fisheries Development and Education	250,000	
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This appropriation is to the commissioner of natural resources for a grant to the Leech Lake Band of Chippewa Indians to develop fish ponds for production of sportfish and baitfish.

(b) Aquaculture Facility Purchase and Development and Genetic Gamefish Growth Studies	1,200,000	
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This appropriation is to the University of Minnesota, College of Natural Re-

	1992	1993
	\$	\$
sources, to acquire and develop an aquaculture facility and to continue research on genetically engineered gamefish.		
(c) Cooperative Urban Aquatic Education Program	340,000	
This appropriation is to the commissioner of natural resources to expand urban fishing opportunities and awareness.		
(d) Catch and Release Program	35,000	
This appropriation is to the commissioner of natural resources to accelerate the catch and release portion of the CORE program for matching grants to local anglers clubs for promotion of catch and release statewide. The work must be done in cooperation with the Minnesota Sportfishing Congress and other interested groups.		
(e) Metropolitan Lakes Fishing Opportunities	75,000	
This appropriation is to the commissioner of natural resources to study metropolitan area lakes to determine if recreational fishing opportunities are being maximized. The study must be done in cooperation with the Minnesota Sportfishing Congress and other interested groups.		
(f) Lake Minnetonka Bass Tracking	85,000	
This appropriation is to the commissioner of natural resources to study the impacts of bass fishing contests. The study must be done in cooperation with the Minnesota Sportfishing Congress and other interested groups.		
(g) Stocking Survey	35,000	
This appropriation is to the commissioner of natural resources to survey		

	1992	1993
	\$	\$
organizations to determine the level of interest in public and private fish stocking activities. The survey must be done in cooperation with the Minnesota Sportfishing Congress and other interested groups.		

#### Subd. 9. Wildlife

(a) Insecticide Impact on Wetland and Upland Wildlife	650,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to research the effect of insecticides on wetland and upland wildlife and habitats.

(b) Biological Control of Eurasian Water Milfoil	100,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to continue a cooperative research program between the department of natural resources, Freshwater Foundation, and the University of Minnesota leading to biological control of Eurasian water milfoil. This appropriation must be matched by \$200,000 from the Freshwater Foundation.

(c) Microbial and Genetic Strategies for Mosquito Control	150,000
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This appropriation is to the University of Minnesota, Department of Entomology, to enhance mosquito control by development of microbial agents that are environmentally safe and specific for mosquitoes.

(d) Minnesota County Biological Survey	1,000,000
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1992

1993

\$

\$

This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to continue the biological survey in Minnesota counties previously funded by Laws 1989, chapter 335, article 1, section 29, subdivision 3, item (t).

(e) Data Base for Plants of Minnesota 130,000

This appropriation is from the Minnesota environment and natural resources trust fund to the University of Minnesota to computerize the data base for Minnesota plants, including precise information on the distribution, ecology, history, and management of each species.

(f) Aquatic Invertebrate Assessment Archive 130,000

This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of the pollution control agency, in cooperation with the Science Museum of Minnesota, to continue work on a record system for aquatic invertebrates and assign pollution tolerance values and to develop an information system for the zebra mussel.

(g) Wetlands Forum 40,000

This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to improve communication and information exchange regarding wetlands in the metropolitan area. This appropriation must be matched by \$40,000 from the Freshwater Foundation.

(h) Easement Acquisition on Restored Wetlands 400,000

This appropriation is from the Minnesota environment and natural re-



	1992	1993
	\$	\$

sources trust fund to the board of water and soil resources for a pilot program to acquire permanent conservation easements on federally restored or enhanced wetlands and adjacent lands in cooperation with the United States Fish and Wildlife Service and the Izaak Walton League.

(i) Swan and Heron Lake Area Projects 1,000,000

This appropriation is to the commissioner of natural resources. First priority is for acquisition that qualifies for federal match. Second priority is for land management activities. Federal and other matching money is appropriated. Any full-time equivalent positions associated with this appropriation are for land acquisition work.

(j) Wildlife Oriented Recreation Facilities at Sandstone Unit National Wildlife Refuge 9,000

This appropriation is to the commissioner of natural resources to contract with Rice Lake National Wildlife Refuge for recreation facility development and access at the Sandstone Unit of Rice Lake National Wildlife Refuge.

(k) Reinvest in Minnesota Critical Habitat Match 1,000,000

This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources for transfer to the critical habitat private sector matching account under Minnesota Statutes, section 84.943.

(l) Acquisition and Development of Scientific and Natural Areas 300,000

This appropriation is to the commissioner of natural resources to acquire

	1992	1993
	\$	\$
and develop scientific and natural area sites consistent with the state scientific and natural areas plan.		
(m) Black Bear Research in East Central Minnesota	100,000	
This appropriation is to the University of Minnesota, Bell Museum of Natural History, to develop landscape ecology concepts and better understand the problem of bear damage to crops.		
(n) Partnership for Accelerated Wild Turkey Management	50,000	
This appropriation is to the commissioner of natural resources to increase wild turkey stocking. This appropriation must be matched by \$50,000 from the National Wild Turkey Federation.		
(o) Restore Thomas Sadler Roberts Bird Sanctuary	50,000	
This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources for a grant to the Minneapolis Park and Recreation Board to restore and improve public access to the Thomas Sadler Roberts Bird Sanctuary. This appropriation must be matched by \$50,000 of local money.		
(p) Changes in Ecosystem on Biodiversity of Forest Birds	300,000	
This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to monitor forest songbird populations and to develop geographic information system tools to correlate forest bird populations with dynamics of the forest landscape. This appropriation must be matched by \$200,000 from a combination of non-		

	1992	1993
	\$	\$
state funds and the state nongame wildlife program.		

(q) Establish Northern Raptors Rehabilitation and Education Facility	75,000
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This appropriation is to the University of Minnesota, Raptor Center, to establish a raptor rehabilitation and release facility at the Audubon Center of the Northwoods.

(r) Effect of Avian Flu Virus in Mallard Ducks	16,000
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This appropriation is to the University of Minnesota, Department of Veterinary Pathobiology, to research the effects of Avian influenza on Mallard ducks.

#### Subd. 10. Land

(a) Base Maps for 1990s	1,900,000
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This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of state planning to provide the state match for a federal program to complete a major portion of the statewide air photo and base map coverage. The federal share is appropriated.

(b) Accelerated Soil Survey	1,270,000
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This appropriation is to the University of Minnesota, Agriculture Experiment Station, to complete the soil survey in counties under contract as of July 1, 1988. Up to \$270,000 is for initiation of a survey in Koochiching county, provided that the county share of the cost of the survey shall be one-third of the cost, reduced by a percentage equal to the percent of land located in the county that is owned by the federal or state government that exceeds five percent, and further adjusted by the ratio

	1992	1993
	\$	\$
of the adjusted net tax capacity per capita of the county to the adjusted net tax capacity per capita of the state.		

(c) Statewide National Wetlands Inventory, Protected Waters Inventory, Watershed Map Digitization

750,000

This appropriation is from the Minnesota environment and natural resources trust fund to the commissioner of natural resources to complete the digitization of the national wetlands inventory, protected water inventory, and watershed boundaries.

(d) Statewide Land Use Update

338,000

This appropriation is to the commissioner of state planning for a grant to The International Coalition to complete a statewide land use update of all land and water resources outside the Twin City metropolitan area.

(e) Local Geographic Information System Program

143,000

This appropriation is to the commissioner of state planning for a grant to The International Coalition to expand the applicability and use of geographic information by developing programs and providing training at the local level.

(f) GIS Control Point Inventory

175,000

This appropriation is to the commissioner of state planning to produce a statewide inventory of known public land survey control points using data from all levels of government.

(g) Land Use and Design Strategies to Enhance Environmental Quality

100,000

This appropriation is to the University of Minnesota, College of Architecture and Landscape Architecture, to develop

	1992	1993
	\$	\$
a land use and design concept for typical sites on light rail transit and freeway systems. The work must be done in consultation with the Metropolitan Council and the Regional Transit Board.		

(h) Model Residential Land Use Guidelines	150,000
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This appropriation is to the University of Minnesota, Department of Landscape Architecture, to illustrate and disseminate residential land development guidelines that address a broad range of environmental concerns. The work must be done in consultation with the Metropolitan Council. The legislative commission on Minnesota resources may convene a steering committee to ensure coordination and practical results.

#### Subd. 11. Minerals

Subsurface Greenstone Belts in Southwestern Minnesota	120,000
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This appropriation is to the University of Minnesota, Minnesota Geologic Survey, to apply aeromagnetic interpretation techniques and test drilling to determine greenstone and associated mineral potential in southwestern Minnesota.

#### Subd. 12. Waste

(a) Remediation of Soils by Co-Composting with Leaves	135,000
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This appropriation is to the office of waste management for a grant to the Minneapolis Community Development Agency to develop a treatment method for soils contaminated with semi-volatile compounds by co-composting with leaves.

	1992	1993
	\$	\$
(b) Land Spreading of Yard Wastes	100,000	

This appropriation is to the office of waste management for a grant to the University of Minnesota, Soils Science Department, to determine the maximum and optimum rates that yard wastes can be applied to soils without reducing yields or endangering the environment.

### Subd. 13. Oil Overcharge

The appropriations in this subdivision are from oil overcharge money, as defined in Minnesota Statutes, section 4.071, in the special revenue fund.

(a) Traffic Signal Timing and Optimization Program	1,175,000
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This appropriation is to the commissioner of administration for transfer to the commissioner of transportation. \$125,000 is for traffic signal retiming and optimization training and \$1,050,000 for a cost share program for signal retiming. \$675,000 of the cost share program is available only as cash flow permits.

(b) Waste Crumb Rubber in Roadways	100,000
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This appropriation is to the commissioner of administration for transfer to the commissioner of transportation to improve hot-mix asphalt pavement performance through the use of crumb tire rubber and selected polymer additives. The process will use waste tires generated in Minnesota. This appropriation must be matched by \$100,000 from other sources.

(c) Biodegradable Plastics – Microbial and Crop Plant Systems	150,000
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This appropriation is to the commissioner of administration for a grant to

	1992	1993
	\$	\$
the University of Minnesota, Department of Agronomy and Plant Genetics, to genetically engineer yeast and crop plants to produce low-cost polyhydroxybutyric, a biodegradable plastic, to substitute for petroleum-based plastics.		
(d) Agricultural Energy Savings Information	150,000	
This appropriation is to the commissioner of administration for a grant to the Agricultural Utilization Research Institute to conduct a series of conferences, communication products, and intensive workshops in order to transfer the results of state-funded research to agricultural practitioners.		
(e) Residential Urban Environmental Resource Audit	150,000	
This appropriation is to the commissioner of administration for a grant to the St. Paul Neighborhood Energy Consortium to develop and implement neighborhood workshops and one-on-one consultations as part of an environmental urban resource audit and a broad educational campaign.		
(f) Means for Producing Lignin-Based Plastics	100,000	
This appropriation is to the University of Minnesota, Department of Forest Products, to develop means for fabricating engineering plastics based upon industrial by-product lignins and corresponding raw materials from wheat straw.		
(g) Cellulose Rayons for Packaging	150,000	
This appropriation is to the office of waste management for a grant to Bemidji State University, Center for Environmental Studies, to research and develop cellulose rayons.		

	1992	1993
	\$	\$
(h) Tree and Shrub Planting for Energy in Minnesota Communities	1,250,000	

This appropriation is to the commissioner of natural resources to develop research-based guidelines and publications and to provide matching grants for energy conservation tree planting. \$950,000 of this appropriation is available only as cash flow permits.

(i) Oil Overcharge Program Administration	200,000
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This appropriation is to the commissioner of administration for processing and oversight of grants and allocations in the Oil Overcharge program.

(j) Energy Efficiency Standards for Residential Construction	75,000
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This appropriation is to the commissioner of administration for a grant to the University of Minnesota, Cold Climate Housing Center for the development of performance-based standards for energy efficient new home construction and procedures for implementation. This appropriation must be matched by \$75,000 of nonstate funds. This appropriation is available only as cash flow permits.

Subd. 14. MFRF Contingent Account	800,000
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In addition to the specific amounts appropriated from the Minnesota future resources fund by this section, any increase in the projected revenue to the fund in excess of the amount indicated in subdivision 1 that would otherwise be available for expenditure during the 1992-1993 biennium is appropriated to the legislative commission on Minnesota resources future resources fund contingent account for disbursement by the commission in accordance with the procedure identified in this subdivision.



	1992	1993
	\$	\$
<p>This appropriation is for acquisition or development of state land or other projects that are part of a natural resources acceleration activity, when deemed to be of an emergency or critical nature. This appropriation is also available for projects initiated by the legislative commission on Minnesota resources that are found to be proper in order for the commission to carry out its legislative charge.</p>		

This appropriation is not available until the legislative commission on Minnesota resources has made a recommendation to the legislative advisory commission regarding each expenditure from the account. The legislative advisory commission must then hold a meeting and provide its recommendation on each item, which may be spent only with the approval of the governor.

Subd. 15. Trust Fund Contingent Account

1,000,000

In addition to the specific amounts appropriated from the environmental trust fund by this section, any increase in the projected revenue to the trust fund in excess of the amount indicated in subdivision 1 that would otherwise be available for expenditure during the 1992-1993 biennium in accordance with Minnesota Statutes, sections 116P.08 and 116P.11, is appropriated to the legislative commission on Minnesota resources environmental trust fund contingent account for disbursement by the commission in accordance with the procedure identified in this subdivision.

This appropriation is not available until the legislative commission on Minnesota resources has made a recommendation to the legislative advisory commission regarding each ex-

	1992	1993
	\$	\$

penditure from the account. The legislative advisory commission must then hold a meeting and provide its recommendation on each item, which may be spent only with the approval of the governor.

#### Subd. 16. Compatible Data

During the biennium ending June 30, 1993, the data collected by the projects funded under this section that have common value for natural resource planning and management must conform to information architecture as defined in guidelines and standards adopted by the information policy office. Data review committees may be established to develop or comment on plans for data integration and distribution and shall submit semiannual status reports to the legislative commission on Minnesota resources on their findings. In addition, the data must be provided to and integrated with the Minnesota land management information center's geographic data bases with the integration costs borne by the activity receiving funding under this section. This requirement applies to all projects funded under this section, including, but not limited to, the following projects:

Recreation: Subdivision 3, paragraphs (d) and (e);

Water: Subdivision 4, paragraphs (a), (b), (c), (f), and (g);

Agriculture: Subdivision 6, paragraph (d);

Wildlife: Subdivision 9, paragraphs (d), (e), (h), (k), and (p);

Land: Subdivision 10, paragraphs (a), (b), (c), (d), (e), and (f);

	1992	1993
	\$	\$
Minerals: Subdivision 11.		

#### Subd. 17. Work Program

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation must submit a work program and semiannual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided in this section may be spent unless the commission has approved the pertinent work program.

#### Subd. 18. Temporary Positions

The approved full-time equivalent of the following agencies shall be increased for the biennium as indicated for the appropriations in this section:

Board of Water and Soil Resources –	1
Pollution Control Agency –	5
State Planning Agency –	3
Department of Agriculture –	4
Department of Education –	4
Department of Administration –	1
Department of Natural Resources –	36

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. The positions are in addition to any other approved complement for the agency. Part-time employment of persons is authorized.

#### Subd. 19. Match Requirements

	1992	1993
	\$	\$

Appropriations in this section that must be matched and for which the match has not been committed by January 1, 1992, must be canceled. Amounts canceled to the Minnesota future resources fund are appropriated to the contingent account created in subdivision 14.

#### Subd. 20. Patents and Royalties

If an appropriation in this section from the Minnesota future resources fund results in a patent and subsequent royalties, payment of 50 percent of the royalties received, net of patent servicing costs, must be paid to the Minnesota future resources fund, until the entire appropriation made by this section is repaid.

#### Subd. 21. Carryforward

The appropriation in Laws 1989, chapter 335, article 1, section 29, subdivision 3, paragraph (e), Development of Forest Soil Interpretations, is available until December 31, 1991.

The appropriation in Laws 1989, chapter 335, article 1, section 29, subdivision 3, paragraph (h), Statewide Public Recreation Map, is available until June 30, 1992.

The appropriation in Laws 1989, chapter 335, article 1, section 29, subdivision 11, paragraph (o), High Flotation Tire Research is available until June 30, 1992.

### Sec. 15. TRANSFERS

If the appropriation in this article to an agency in the executive branch is specified by program, the agency may transfer unencumbered balances among the programs specified in that

	1992	1993
\$		\$

section after getting the approval of the commissioner of finance. The commissioner shall not approve a transfer unless the commissioner believes that it will carry out the intent of the legislature. The transfer must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives. If the appropriation in this act to an agency in the executive branch is specified by activity, the agency may transfer unencumbered balances among the activities specified in that section using the same procedure as for transfers among programs.

If an amount is specified in this article item within an activity, that amount must not be transferred or used for any other purpose.

## ARTICLE 2

### ENVIRONMENT AND NATURAL RESOURCES

Section 1. Minnesota Statutes 1990, section 14.18, is amended to read:

#### 14.18 [PUBLICATION OF ADOPTED RULE; EFFECTIVE DATE.]

**Subdivision 1. [GENERALLY.]** A rule is effective after it has been subjected to all requirements described in sections 14.131 to 14.20 and five working days after the notice of adoption is published in the State Register unless a later date is required by law or specified in the rule. If the rule adopted is the same as the proposed rule, publication may be made by publishing notice in the State Register that the rule has been adopted as proposed and by citing the prior publication. If the rule adopted differs from the proposed rule, the portions of the adopted rule which differ from the proposed rule shall be included in the notice of adoption together with a citation to the prior State Register publication of the remainder of the proposed rule. The nature of the modifications must be clear to a reasonable person when the notice of adoption is considered together with the State Register publication of the proposed rule, except that modifications may also be made which comply with the form requirements of section 14.07, subdivision 7.

Subd. 2. [POLLUTION CONTROL AGENCY FEES.] A new fee or fee increase adopted by the pollution control agency is subject to legislative approval during the next biennial budget session following adoption. The commissioner shall submit a report of fee adjustments to the legislature as a supplement to the biennial budget. Any new fee or fee increase remains in effect unless the legislature passes a bill disapproving the new fee or fee increase. A fee or fee increase disapproved by the legislature becomes null and void on July 1 following adjournment.

Sec. 2. Minnesota Statutes 1990, section 16A.123, subdivision 5, is amended to read:

Subd. 5. [DEPARTMENT OF NATURAL RESOURCES COMPLEMENT.] (a) Beginning with the biennium ending June 30, 1991, The legislature shall establish complements for the department of natural resources based on the number of full-time equivalent positions and dollars appropriated for salary-related expenditures.

The commissioner of natural resources shall provide a biennial report indicating the distribution of the full-time equivalents for the previous biennium as a supplement to the agency's biennial budget request for succeeding bienniums. The biennial budget document submitted to the legislature by the governor beginning with the 1992-1993 biennium shall indicate, by program and by activity, the number of full-time equivalent positions included as base level and recommended changes. The governor's salary and full-time equivalents requests for the agency shall include all full-time, part-time, and seasonal dollars and full-time equivalent positions requested. Any change level request submitted by the governor to the legislature for consideration by the governor as part of the governor's biennial budget containing funding for salaries shall indicate the number of additional full-time equivalent positions and salary dollars requested.

Within the full-time equivalent number and amount of salary dollars appropriated for the department, the commissioner shall have the authority to establish as many full-time, part-time, or seasonal positions as required to accomplish the assigned responsibilities for the department. The commissioner shall have the authority to reallocate salary dollars for other operating expenses, but the commissioner shall not have authority to reallocate other operating funds to increase the total amount appropriated for salary-related expenses, including salary supplement, without receiving prior approval according to the process defined in this subdivision.

In the event that the commissioner finds it necessary to exceed the full-time equivalent number or the amount of appropriated dollars and the legislature is not in session, the commissioner shall seek approval of the legislative advisory commission under subdivision 4. Legislative advisory commission approved full-time equivalent po-

sitions and dollars shall ~~not only~~ become a part of the agency budget base ~~unless authorized by the legislature~~ if the increase is the result of appropriations made to the agency by the legislature that are in addition to the appropriations made in the omnibus appropriations acts. All other legislative advisory commission authorized full-time equivalent positions or dollar adjustments shall be temporary for the biennium during which they are authorized unless approved by the legislature.

~~(b)~~ This subdivision does not apply to emergency firefighting crews. Subdivisions 1, 2, and 3 do not apply to the department of natural resources.

Sec. 3. Minnesota Statutes 1990, section 18.191, is amended to read:

18.191 [DESTRUCTION OF NOXIOUS WEEDS.]

Except as otherwise specifically provided in sections 18.181 to 18.271, 18.281 to 18.311, and 18.321 to 18.322, it shall be the duty of every occupant of land or, if the land is unoccupied, the owner thereof, or an agent, or the public official in charge thereof, to cut down, otherwise destroy, or eradicate all noxious weeds as defined in section 18.171, subdivision 5, standing, being, or growing upon such land, in such manner and at such times as may be directed or ordered by the commissioner, the commissioner's authorized agents, the county agricultural inspector, or by a local weed inspector having jurisdiction.

Except as provided below, an owner of nonfederal lands underlying public waters or wetlands designated under section 103G.201 is not required to control or eradicate purple loosestrife (*Lythrum salicaria*) below the ordinary high water level of the public water or wetland. To the extent provided in this section, the commissioner of natural resources is responsible for control and eradication of purple loosestrife on public waters and wetlands designated under section 103G.201, except those located upon lands owned in fee title or managed by the United States. The officers, employees, agents, and contractors of the commissioner may enter upon public waters and wetlands designated under section 103G.201 and may cross adjacent lands as necessary for the purpose of investigating purple loosestrife infestations, formulating methods of eradication, and implementing control and eradication of purple loosestrife. The commissioner, after consultation with the commissioner of agriculture, shall, by June 1 of each year, compile a priority list of purple loosestrife infestations to be controlled in designated public waters or public wetlands. The commissioner of agriculture must distribute the list to county agricultural inspectors, local weed inspectors, and their appointed agents. The commissioner of natural resources shall control listed purple loosestrife infestations in priority order within the limits of appropriations provided for that purpose. This proce-

dures shall be the exclusive means for control of purple loosestrife on designated public waters and public wetlands by the commissioner of natural resources and shall supersede the other provisions for control of noxious weeds set forth elsewhere in Minnesota Statutes, chapter 18. The responsibility of the commissioner to control and eradicate purple loosestrife on public waters and wetlands located on private lands and the authority to enter upon private lands ends ten days after receipt by the commissioner of a written statement from the landowner that the landowner assumes all responsibility for control and eradication of purple loosestrife under sections 18.171 to 18.315. State officers, employees, agents, and contractors are not liable in a civil action for trespass committed in the discharge of their duties under this section and are not liable to anyone for damages, except for damages arising from gross negligence.

Sec. 4. Minnesota Statutes 1990, section 84.82, subdivision 2, is amended to read:

Subd. 2. [APPLICATION, ISSUANCE, REPORTS.] Application for registration or reregistration shall be made to the commissioner of natural resources, or the commissioner of public safety or an authorized deputy registrar of motor vehicles in such form as the commissioner of public safety shall prescribe, and shall state the name and address of every owner of the snowmobile and be signed by at least one owner. The commissioner of natural resources shall authorize retail dealers of snowmobiles to serve as agents of the deputy registrar for purposes of snowmobile registration and reregistration. A person who purchases a snowmobile from a retail dealer may make application for registration to the dealer at the point of sale. The dealer shall issue a temporary registration to each purchaser who applies to the dealer for registration. The temporary registration is valid until the final registration becomes effective. Upon receipt of the application and the appropriate fee as hereinafter provided, such snowmobile shall be registered and a registration number assigned which shall be affixed to the snowmobile in such manner as the commissioner of natural resources shall prescribe. Each deputy registrar of motor vehicles acting pursuant to section 168.33, shall also be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with these accounting and procedural requirements. A fee of 50 cents in addition to that otherwise prescribed by law shall be charged for each snowmobile registered by the registrar or a deputy registrar. The additional fee shall be disposed of in the manner provided in section 168.33, subdivision 2.

Sec. 5. Minnesota Statutes 1990, section 84.82, subdivision 3, is amended to read:



Subd. 3. [FEES FOR REGISTRATION.] (a) The fee for registration of each snowmobile, other than those used for an agricultural purpose, as defined in section 84.92, subdivision 1c, or those registered by a dealer or manufacturer pursuant to clause (b) or (c) shall be as follows: ~~\$18~~ \$30 for three years and \$4 for a duplicate or transfer.

(b) The total registration fee for all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be \$50 per year.

(c) The total registration fee for all snowmobiles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be \$150 per year. Dealer and manufacturer registrations are not transferable.

Sec. 6. Minnesota Statutes 1990, section 84.944, subdivision 2, is amended to read:

Subd. 2. [DESIGNATION OF ACQUIRED SITES.] The critical natural habitat acquired in fee title by the commissioner under this section shall be designated by the commissioner as: (1) an outdoor recreation unit pursuant to section 86A.07, subdivision 3, or (2) as provided in sections 97A.101, 97A.125, 97C.001, and 97C.011; and 97C.021. The commissioner may so designate any critical natural habitat acquired in less than fee title.

Sec. 7. Minnesota Statutes 1990, section 84.96, subdivision 5, is amended to read:

Subd. 5. [PAYMENTS.] (a) The commissioner must make payments to the landowner under this subdivision for the easement.

(b) For a permanent easement, the commissioner must pay 50 percent of the average equalized estimated market value of cropland in the township as established by the commissioner of revenue 65 percent of the permanent marginal agricultural land payment rate as established by the board of water and soil resources for the time period when the application is made.

(c) For an easement of limited duration, the landowner shall receive a lump sum payment equal to the present value of the annual payments for the term of the easement based on 50 percent of the mean adjusted cash rental for cropland in the county as established by the commissioner of revenue commissioner must pay 65 percent of the permanent prairie bank easement rate for the time period when the application is made.

(d) To maintain and protect native prairies, the commissioner may enter into easements that allow selected agricultural practices.

Payment must be based on paragraph (b) or (c) but may be reduced due to the agricultural practices allowed after negotiation with the landowner.

Sec. 8. Minnesota Statutes 1990, section 85.015, is amended by adding a subdivision to read:

Subd. 16. [SUPERIOR VISTA TRAIL; ST. LOUIS AND LAKE COUNTIES.] The trail shall originate at the city of Duluth and shall extend in a northeasterly direction along the shoreline of Lake Superior to the city of Two Harbors. The trail shall be designed for bicycles and hikers, shall utilize existing highway and railroad right-of-way where possible, and shall be laid out in a manner to maximize the view of Lake Superior while traversing the length of the trail.

Sec. 9. [COORDINATION.]

In developing a plan to implement section 7, the commissioner shall involve the various jurisdictions through which the Superior Vista trail corridor would pass. This includes, but is not limited to, the St. Louis and Lake counties highway departments, the cities of Duluth and Two Harbors, the Minnesota department of transportation, and the St. Louis and Lake counties railroad authorities.

Sec. 10. Minnesota Statutes 1990, section 85.22, subdivision 1, is amended to read:

Subdivision 1. [DESIGNATION.] The revolving fund established under Laws 1941, chapter 548, section 37, subdivision E, item 4 is the state parks working capital account. The account is to be used to maintain and operate the revenue producing facilities and to operate the resource management and interpretive programs in the state parks within the limits in this section.

Sec. 11. Minnesota Statutes 1990, section 85.22, subdivision 2a, is amended to read:

Subd. 2a. [RECEIPTS, APPROPRIATION.] All receipts derived from the rental or sale of items in state parks park items shall be deposited in the state treasury and be credited to the state parks working capital account. The money in the account is annually appropriated solely for the purchase and payment of expenses attributable to items for resale or rental and for state park resource management and interpretive programs. No money shall be spent on the resource management or interpretive programs until all expenses attributable to the revenue producing program have been covered.

Sec. 12. Minnesota Statutes 1990, section 86B.415, subdivision 1, is amended to read:

Subdivision 1. [~~WATERCRAFT LESS THAN 19 FEET OR LESS.~~] The fee for a watercraft license for watercraft ~~less than 19 feet in length or less~~ is ~~\$12~~ \$35 except:

(1) for watercraft 19 feet in length or less that is offered for rent or lease, the fee is ~~\$6~~ \$12;

(2) for a canoe, kayak, sailboat, sailboard, paddle boat, or rowing shell 19 feet in length or less, the fee is ~~\$7~~ \$12;

(3) for a watercraft less than 17 feet in length, the fee is \$22;

(4) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, the fee is as provided in subdivision 4; and

~~(4) (5)~~ for a watercraft owned by a dealer under a dealer's license, the fee is as provided in subdivision 5.

Sec. 13. Minnesota Statutes 1990, section 86B.415, subdivision 2, is amended to read:

Subd. 2. [~~WATERCRAFT OVER 19 FEET.~~] Except as provided in subdivisions 3, 4, and 5, the watercraft license fee:

(1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$20~~ \$45;

(2) for a watercraft 26 feet but less than 40 feet in length is ~~\$30~~ \$60; and

(3) for a watercraft 40 feet in length or longer is ~~\$40~~ \$80.

Sec. 14. Minnesota Statutes 1990, section 86B.415, subdivision 3, is amended to read:

Subd. 3. [~~WATERCRAFT OVER 19 FEET FOR HIRE.~~] The license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$50~~ \$80 each.

Sec. 15. Minnesota Statutes 1990, section 86B.415, subdivision 4, is amended to read:

Subd. 4. [~~WATERCRAFT USED BY NONPROFIT CORPORATION FOR TEACHING.~~] The watercraft license fee for a watercraft

used by a nonprofit organization for teaching boat and water safety is ~~\$3~~ \$6 each.

Sec. 16. Minnesota Statutes 1990, section 86B.415, subdivision 5, is amended to read:

Subd. 5. [DEALER'S LICENSE.] There is no separate fee for watercraft owned by a dealer under a dealer's license. The fee for a dealer's license is ~~\$30~~ \$60.

Sec. 17. Minnesota Statutes 1990, section 86B.415, subdivision 6, is amended to read:

Subd. 6. [TRANSFER OR DUPLICATE LICENSE.] The fee to transfer a watercraft license or be issued a duplicate license is ~~\$3~~ \$4.

Sec. 18. Minnesota Statutes 1990, section 86B.415, subdivision 7, is amended to read:

Subd. 7. [WATERCRAFT SURCHARGE.] A surcharge of \$2 is placed on each watercraft licensed under subdivisions 1 to 6, ~~that is 17 feet in length or longer, for management of control, public awareness, law enforcement, monitoring, and research of nuisance aquatic exotic species such as zebra mussel, purple loosestrife, and Eurasian water milfoil according to law.~~

Sec. 19. [88.86] [MINNESOTA RELEAF PROGRAM.]

The Minnesota releaf program is established in the department of natural resources to encourage, promote, and fund the planting, maintenance, and improvement of trees in this state to reduce atmospheric carbon dioxide levels and promote energy conservation.

Sec. 20. [IMPLEMENTATION PLAN.]

Subdivision 1. [DESCRIPTION.] (a) The commissioner of natural resources in cooperation with the commissioners of the pollution control agency and department of agriculture shall prepare and submit to the legislative commission on Minnesota resources an implementation plan for the Minnesota releaf program containing the following elements:

(1) primary and secondary criteria for selecting projects for funding under the Minnesota releaf program; and

(2) recommended procedures for processing grant applications and allocating funds.

(b) The primary criteria developed under paragraph (a), clause (1), must include, but are not limited to:

(1) reduction and mitigation of adverse environmental impacts of atmospheric carbon dioxide; and

(2) promotion of energy conservation.

(c) The secondary criteria developed under paragraph (a), clause (1), must include, but are not limited to:

(1) balancing of urban and rural needs;

(2) preservation of existing trees in urban areas;

(3) promotion of biodiversity, including development of disease-resistant and drought-resistant tree species;

(4) erosion control;

(5) enhancement of wildlife habitat;

(6) encouragement of cost sharing with public and private entities;

(7) enhancement of recreational opportunities in urban and rural areas;

(8) coordination with existing state and federal programs;

(9) acceleration of the planting of harvestable timber;

(10) creation of employment opportunities for disadvantaged youth; and

(11) maximization of the use of volunteers.

Subd. 2. [DUTIES OF THE COMMISSIONER OF NATURAL RESOURCES.] By February 1, 1992, the commissioner of natural resources shall transmit to the legislature the implementation plan prepared under subdivision 1, and the recommendations prepared under subdivision 3, together with all recommended legislation to implement the Minnesota releaf program and the supporting fee structure.

Subd. 3. [DUTIES OF THE POLLUTION CONTROL AGENCY.] (a) The pollution control agency, in consultation with potentially affected parties, shall prepare implementation recommendations for applying a fee on carbon dioxide emissions for the Minnesota releaf program. The agency's analysis must include:

(1) a review of the carbon dioxide sources and proposed fee base identified in the study prepared in accordance with Laws 1990, chapter 587, section 2;

(2) recommendations regarding exemptions, if any, that should be granted;

(3) a recommended method for measuring the amount of carbon dioxide emitted by various sources;

(4) a recommended procedure for administering and collecting the fees from the sources described in clause (3); and

(5) an estimate of revenue that would be generated by the fees.

(b) The agency shall submit implementation recommendations to the commissioner of natural resources by December 1, 1991.

#### **Sec. 21. [LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES PARTICIPATION.]**

The commissioners of natural resources and pollution control agency shall include the preparation of the plans required for the implementation of the Minnesota releaf program as part of the tree and shrub planting project funded in article 1, section 14. In compliance with article 1, section 14, an amended work plan for the tree and shrub planting project including the Minnesota releaf plans shall be submitted to the legislative commission on Minnesota resources for approval.

#### **Sec. 22. [REVISOR INSTRUCTION.]**

In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall renumber Minnesota Statutes, section 116.86, as section 88.85.

**Sec. 23. Minnesota Statutes 1990, section 97A.075, subdivision 2, is amended to read:**

**Subd. 2. [MINNESOTA MIGRATORY WATERFOWL STAMP.]**  
**The commissioner may use the revenue from the Minnesota migratory waterfowl stamps for:**

**(1) development of wetlands in the state and designated waterfowl management lakes for maximum migratory waterfowl production including the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, acquisition of sites and facilities necessary for development and management of existing migratory waterfowl habitat and the creation of migratory waterfowl management lakes;**

(2) ~~protection and propagation~~ management of migratory waterfowl;

(3) development, restoration, maintenance, or preservation of migratory waterfowl habitat;

(4) acquisition of and access to structure sites; and

(5) necessary related administrative costs not to exceed ten percent of the annual revenue.

Sec. 24. Minnesota Statutes 1990, section 97A.141, is amended by adding a subdivision to read:

Subd. 4. [COOPERATION WITH METROPOLITAN GOVERNMENTAL UNITS.] Local units of government owning lands adjacent to public waters within the seven-county metropolitan area shall cooperate with the commissioner to use those lands for public access purposes when identified by the commissioner under subdivision 1. If cooperation does not occur, the commissioner may use condemnation authority under this section to acquire an interest in the local government lands for public access purposes.

Sec. 25. Minnesota Statutes 1990, section 97A.325, subdivision 2, is amended to read:

Subd. 2. [DEER; BEAR; MOOSE; ELK; CARIBOU.] Except as provided in subdivision 1, a person that violates a provision of the game and fish laws relating to buying or selling deer, bear, moose, elk, or caribou is guilty of a gross misdemeanor.

Sec. 26. Minnesota Statutes 1990, section 97A.435, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] Persons eligible for a turkey license shall be determined by this section and commissioner's order. A person is eligible for a turkey license only if the person is a resident and at least age 16 before the season opens or possesses a firearms safety certificate.

Sec. 27. Minnesota Statutes 1990, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [RESIDENT HUNTING.] Fees for the following licenses, to be issued to residents only, are:

(1) for persons under age 65 to take small game, \$10;

(2) for persons age 65 or over, \$5;

- (3) to take turkey, ~~\$14~~ \$20;
- (4) to take deer with firearms, \$22;
- (5) husband and wife license to take deer with firearms, \$27;
- (6) family license to take deer with firearms, \$84;
- ~~(6)~~ (7) to take deer by archery, \$22;
- (8) husband and wife license to take deer by archery, \$27;
- ~~(7)~~ (9) to take moose, for a party of not more than four persons, \$275;
- ~~(8)~~ (10) to take bear, \$33; ~~and~~
- ~~(9)~~ (11) to take elk, for a party of not more than two persons, \$220; and
- (12) to take antlered deer only in multiple zones, without provision to apply for a doe permit, if the commissioner determines that there is no deleterious effect on the deer herd, \$32.

Sec. 28. Minnesota Statutes 1990, section 97A.475, subdivision 3, is amended to read:

Subd. 3. [NONRESIDENT HUNTING.] Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take small game, \$56;
- (2) to take deer with firearms, \$110;
- (3) to take deer by archery, \$110;
- (4) to take bear, \$165;
- (5) to take turkey, ~~\$33~~ \$56; and
- (6) to take raccoon, bobcat, fox, coyote, or lynx, \$137.50.

Sec. 29. Minnesota Statutes 1990, section 97A.475, subdivision 7, is amended to read:

Subd. 7. [NONRESIDENT FISHING.] Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take fish by angling, ~~\$20~~ \$25;



(2) to take fish by angling limited to seven consecutive days, \$16.50;

(3) to take fish by angling for three consecutive days, \$13.50;

(4) to take fish by angling for a combined license for a family, ~~\$33.50~~ \$35;

(5) to take fish by angling for a period of 24 hours from the time of issuance, \$5; and

(6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days, \$25.

Sec. 30. Minnesota Statutes 1990, section 97A.485, subdivision 7, is amended to read:

Subd. 7. [COUNTY AUDITOR'S COMMISSION.] The county auditor shall retain for the county treasury a commission of four percent of all license fees collected by the auditor and the auditor's subagents, excluding the small game surcharge and issuing fees, the fishing surcharge and issuing fees, and the license to take fish by angling for persons age 65 and over. In addition, the auditor shall collect the issuing fees on licenses sold by the auditor to a licensee.

Sec. 31. Minnesota Statutes 1990, section 97B.301, is amended by adding a subdivision to read:

Subd. 6. [HUSBAND AND WIFE DEER LICENSE.] A resident husband and wife license to take deer by firearms or by archery may be issued by the commissioner. A license authorizes the taking of one deer. One antlerless permit application shall be provided with each husband-wife firearms license sold.

Sec. 32. Minnesota Statutes 1990, section 97C.001, subdivision 3, is amended to read:

Subd. 3. [SEASONS, LIMITS, AND RULES.] (a) The commissioner may, by order, establish open seasons, limits, methods, and other rules to take fish on experimental waters.

(b) The open seasons, limits, methods, and other rules must be the same for streams located in Dodge, Fillmore, Goodhue, Houston, Mower, Olmsted, Wabasha, and Winona counties in order to be designated as experimental waters by the commissioner.

Sec. 33. Minnesota Statutes 1990, section 103B.321, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The board shall:

(1) develop guidelines for the contents of comprehensive water plans that provide for a flexible approach to meeting the different water and related land resources needs of counties and watersheds across the state;

(2) coordinate assistance of state agencies to counties and other local units of government involved in preparation of comprehensive water plans, including identification of pertinent data and studies available from the state and federal government;

(3) conduct an active program of information and education concerning the requirements and purposes of sections 103B.301 to 103B.355 in conjunction with the association of Minnesota counties;

(4) determine contested cases under section 103B.345;

(5) establish a process for review of comprehensive water plans that assures the plans are consistent with state law; and

(6) report to the legislative commission on Minnesota resources as required by section 103B.351; and

(7) make grants to counties for comprehensive local water planning, implementation of priority actions identified in approved plans, and sealing of abandoned wells.

Sec. 34. Minnesota Statutes 1990, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. [PERMIT FEES.] (a) The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. The agency shall adopt rules under section 16A.128 establishing the amounts and methods of collection of any permit fees collected under this subdivision. Any money collected under this subdivision paragraph shall be deposited in the special revenue account.

(b) Notwithstanding paragraph (a), and section 16A.128, subdivision 1, the agency shall collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to the requirement to obtain a permit under Title V of the federal Clean Air Act Amendments of 1990, Public Law Number 101-549, Statutes at Large, volume 104, pages 2399 et seq., or Minnesota Statutes, section 116.081. The annual fee shall be used to pay for all direct and indirect reasonable costs required to develop

and administer the permit program requirements of Title V of the federal Clean Air Act Amendments of 1990, Public Law Number 101-549, Statutes at Large, volume 104, pages 2399 et seq., and sections of this chapter related to air contamination. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing the terms and conditions of a permit issued, not including court costs or other costs associated with an enforcement action; emissions and ambient monitoring; preparing generally applicable regulations or guidance; modeling, analyses, and demonstrations; and preparing inventories and tracking emissions.

(c) The agency shall adopt fee rules in accordance with the procedures in section 16A.128, subdivisions 1a and 2a, that will result in the collection, in the aggregate, from the sources listed in paragraph (b), of the following amounts:

(1) in fiscal years 1992 and 1993, the amount appropriated by the legislature from fees under the agency's air quality program; and

(2) for fiscal year 1994 and thereafter, an amount not less than \$25 per ton of each volatile organic compound, pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act), pollutant regulated under Minnesota Rules, chapter 7005, and each pollutant, except carbon monoxide, for which a national or state primary ambient air quality standard has been promulgated.

The agency shall not include in the calculation of the aggregate amount to be collected from the fee rules any amount in excess of 4,000 tons per year of each air pollutant from a source.

(d) The agency shall provide in the rules promulgated under paragraph (c) for an increase in the fee collected in each year beginning after 1990 by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of such year exceeds the Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year, and the revision of the Consumer Price Index which is most consistent with the Consumer Price Index for calendar year 1989. Any money collected under paragraphs (b) to (d) shall be deposited in an air quality account in the environmental fund and shall be used solely for the activities listed in paragraph (b).

Sec. 35. Minnesota Statutes 1990, section 116.18, subdivision 2a, is amended to read:

Subd. 2a. [STATE MATCHING GRANTS PROGRAM BEGINNING OCTOBER 1, 1987.] For projects tendered, on or after October 1, 1987, a grant of federal money under section 201(g), section 202, 203, or 206(f) of the Federal Water Pollution Control Act, as amended, United States Code, title 33, sections 1251 to 1376, at 55 percent or more of the eligible cost for construction of the treatment works, state money appropriated under subdivision 1 must be expended for 50 percent of the nonfederal share of the eligible cost of construction for municipalities with populations of 25,000 or less. The total state stop payment amount that is withheld from communities completing wastewater treatment facility construction under the state-federal matching grants program must not exceed ten percent of the total state grant amount.

Sec. 36. Minnesota Statutes 1990, section 116P.05, is amended to read:

116P.05 [LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES.]

Subdivision 1. [MEMBERSHIP.] (a) A legislative commission on Minnesota resources of 16 members is created, consisting of the chairs of the house and senate committees on environment and natural resources or designees appointed for the terms of the chairs, the chairs of the house appropriations and senate finance committees or designees appointed for the terms of the chairs, six members of the senate appointed by the subcommittee on committees of the committee on rules and administration, and six members of the house appointed by the speaker. ~~The commission shall develop a budget plan for expenditures from the trust fund and shall adopt a strategic plan as provided in section 116P.08.~~

(b) ~~The commission shall recommend expenditures to the legislature from the Minnesota future resources account under section 116P.13.~~ At least two members from the senate and two members from the house must be from the minority caucus. Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

(e) (b) Members shall appoint a chair who shall preside and convene meetings as often as necessary to conduct duties prescribed by this chapter.

(d) (c) Members shall serve on the commission until their successors are appointed.

(e) (d) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out their duties, and vacancies shall be filled in the same manner under paragraph (a).

Subd. 2. [DUTIES.] (a) The commission shall recommend a budget plan for expenditures from the environment and natural resources trust fund and shall adopt a strategic plan as provided in section 116P.08.

(b) The commission shall recommend expenditures to the legislature from the Minnesota future resources fund under section 116P.13.

~~(c)~~ (c) The commission may adopt bylaws and operating procedures to fulfill their duties under sections 116P.01 to 116P.13.

Sec. 37. Minnesota Statutes 1990, section 116P.06, is amended to read:

116P.06 [ADVISORY COMMITTEE.]

Subdivision 1. [MEMBERSHIP.] (a) An advisory committee of 11 citizen members shall be appointed by the governor to advise the legislative commission on Minnesota resources on project proposals to receive funding from the trust fund and the development of budget and strategic plans. The governor shall appoint at least one member from each congressional district. The governor shall appoint the chair.

(b) The governor's appointees must be confirmed with the advice and consent of the senate. The membership terms, compensation, removal, and filling of vacancies for citizen members of the advisory committee are governed by section 15.0575.

Subd. 2. [DUTIES.] (a) The advisory committee shall:

(1) prepare and submit to the commission a draft strategic plan to guide expenditures from the trust fund;

(2) review the reinvest in Minnesota program during development of the draft strategic plan;

(3) gather input from the resources congress during development of the draft strategic plan;

(4) advise the commission on project proposals to receive funding from the trust fund; and

(5) advise the commission on development of the budget plan.

(b) The advisory committee may review all project proposals for funding and may make recommendations to the commission on whether the projects:

(1) meet the standards and funding categories set forth in sections 116P.01 to 116P.12;

(2) duplicate existing federal, state, or local projects being conducted within the state; and

(3) are consistent with the most recent strategic plan adopted by the commission.

Sec. 38. Minnesota Statutes 1990, section 116P.07, is amended to read:

116P.07 [RESOURCES CONGRESS.]

The commission must convene a resources congress at least once every biennium and shall develop procedures for the congress. The congress must be open to all interested individuals. The purpose of the congress is to collect public input necessary to allow the commission, with the advice of the advisory committee, to develop a strategic plan to guide expenditures from the trust fund. The congress also may be convened to receive and review reports on trust fund projects. The congress shall also review the reinvest in Minnesota program.

Sec. 39. Minnesota Statutes 1990, section 116P.08, subdivision 3, is amended to read:

Subd. 3. [STRATEGIC PLAN REQUIRED.] (a) The commission shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next six years. ~~The reinvest in Minnesota program must be reviewed by the advisory committee, resources congress, and commission during the development of the strategic plan.~~ The strategic plan must be updated every two years. The plan is advisory only. The commission shall submit the plan, as a recommendation, to the house of representatives appropriations and senate finance committees by January 1 of each odd-numbered year.

~~(b) The advisory committee shall work with the resources congress to develop a draft strategic plan to be submitted to the commission for approval. The commission shall develop the procedures for the resources congress.~~

~~(c) The commission may accept or modify the draft of the strategic plan submitted to it by the advisory committee before voting on the plan's adoption.~~

Sec. 40. Minnesota Statutes 1990, section 116P.08, subdivision 4, is amended to read:

Subd. 4. [BUDGET PLAN.] (a) Funding may be provided only for those projects that meet the categories established in subdivision 1.

(b) Projects submitted to the commission for funding may be referred to the advisory committee for recommendation; ~~except that research proposals first must be reviewed by the peer review panel. The advisory committee may review all project proposals for funding and may make recommendations to the commission on whether:~~

~~(1) the projects meet the standards and funding categories set forth in sections 116P.01 to 116P.12;~~

~~(2) the projects duplicate existing federal, state, or local projects being conducted within the state; and~~

~~(3) the projects are consistent with the most recent strategic plan adopted by the commission.~~

(c) The commission must adopt a budget plan to make expenditures from the trust fund for the purposes provided in subdivision 1. The budget plan must be submitted to the governor for inclusion in the biennial budget and supplemental budget submitted to the legislature.

(d) Money in the trust fund may not be spent except under an appropriation by law.

Sec. 41. Minnesota Statutes 1990, section 116P.09, subdivision 2, is amended to read:

Subd. 2. [LIAISON OFFICERS.] The commission shall request each department or agency head of all state agencies with a direct interest and responsibility in any phase of environment and natural resources to appoint, and the latter shall appoint for the agency, a liaison officer who shall work closely with the commission and its staff. ~~The designated liaison officer shall attend all meetings of the advisory committee to provide assistance and information to committee members when necessary.~~

Sec. 42. Minnesota Statutes 1990, section 116P.09, subdivision 4, is amended to read:

Subd. 4. [PERSONNEL.] Persons who are employed by a state agency to work on a project and are paid by an appropriation from the trust fund or Minnesota future resources ~~account fund~~ are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must be canceled and the approved complement of the agency reduced

accordingly. Part-time employment of persons for a project is authorized.

Sec. 43. Minnesota Statutes 1990, section 116P.09, subdivision 5, is amended to read:

Subd. 5. [ADMINISTRATIVE EXPENSE.] (a) The administrative expenses of the commission and advisory committee shall be paid from the Minnesota future resources account until June 30, 1995 shall be prorated among the various funds administered by the commission.

(b) After June 30, 1995, the expenses of the commission and advisory committee combined may not exceed an amount equal to two percent of the total earnings of the trust fund in the preceding fiscal year. Through June 30, 1991, the administrative expenses of the commission and the advisory committee shall be paid from the Minnesota future resources fund. After that time, the prorated expenses related to administration of the trust fund shall be paid from the interest earnings of the trust fund.

(c) The commission and the advisory committee must include a reasonable amount for their administrative expense in the budget plan for the trust fund. After June 30, 1991, the prorated expenses related to administration of the trust fund may not exceed an amount equal to five percent of the projected earnings of the trust fund for the biennium.

Sec. 44. Minnesota Statutes 1990, section 116P.09, subdivision 7, is amended to read:

Subd. 7. [REPORT REQUIRED.] The commission shall, by July 1 January 15 of each even-numbered odd-numbered year, submit a report to the governor, the chairs of the house appropriations and senate finance committees, and the chairs of the house and senate committees on environment and natural resources. Copies of the report must be available to the public. The report must include:

- (1) a copy of the current strategic plan;
- (2) a description of each project receiving money from the trust fund and Minnesota future resources account fund during the preceding two years biennium;
- (3) a summary of any research project completed in the preceding two years biennium;
- (4) recommendations to implement successful projects and programs into a state agency's standard operations;



(5) to the extent known by the commission, descriptions of the projects anticipated to be supported by the trust fund and Minnesota future resources account during the next ~~two~~ years biennium;

(6) the source and amount of all revenues collected and distributed by the commission, including all administrative and other expenses;

(7) a description of the ~~trust fund's~~ assets and liabilities of the trust fund and the Minnesota future resources fund;

(8) any findings or recommendations that are deemed proper to assist the legislature in formulating legislation;

(9) a list of all gifts and donations with a value over \$1,000; and

(10) a comparison of the amounts spent by the state for environment and natural resources activities through the most recent fiscal year; and.

(11) a copy of the most recent certified financial and compliance audit.

Sec. 45. Minnesota Statutes 1990, section 168C.04, subdivision 1, is amended to read:

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~~ a special revenue account in the general government fund entitled the bicycle transportation account. 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.

Sec. 46. Minnesota Statutes 1990, section 473.844, subdivision 1a, is amended to read:

Subd. 1a. [USE OF FUNDS.] (a) The money in the account may be spent only for the following purposes:

(1) assistance to any person for resource recovery projects funded under subdivision 4 or projects to develop and coordinate markets for

reusable or recyclable waste materials, including related public education, planning, and technical assistance;

- (2) grants to counties under section 473.8441;
- (3) program administration by the metropolitan council;
- (4) public education on solid waste reduction and recycling; and
- (5) solid waste research.

(b) The council shall allocate at least 50 percent of the annual revenue received by the account, including interest and any amount carried over from a previous fiscal year, for grants to counties under section 473.8441.

Sec. 47. Minnesota Statutes 1990, section 85.012, is amended by adding a subdivision to read:

Subd. 23a. Glendalough state park, Otter Tail county.

Sec. 48. [GLENDALOUGH STATE PARK.]

Subdivision 1. [ESTABLISHMENT.] Glendalough state park is established in Otter Tail county.

Subd. 2. [ACQUISITION.] The commissioner of natural resources is authorized to acquire by gift or purchase the lands for Glendalough state park. The commissioner shall give emphasis to the management of wildlife within the park and shall interpret these management activities for the public. Except as otherwise provided in this subdivision, all lands acquired for Glendalough state park shall be administered in the same manner as provided for other state parks and shall be perpetually dedicated for that use.

Subd. 3. [PAYMENT IN LIEU OF TAXES FOR PRIVATE TRACTS.](a) If a tract or lot or privately owned land is acquired for inclusion within Glendalough state park and, as a result of the acquisition, taxes are no longer assessed against the tract or lot or improvements on the tract or lot, the following amount shall be paid by the commissioner of natural resources to Otter Tail county for distribution to the taxing districts:

(1) in the first year after taxes are last required to be paid on the property, 80 percent of the last required payment;

(2) in the second year after taxes are last required to be paid on the property, 60 percent of the last required payment;

(3) in the third year after taxes are last required to be paid on the property, 40 percent of the last required payment; and

(4) in the fourth year after taxes are last required to be paid on the property, 20 percent of the last required payment.

(b) The commissioner shall make the payments from money appropriated for state park maintenance and operation. The county auditor shall certify to the commissioner of natural resources the total amount due to a county on or before March 30 of the year in which money must be paid under this section. Money received by a county under this subdivision shall be distributed to the various taxing districts in the same proportion as the levy on the property in the last year taxes were required to be paid on the property.

Subd. 4. [BOUNDARIES.] The following described lands are located within the boundaries of Glendalough state park:

Government Lots 3 and 4 and that part of Lake Emma and its lake bed lying in Section 7; all of Section 18; Government Lot 1, the Northeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 19; all in Township 133 North, Range 39 West.

All of Section 13; Government Lots 1 and 2, the West Half of the Southeast Quarter, the Northeast Quarter and the Southwest Quarter of Section 14; Government Lots 1 and 2, the East 66 feet of the West Half of the Southeast Quarter and the Northeast Quarter of Section 23; Government Lots 1, 2, 3, 4, 5, 6, and 8, the Northwest Quarter of the Northwest Quarter, the East Half of the Southeast Quarter of Section 24; that part of Government Lot 7 of Section 24 lying easterly of the following described line: commencing at the northeast corner of Government Lot 1 of Section 25, Township 133 North, Range 40 West; thence North 89 degrees 22 minutes 29 seconds West on an assumed bearing along the north line of said Section 25 a distance of 75.00 feet to the point of beginning; thence on a bearing of North 37 feet, more or less, to the shoreline of Molly Stark Lake and there terminating; that part of Government Lot 1 of Section 25 lying northerly of County State Aid Highway No. 16 and westerly of the following described line: commencing at the northeast corner of said Government Lot 1; thence on an assumed bearing of South along the east line of said Government Lot 1 a distance of 822.46 feet; thence North 77 degrees 59 minutes 14 seconds West 414.39 feet to the point of beginning; thence North 04 degrees 28 minutes 54 seconds East 707 feet, more or less, to the shoreline of Molly Stark Lake and there terminating; the westerly 50 feet except the northerly 643.5 feet of Government Lot 1 of Section 25; Government Lot 1 of Section 26 except the easterly 50 feet of the northerly 643.5 feet; all in Township 133 north, Range 40 West.

Subd. 5. [EFFECTIVE DATE.] Section 47 and this section are effective the day following final enactment.

Sec. 49. [REPEALER.]

Minnesota Statutes 1990, sections 97B.721; and 116P.04, subdivision 5, are repealed.

Sec. 50. [EFFECTIVE DATE.]

Sections 12 to 17 are effective January 1, 1993.

### ARTICLE 3 AGRICULTURE

Section 1. Minnesota Statutes 1990, section 18.46, subdivision 6, is amended to read:

Subd. 6. [NURSERY STOCK GROWER.] ~~A nursery operator: A "Nursery operator is any stock grower"~~ means a person who owns, leases, manages, or is in charge of a nursery.

Sec. 2. Minnesota Statutes 1990, section 18.46, subdivision 9, is amended to read:

Subd. 9. [NURSERY STOCK DEALER.] ~~A dealer: A "Nursery stock dealer is any"~~ means a person who obtains nursery stock for the purpose of sale or distribution and includes any person who sells and distributes for more than one nursery operator stock grower. A person who purchases more than half of the nursery stock offered for sale at a sales location during the current certificate year shall be considered a nursery stock dealer rather than a nursery operator stock grower for the purposes of determining a proper fee schedule.

Sec. 3. Minnesota Statutes 1990, section 18.46, is amended by adding a subdivision to read:

Subd. 9a. [LANDSCAPER.] "Landscaper" is a nursery stock dealer who obtains certified nursery stock for immediate sale, distribution, or installation and who does not grow or maintain nursery stock for resale.

Sec. 4. Minnesota Statutes 1990, section 18.49, subdivision 2, is amended to read:

Subd. 2. [CERTIFICATE.] It is unlawful for a person to sell or distribute nursery stock to a nursery stock dealer or nursery

operator stock grower who does not have a valid certificate of inspection grower's or dealer's certificate.

Sec. 5. Minnesota Statutes 1990, section 18.51, is amended to read:

**18.51 [NURSERY STOCK GROWER'S CERTIFICATE OF INSPECTION.]**

Subdivision 1. [CERTIFICATE REQUIRED.] Each nursery operator stock grower shall obtain a nursery stock grower's certificate of inspection from the commissioner. Said certificate shall be obtained before offering nursery stock for sale or distribution. Each certificate shall expire on November 15 of each year.

Subd. 2. [FEES; PENALTY.] A nursery operator stock grower shall pay an annual fee before the commissioner shall issue a certificate of inspection. This fee shall be based on the area of all of the operator's nursery stock grower's nurseries as follows:

**Nurseries:**

- |   |   |
|---|---|
| (1) 1/2 acre or less                        | <del>\$40</del> \$70 per nursery <u>operator stock grower</u>   |
| (2) Over 1/2 acre to and including 2 acres  | <del>\$60</del> \$85 per nursery <u>operator stock grower</u>   |
| (3) Over 2 acres to and including 10 acres  | <del>\$125</del> \$150 per nursery <u>operator stock grower</u>   |
| (4) Over 10 acres to and including 50 acres | <del>\$360</del> \$400 per nursery <u>operator stock grower</u>   |
| (5) Over 50 acres                           | \$725 per nursery <u>operator stock grower</u> for the first <u>50 acres</u> and <u>\$1 per acre</u> for each additional acre |

In addition to the above fees, a minimum penalty of \$10 or 25 percent of the fee due, whichever is greater, shall be charged for any application for renewal not received by January 1 of the year following expiration of a certificate.

Sec. 6. Minnesota Statutes 1990, section 18.52, subdivision 1, is amended to read:

Subdivision 1. [CERTIFICATES REQUIRED.] A dealer's nursery stock dealer certificate shall be obtained by every nursery stock dealer for each location before offering nursery stock for sale or distribution unless the nursery stock dealer holds a valid greenhouse or nursery operator's stock grower's certificate either of which will permit a single sales location. This certificate or a duplicate thereof shall be displayed in a prominent manner at each place

where nursery stock is offered for sale. A certificate to sell or distribute certified nursery stock may be obtained by a nursery stock dealer or by an agent through a principal, from the commissioner. The commissioner may refuse to issue a dealer's nursery stock dealer or agent's agent certificate for cause.

Sec. 7. Minnesota Statutes 1990, section 18.52, subdivision 5, is amended to read:

Subd. 5. [FEES; PENALTY.] A nursery stock dealer shall pay an annual fee based on the dealer's gross sales during the preceding certificate year. A nursery stock dealer operating for the first year will pay the minimum fee.

Dealers:

(1)	Gross sales up to <u>\$1,000 \$5,000</u>	at a location <u>\$40 \$70</u> per location
(2)	Gross sales over <u>\$1,000</u> and up to <u>\$5,000</u>	at a location <u>\$50</u> per location
(3)	Gross sales over <u>\$5,000</u> up to <u>\$10,000</u>	at a location <u>\$85 \$100</u> per location
(4)	(3) Gross sales over <u>\$10,000</u> up to <u>\$25,000</u>	at a location <u>\$125 \$200</u> per location
(5)	(4) Gross sales over <u>\$25,000</u> up to <u>\$75,000</u>	at a location <u>\$175 \$300</u> per location
(6)	(5) Gross sales over <u>\$75,000</u> up to <u>\$100,000</u>	at a location <u>\$260 \$400</u> per location
(7)	(6) Gross sales over <u>\$100,000</u> up to <u>\$250,000</u>	at a location <u>\$400 \$500</u> per location
(7)	<u>Gross sales over \$250,000</u>	at a location <u>\$600 per location</u>

In addition to the above fees, a minimum penalty of \$10 or 25 percent of the fee due, whichever is greater, shall be charged for any application for renewal not received by January 1 of the year following expiration of a certificate.

Sec. 8. Minnesota Statutes 1990, section 18.54, subdivision 2, is amended to read:

Subd. 2. [VIRUS DISEASE-FREE CERTIFICATION.] The commissioner shall have the authority to provide special services such as virus disease-free certification and other similar programs. Participation by nursery operators stock growers shall be voluntary. Plants offered for sale as certified virus-free must be grown according to

certain procedures in a manner defined by the commissioner for the purpose of eliminating viruses and other injurious disease or insect pests. The commissioner shall collect reasonable fees from participating nursery ~~operators~~ stock growers for services and materials that are necessary to conduct this type of work, as provided in section 16A.128.

Sec. 9. Minnesota Statutes 1990, section 18.55, is amended to read:

18.55 [RECIPROCITY WITH OTHER STATES.]

Subdivision 1. [OUT-OF-STATE NURSERY OPERATOR STOCK GROWER, DEALER, OR AGENT.] A nursery ~~operator~~ stock grower, dealer, or agent from another state which issues certificates to nursery ~~operators~~ stock growers, dealers, or agents of Minnesota on the same or similar basis as to nursery ~~operators~~ stock growers, dealers, or agents of such state may operate in Minnesota upon complying with the plant pest act without procuring a Minnesota certificate. Any person from another state shipping nursery stock into Minnesota shall be accorded treatment similar to that which is required of Minnesota nursery ~~operators~~ stock growers, dealers, or agents who ship or sell nursery stock in such state. No reciprocity shall be extended under this section until the commissioner has first determined which states issue certificates to nursery ~~operators~~ stock growers, dealers, or agents of Minnesota on the same or similar basis as to nursery ~~operators~~ stock growers, dealers, or agents of such states.

Subd. 2. [FILING OUT-OF-STATE CERTIFICATES OF INSPECTION.] Each out-of-state nursery ~~operator~~ stock grower or dealer whose nursery stock is sold, offered for sale, or distributed within this state shall file a certified current copy of an out-of-state certificate in the office of the commissioner. The commissioner may accept, in lieu of such individual certificates, a certified list of current certified nursery ~~operators~~ stock growers or dealers from the regulatory agency having jurisdiction in the state of origin, and may distribute such lists to persons in the state of Minnesota requesting them. The commissioner also may supply certified lists of certified Minnesota nursery ~~operators~~ stock growers and dealers offering nursery stock for sale in Minnesota and other states on request of any person. If any certified nursery ~~operator~~ stock grower or dealer has violated any provisions of the plant pest act, the filed certificate will be voided or the nursery ~~operator's~~ person's name will be stricken from the appropriate certified list.

Sec. 10. Minnesota Statutes 1990, section 18.56, is amended to read:

18.56 [TAGS.]

A tag bearing a reasonable facsimile of the nursery stock grower or dealer certificate of inspection shall be attached to every package or bundle of nursery stock sold or transported by any person. The form of each tag shall be approved by the commissioner before being used.

Sec. 11. Minnesota Statutes 1990, section 18.57, is amended to read:

18.57 [CARRIERS NOT TO ACCEPT UNTAGGED STOCK.]

All carriers for hire, including railroad companies, express companies and truck lines shall not accept nursery stock which is not tagged with a valid tag of the nursery stock grower or dealer making the shipment. The carrier shall promptly notify the commissioner regarding any prohibited shipment.

Sec. 12. Minnesota Statutes 1990, section 18.60, is amended to read:

18.60 [PENALTIES.]

Subdivision 1. [~~CERTIFICATE MAY BE REVOKED REVOCATION.~~] In addition to or in lieu of civil penalties under subdivision 2, the certificate of any person violating any of the provisions of the plant pest act may be suspended or revoked by the commissioner upon five days notice and opportunity to be heard.

Subd. 2. [~~MISDEMEANOR.~~] Any person violating any of the provisions of the plant pest act, or any rule promulgated thereunder shall be guilty of a misdemeanor. [CIVIL PENALTY.] The commissioner may impose a penalty upon a person who violates the plant pest act. For a first violation, the commissioner may impose a civil penalty of not less than \$100 nor more than \$1,000 for each act in violation. The penalty may not exceed \$25,000. If a person is found guilty of the same violation a second time during a certificate year, the commissioner may impose a civil penalty of not less than \$500 nor more than \$5,000 for each act in violation. The penalty may not exceed \$50,000. The penalty provisions for a second violation apply to successive violations. In determining the amount of the civil penalty to be assessed under this section, the commissioner shall consider the gravity of the offense, the size of the business involved, and the effect of the penalty on the person's ability to continue in business.

Subd. 3. [APPEAL.] A person adversely affected by an act, order, or ruling made under this section, or a rule adopted under the plant pest act, may appeal under chapter 14.

Subd. 4. [FAILURE TO OBEY.] Violations of an administrative



order made under this section or a rule adopted under the plant pest act, must be punished by the district court under the laws of contempt. Each day of failure to obey an order of the commissioner is a separate violation and each violation of a particular act enjoined by the court is a separate violation.

Sec. 13. Minnesota Statutes 1990, section 27.19, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITED ACTS.] (a) A person subject to the provisions of this section and sections 27.01 to 27.15 may not:

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

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

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

(4) fail to account or make a settlement for produce within the required time;

(5) violate or fail to comply with the terms or conditions of a contract entered into by the person for the purchase or sale of produce;

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

(7) issue a false or misleading market quotation, or cancel a quotation during the period advertised by the person;

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

(9) receive decorative forest products and the products of farms and waters from foreign states or countries for sale or resale, either within or outside of the state, and give the purchaser the impression, through any method of advertising or description, that the produce is of Minnesota origin;

(10) fail to notify in writing all suppliers of produce of the protection afforded to suppliers by the person's licensee bond, including: availability of a bond, notice requirements, and any other conditions of the bond;

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

(12) commit to pay and not pay in full for all produce committed for. A processor may not commit to pay an amount less than the full contract price if the crop produced is satisfactory for processing and is not harvested for reasons within the processor's control. If the processor sets the date for planting, bunching, unusual yields, and a processor's inability or unwillingness to harvest must be considered to be within the processor's control. Under this clause growers must be compensated for passed acreage at the same rate for grade and yield as they would have received had the crop been harvested in a timely manner minus any contractual provision for green manure or feed value. Both parties are excused from payment or performance for crop conditions that are beyond the control of the parties; or

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

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

Sec. 14. Minnesota Statutes 1990, section 28A.08, is amended to read:

#### 28A.08 [LICENSE FEES; PENALTIES.]

License fees, penalties for late renewal of licenses, and penalties for not obtaining a license before conducting business in food handling that are set in this section apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter. The late penalty penalties may be waived by the commissioner.

Type of food handler	License Fee	Penalties	
		Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of less than <del>\$50,000</del> <u>\$25,000</u> for the immediately previous license or fiscal year	<del>\$ 40</del> <u>\$ 50</u>	<del>\$ 10</del> <u>\$ 15</u>	<del>\$ 13</del> <u>\$ 25</u>
(b) Having <u>\$25,000 to \$50,000</u> gross sales for the immediately previous license or fiscal year	<u>\$ 75</u>	<u>\$ 20</u>	<u>\$ 50</u>
( <del>b</del> ) (c) Having <u>\$50,000 to \$250,000</u> gross sales for the immediately previous license or fiscal year	<del>\$ 75</del> <u>\$125</u>	<del>\$ 25</del> <u>\$ 35</u>	<del>\$ 25</del> <u>\$ 75</u>
(e) (d) Having <u>\$250,000 to \$1,000,000</u> gross sales for the immediately previous license or fiscal year	<del>\$125</del> <u>\$200</u>	<u>\$ 50</u>	<del>\$ 50</del> <u>\$100</u>
( <del>d</del> ) (e) Having <del>over</del> <u>\$1,000,000 to \$5,000,000</u> gross sales for the immediately previous license or fiscal year	<del>\$250</del> <u>\$350</u>	<del>\$ 75</del> <u>\$100</u>	<del>\$100</del> <u>\$175</u>
(f) Having <u>\$5,000,000 to \$10,000,000</u> gross sales for the immediately previous license or fiscal year	<u>\$575</u>	<u>\$150</u>	<u>\$300</u>
(g) Having <del>over</del> <u>\$10,000,000</u> gross sales for the immediately previous license or fiscal year	<u>\$600</u>	<u>\$200</u>	<u>\$350</u>
2. Wholesale food handler			
(a) Having gross sales or service of less than <u>\$250,000</u> for the immediately previous license or fiscal year	<del>\$100</del> <u>\$200</u>	<del>\$ 25</del> <u>\$ 50</u>	<del>\$ 50</del> <u>\$100</u>
(b) Having <u>\$250,000 to \$1,000,000</u> gross sales or service for the immediately previous license or fiscal year	<del>\$150</del> <u>\$400</u>	<del>\$ 38</del> <u>\$100</u>	<del>\$ 75</del> <u>\$200</u>
(c) Having <del>over</del> <u>\$1,000,000 to \$5,000,000</u> gross sales or service for the immediately previous license or fiscal year	<del>\$200</del> <u>\$500</u>	<del>\$ 50</del> <u>\$125</u>	<del>\$100</del> <u>\$250</u>

<u>(d) Having over \$5,000,000</u> <u>gross sales for the</u> <u>immediately previous license</u> <u>or fiscal year</u>				<u>\$575</u>	<u>\$150</u>	<u>\$300</u>
3. Food broker	<u>\$ 75</u> <u>\$100</u>	<u>\$ 25</u> <u>\$ 30</u>	<u>\$ 25</u> <u>\$ 50</u>			
4. Wholesale food processor or manufacturer						
(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	<u>\$200</u> <u>\$275</u>	<u>\$ 50</u> <u>\$ 75</u>	<u>\$ 75</u> <u>\$150</u>			
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	<u>\$275</u> <u>\$400</u>	<u>\$ 75</u> <u>\$100</u>	<u>\$100</u> <u>\$200</u>			
(c) Having <del>over</del> \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	<u>\$375</u> <u>\$500</u>	<u>\$100</u> <u>\$125</u>	<u>\$125</u> <u>\$250</u>			
<u>(d) Having over \$5,000,000</u> <u>gross sales for the</u> <u>immediately previous license</u> <u>or fiscal year</u>				<u>\$575</u>	<u>\$150</u>	<u>\$300</u>
5. Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture						
(a) Having gross sales of less than \$250,000 for the immediately previous license <del>or</del> <u>or</u> fiscal year	<u>\$100</u> <u>\$150</u>	<u>\$ 25</u> <u>\$ 50</u>	<u>\$ 38</u> <u>\$ 75</u>			
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	<u>\$150</u> <u>\$225</u>	<u>\$ 50</u> <u>\$ 75</u>	<u>\$ 45</u> <u>\$125</u>			
(c) Having <del>over</del> \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	<u>\$175</u> <u>\$275</u>	<u>\$ 50</u> <u>\$ 75</u>	<u>\$ 53</u> <u>\$150</u>			
<u>(d) Having over \$5,000,000</u> <u>gross sales for the</u> <u>immediately previous license</u> <u>or fiscal year</u>				<u>\$325</u>	<u>\$100</u>	<u>\$175</u>

6. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese \$ 30 \$ 10 \$ 15
7. Nonresident frozen dairy manufacturer \$200 \$ 50 \$ 75

Sec. 15. Minnesota Statutes 1990, section 29.22, is amended to read:

**29.22 [DEALERS EGG HANDLERS ANNUAL INSPECTION FEE; DISPOSITION OF FEES.]**

Subd. 2. [COMPUTATION; FEE SCHEDULE; RECORDS.] In addition to the annual ~~dealer's food handler's~~ license, required under section 28A.04, there ~~shall be~~ is an annual inspection fee applicable to every person who engages in the business of buying for resale, selling, ~~dealing~~, or trading in eggs except a retail grocer who sells eggs previously candled and graded, ~~such~~. The fee ~~to~~ must be computed on the basis of the number of cases of shell eggs handled at each place of business during the month of April of each year, ~~providing that if said dealer or processor is not operating during the month of April, the department shall estimate the volume of shell eggs handled, and may revise the fee after three months of operation. In the event that highest volume month of each licensing year.~~ If a given lot of eggs is moved from one location of business to a second location of business and ~~provided that the dealers' food handler's license is held by the same person at both locations, the given lot of eggs shall must be counted in determining the volume of business on which the inspection fee is based at the first location of business but shall must not enter into the computation of volume of business for the second location. For the purpose of determining fees, a case shall be "case" means one of 30 dozen capacity. The schedule of fees shall be~~ is as follows:

**VOLUME (30 DOZEN CASES) IN APRIL MINIMUM  
- MAXIMUM FEE**

<u>HIGHEST VOLUME OF CASES EACH LICENSING YEAR</u>	<u>FEE</u>
1 - 400	\$ 5 - \$ 10
51 - 100	\$ 25
101 - 1000	\$ 10 - \$ 25
1001 - 2000	\$ 25 - \$ 50
2001 - 4000	\$ 50 - \$ 75
4001 - 6000	\$ 75 - \$100
6001 - 8000	\$100 - \$125
8001 - 10,000	\$125 - \$150
OVER 10,000	\$150 - \$200

The commissioner shall fix the annual inspection fee within the limits set herein and may annually adjust the fee, as the commissioner deems necessary, within those limits, to more nearly meet the costs of inspection required to enforce the provisions of sections 29.21 to 29.28. Each person subject to such the inspection fee in this section shall, under the direction of the commissioner, keep such records as may be necessary to accurately determine the volume of shell eggs on which the inspection fee is due and shall prepare annually a written report of such the volume upon forms supplied by the commissioner. This report, together with the required inspection fee, shall must be filed with the department on or before the last day of May of each year.

Subd. 3. [CANDLERS AND GRADERS.] The commissioner shall have has general supervisory powers over the candlers and graders of eggs and may conduct, in collaboration with the institute college of agriculture and the extension service of the University of Minnesota, an educational and training program to improve the efficiency and quality of the work done by such candlers.

Subd. 4. [EGG BREAKING PLANTS.] Any person engaged in the business of breaking eggs for resale shall at all times comply with the rules of the department in respect to the conduct of such that business. The commissioner shall collect from each egg breaking plant laboratory fees for routine analysis and full reimbursement for services performed by a state inspector assigned to that plant on a continuous basis as provided for in under section 29.27.

Subd. 5. [DEPOSIT DISPOSITION OF FEES; APPROPRIATION.] All fees collected, together with and all fines paid for any a violation of any provision of sections 29.21 to 29.28 or any rules promulgated thereunder under those sections, as well as all license fees and penalties for late license renewal, shall must be deposited in the state treasury, and shall be credited to a separate account to be known as the egg law inspection fund, which is hereby created, set aside, and appropriated as a revolving fund to be used by the department to help defray the expense of inspection, supervision, and enforcement of sections 29.21 to 29.28 and shall be is in addition to and not in substitution for the sums regularly appropriated or otherwise made available for this purpose to the department.

Sec. 16. Minnesota Statutes 1990, section 31.39, is amended to read:

31.39 [ASSESSMENTS; INSPECTION SERVICES; COMMERCIAL CANNERIES ACCOUNT.]

The commissioner is hereby authorized and directed to collect

from each commercial cannery an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing such bacteriologists and trained and qualified sanitarians as the commissioner may deem necessary. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned, or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed ~~\$2,500~~ \$3,000, and the minimum assessment to any cannery in any one calendar year shall be \$100; ~~provided, that the amount of the annual license fee collected under section 28A.08 shall be used to reduce the annual assessment for that year.~~ The commissioner shall provide appropriate deductions from assessments for the net weight of meat, chicken, or turkey ingredients which have been inspected and passed for wholesomeness by the United States Department of Agriculture. The commissioner may, when the commissioner deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. The assessment made and the license fees, penalties, and other sums so collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the commercial canneries inspection account, which is hereby created, and together with moneys now remaining in said account, set aside, and appropriated as a revolving fund, to meet the expense of special inspection, laboratory and other services rendered, as provided in sections 31.31 to 31.392. The amount of such assessment shall be due and payable on or before December 31, of each year, and if not paid on or before February 15 following, shall bear interest after that date at the rate of seven percent per annum, and a penalty of ten percent on the amount of the assessment shall also be added and collected.

Sec. 17. Minnesota Statutes 1990, section 32.394, subdivision 8, is amended to read:

Subd. 8. [GRADE A INSPECTION FEES.] A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market Grade A milk or use the Grade A label must apply for Grade A inspection service from the commissioner. A pasteurization plant requesting Grade A inspection service must hold a Grade A permit and pay an annual inspection fee of no more than \$500. For Grade A farm inspection service, the fee must be no more than ~~\$66~~ \$50 per farm, paid annually by the processor or by the marketing organization on behalf of its patrons. For a farm requiring a reinspection in addition to the required biannual inspections, an additional fee of no more than ~~\$33~~ \$25 per reinspection must be paid by the processor or by the marketing organization on behalf of its patrons. ~~If the commissioner deems it necessary to more nearly meet the cost of the service, the commissioner may annually adjust the assessments within the limits set in this subdivision.~~ The Grade A farm inspection fee must not exceed the lesser of (1) 40 percent of

the department's actual average cost per farm inspection or reinspection; or (2) the dollar limits set in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings.

Sec. 18. Minnesota Statutes 1990, section 32.394, subdivision 8b, is amended to read:

Subd. 8b. [MANUFACTURING GRADE FARM CERTIFICATION.] A processor or marketing organization of milk, milk products, sheep milk, or goat milk who wishes to market other than Grade A milk must apply for a manufacturing grade farm certification inspection from the commissioner. A manufacturing plant that pasteurizes milk or milk by-products must pay an annual fee based on the number of pasteurization units. This fee must not exceed \$140 per unit. The fee for farm certification inspection must not be more than ~~\$33~~ \$25 per farm to be paid annually by the processor or by the marketing organization on behalf of its patrons. For a farm requiring more than the one ~~annual~~ inspection required for certification, ~~an additional~~ a reinspection fee of no more than ~~\$33~~ \$25 must be paid by the processor or by the marketing organization on behalf of its patrons. The fee must be set by the commissioner in an amount necessary to meet cover 40 percent of the department's actual cost of providing the service annual inspection but must not exceed the limits in this subdivision. No fee increase may be implemented until after the commissioner has held three or more public hearings.

Sec. 19. Minnesota Statutes 1990, section 32.394, is amended by adding a subdivision to read:

Subd. 8d. [PROCESSOR ASSESSMENT.] (a) A manufacturer shall pay to the commissioner a fee for fluid milk processed and milk used in the manufacture of fluid milk products sold in Minnesota. Beginning July 1, 1991, the fee is five cents per hundredweight. If the commissioner determines that a different fee, not exceeding nine cents per hundredweight, when combined with general fund appropriations and fees charged under sections 17 and 18, is needed to provide adequate funding for the Grades A and B inspection programs, the commissioner may, by rule, change the fee on processors.

(b) Processors must report quantities of milk processed under paragraph (a) on forms provided by the commissioner. Processor fees must be paid monthly. The commissioner may require the production of records as necessary to determine compliance with this subdivision.

Sec. 20. [CONTINUED LEVEL OF DAIRY FARM INSPECTIONS.]



Minnesota consumers of milk and dairy foods benefit from adequate supplies of pure, healthful, wholesome products. On-farm inspections contribute to the consistently high quality of dairy products. The commissioner of agriculture must continue dairy farm inspections at a level no lower than 1990.

Sec. 21. Laws 1987, chapter 396, article 6, section 2, is amended to read:

Sec. 2. [17.107] [MINNESOTA GROWN MATCHING ACCOUNT.]

Subdivision 1. [ESTABLISHMENT.] The Minnesota grown matching account is established as a separate account in the state treasury. The account shall be administered by the commissioner of agriculture as provided in this section.

Subd. 2. [FUNDING SOURCES.] The Minnesota grown matching account shall consist of contributions from private sources and appropriations.

Subd. 3. [APPROPRIATIONS MUST BE MATCHED BY PRIVATE FUNDS.] (a) Appropriations to the Minnesota grown matching account may be expended only to the extent that they are matched with contributions to the account from private sources as ~~provided in paragraph (b) for fiscal years 1988 and 1989.~~

~~(b) Private contributions shall be matched on a basis of four dollars \$4 of the appropriation to each one dollar \$1 of private contributions. Matching funds are not available after the appropriation is encumbered. Private contributions made from January 1, 1987, until the end of fiscal year 1987 shall be matched by the appropriation for fiscal year 1988. Amounts that are not matched in fiscal year 1988 are available to be matched in fiscal year 1989.~~

Subd. 4. [EXPENDITURES.] The amount in the Minnesota grown matching account that is matched by private contributions and the private contributions are appropriated to the commissioner of agriculture for promotion of products using the Minnesota grown logo and labeling.

Sec. 22. [EFFECTIVE DATE.]

Section 13 is effective the day following final enactment and covers contracts for the 1991 crop year."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resources, and agricultural purposes; regulating the amounts, im-

sitions, and processing of various fees prescribed for various licenses issued and activities regulated by the departments of agriculture and natural resources; amending Minnesota Statutes 1990, sections 14.18; 16A.123, subdivision 5; 18.191; 18.46, subdivisions 6, 9, and by adding a subdivision; 18.49, subdivision 2; 18.51; 18.52, subdivisions 1 and 5; 18.54, subdivision 2; 18.55; 18.56; 18.57; 18.60; 27.19, subdivision 1; 28A.08; 29.22; 31.39; 32.394, subdivisions 8, 8b, and by adding a subdivision; 84.82, subdivisions 2 and 3; 84.944, subdivision 2; 84.96, subdivision 5; 85.012, by adding a subdivision; 85.015, by adding a subdivision; 85.22, subdivisions 1 and 2a; 86B.415, subdivisions 1, 2, 3, 4, 5, 6, and 7; 97A.075, subdivision 2; 97A.141, by adding a subdivision; 97A.325, subdivision 2; 97A.435, subdivision 2; 97A.475, subdivisions 2, 3, and 7; 97A.485, subdivision 7; 97B.301, by adding a subdivision; 97C.001, subdivision 3; 103B.321, subdivision 1; 116.07, subdivision 4d; 116.18, subdivision 2a; 116P.05; 116P.06; 116P.07; 116P.08, subdivisions 3 and 4; 116P.09, subdivisions 2, 4, 5, and 7; 168C.04, subdivision 1; and 473.844, subdivision 1a; Laws 1987, chapter 396, article 6, section 2; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 1990, sections 97B.721; and 116P.04, subdivision 5."

The motion prevailed and the amendment was adopted.

Battaglia, Stanius and Osthoff moved to amend S. F. No. 1533, as amended, as follows:

Page 45, after line 25, insert:

"Sec. 8. [84.967] [ECOLOGICALLY HARMFUL SPECIES; DEFINITION.]

For the purposes of sections 9 to 11, "ecologically harmful exotic species" means non-native aquatic plants or wild animals that can naturalize, have high propagation potential, are highly competitive for limiting factors, and cause displacement of, or otherwise threaten, native plants or native animals in their natural communities.

Sec. 9. [84.968] [ECOLOGICALLY HARMFUL EXOTIC SPECIES MANAGEMENT PLAN.]

By January 1, 1993, a long-term statewide ecologically harmful exotic species management plan must be prepared by the commissioner of natural resources and address the following:

(1) coordinated detection and prevention of accidental introductions;

(2) coordinated dissemination of information about ecologically

harmful exotic species among resource management agencies and organizations;

(3) a coordinated public awareness campaign regarding ecologically harmful exotic animals and aquatic plants;

(4) a process, where none exists, to designate and classify ecologically harmful exotic species into the following categories:

(i) undesirable wild animals that must not be sold, propagated, possessed, or transported; and

(ii) undesirable aquatic exotic plants that must not be sold, propagated, possessed, or transported;

(5) coordination of control and eradication of ecologically harmful exotic species on public lands and public waters; and

(6) develop a list of exotic wild animal species intended for nonagricultural purposes, or propagation for release by state agencies or the private sector.

Sec. 10. [84.969] [COORDINATING PROGRAM, GRANTS, AND REGIONAL COOPERATION.]

Subdivision 1. [COORDINATING PROGRAM.] The commissioner of natural resources shall establish a statewide coordinating program to prevent and curb the spread of ecologically harmful exotic animals and aquatic plants.

Subd. 2. [GRANTS.] The coordinating program created in subdivision 1 may accept gifts, donations, and grants to accomplish its duties and must seek available federal grants through the federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. A portion of these funds shall be used to implement the plan under section 9.

Subd. 3. [REGIONAL COOPERATION.] The governor may cooperate, individually and regionally, with other state governors in the midwest for the purposes of ecologically harmful exotic species management and control.

Sec. 11. [84.9691] [RULEMAKING.]

The commissioner of natural resources may adopt rules, including emergency rules, to restrict the introduction, propagation, use, possession, and spread of ecologically harmful exotic animals and aquatic plants in the state."

Page 65, line 28, before "Sections" insert:

"Sections 8 to 11 are effective the day following final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Rukavina moved to amend S. F. No. 1533, as amended, as follows:

Page 54, after line 13, insert:

"Sec. 34. Minnesota Statutes 1990, section 103G.271, subdivision 6, is amended to read:

Subd. 6. [WATER USE PERMIT PROCESSING FEE.] (a) Except as described in paragraphs (b) to (e), a water use permit processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

(1) 0.05 cents per 1,000 gallons for the first 50,000,000 gallons per year;

(2) 0.10 cents per 1,000 gallons for amounts greater than 50,000,000 gallons but less than 100,000,000 gallons per year;

(3) 0.15 cents per 1,000 gallons for amounts greater than 100,000,000 gallons but less than 150,000,000 gallons per year; and

(4) 0.20 cents per 1,000 gallons for amounts greater than 150,000,000 gallons but less than 200,000,000 gallons per year;

(5) 0.25 cents per 1,000 gallons for amounts greater than 200,000,000 gallons but less than 250,000,000 gallons per year;

(6) 0.30 cents per 1,000 gallons for amounts greater than 250,000,000 gallons but less than 300,000,000 gallons per year;

(7) 0.35 cents per 1,000 gallons for amounts greater than 300,000,000 gallons but less than 350,000,000 gallons per year;

(8) 0.40 cents per 1,000 gallons for amounts greater than 350,000,000 gallons but less than 400,000,000 gallons per year; and

(9) 0.45 cents per 1,000 gallons for amounts greater than 400,000,000 gallons per year.

(b) For once-through cooling systems, a water use processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

(1) for nonprofit corporations and school districts:

(i) 5.0 cents per 1,000 gallons until December 31, 1991;

(ii) 10.0 cents per 1,000 gallons from January 1, 1992, until December 31, 1996; and

(iii) 15.0 cents per 1,000 gallons after January 1, 1997; and

(2) for all other users after January 1, 1990, 20 cents per 1,000 gallons.

(c) The fee is payable based on the amount of water appropriated during the year and in no case may the fee be less than \$50. The commissioner shall notify all permittees of the fee changes authorized by this law by July 1, 1990. The commissioner is authorized to refund 1989 water use report processing fees under this subdivision.

(d) For water use processing fees other than once-through cooling systems:

(1) the fee for a city of the first class may not exceed \$175,000 per year;

(2) the fee for other entities for any permitted use may not exceed:

(i) \$35,000 per year for an entity holding three or fewer permits;

(ii) \$50,000 per year for an entity holding four or five permits;

(iii) \$175,000 per year for an entity holding more than five permits;

(3) the fee for agricultural irrigation may not exceed \$750 per year; and

(4) the fee for a municipality that furnishes electric service and cogenerates steam for home heating may not exceed \$10,000 for its permit for water use related to the cogeneration of electricity and steam.

(e) Failure to pay the fee is sufficient cause for revoking a permit. A fee may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal governmental agency holding a water appropriation permit.

(f) For once-through systems fees payable after July 1, 1993, at least 50 percent of the fee deposited in the general fund shall be used for grants, loans, or other financial assistance as appropriated by the legislature to assist in financing retrofitting of permitted once-through systems until December 31, 1999. The commissioner shall adopt rules for determining eligibility and criteria for the issuance of grants, loans, or other financial assistance for retrofitting according to chapter 14, by July 1, 1993.

(g) This subdivision applies to permits issued or effective on or after January 1, 1990."

A roll call was requested and properly seconded.

The question was taken on the Rukavina amendment and the roll was called. There were 59 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Jaros	McEachern	Rodosovich
Anderson, R. H.	Farrell	Jefferson	McPherson	Rukavina
Bauerly	Frerichs	Johnson, A.	Milbert	Sarna
Beard	Garcia	Johnson, R.	Nelson, S.	Seaberg
Begich	Goodno	Kelso	O'Connor	Steensma
Blatz	Gutknecht	Kinkel	Onnen	Thompson
Bodahl	Hanson	Krinkie	Ozment	Tompkins
Carruthers	Hartle	Lasley	Pellow	Vellenga
Clark	Hasskamp	Lieder	Peterson	Welker
Dauner	Heir	Lourey	Reding	Wenzel
Davids	Jacobs	Lynch	Rest	Winter
Dawkins	Janezich	Mariani	Rice	

Those who voted in the negative were:

Abrams	Girard	Leppik	Omann	Stanius
Anderson, R.	Gruenes	Limmer	Orfield	Sviggunn
Battaglia	Haukoos	Long	Osthoff	Swenson
Bertram	Hausman	Macklin	Ostrom	Trimble
Bettermann	Henry	Marsh	Pauly	Uphus
Bishop	Hufnagle	McGuire	Pelowski	Valento
Boo	Hugoson	Morrison	Runbeck	Wagenius
Brown	Jennings	Munger	Schafer	Waltman
Carlson	Johnson, V.	Murphy	Scheid	Weaver
Cooper	Kahn	Nelson, K.	Segal	Wejcmann
Dempsey	Kalis	Newinski	Simoneau	Welle
Dille	Knickerbocker	Olsen, S.	Skoglund	Spk. Vanasek
Erhardt	Koppendrayner	Olson, E.	Smith	
Frederick	Krueger	Olson, K.	Sparby	

The motion did not prevail and the amendment was not adopted.

Dauids moved to amend S. F. No. 1533, as amended, as follows:

Page 9, after line 51, insert a new paragraph to read:

“\$50,000 for both years of the biennium are for land acquisition for the Camp Creek trail system between Harmony and Preston for biking, hiking and cross-country skiing.”

The motion did not prevail and the amendment was not adopted.

Johnson, R.; Rukavina; Onnen; Begich; Schafer; McEachern and Bauerly moved to amend S. F. No. 1533, as amended, as follows:

Page 46, delete lines 29 to 36

Page 47, delete lines 1 to 36

Page 48, delete lines 1 and 2

Page 65, delete lines 27 and 28

A roll call was requested and properly seconded.

The question was taken on the Johnson, R., et al amendment and the roll was called. There were 68 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Jennings	McPherson	Seaberg
Anderson, R. H.	Erhardt	Johnson, R.	Morrison	Smith
Bauerly	Frederick	Kelso	Nelson, S.	Steensma
Beard	Frerichs	Kinkel	O'Connor	Sviggum
Begich	Goodno	Knickerbocker	Ogren	Swenson
Bertram	Gruenes	Koppendrayner	Olsen, S.	Thompson
Bettermann	Gutknecht	Krinkie	Olson, E.	Tompkins
Blatz	Hanson	Lasley	Onnen	Uphus
Carruthers	Hartle	Limmer	Pellow	Waltman
Cooper	Hasskamp	Lourey	Peterson	Weaver
Dauner	Haukoos	Lynch	Rukavina	Welker
Dauids	Henry	Macklin	Sarna	Winter
Dempsey	Hufnagle	Marsh	Schafer	
Dille	Jaros	McEachern	Schreiber	

Those who voted in the negative were:

Abrams	Brown	Garcia	Hugoson	Johnson, V.
Anderson, R.	Carlson	Girard	Jacobs	Kahn
Battaglia	Clark	Greenfield	Janezich	Krueger
Bodahl	Dawkins	Hausman	Jefferson	Leppik
Boo	Farrell	Heir	Johnson, A.	Lieder

Long	Omann	Pugh	Segal	Tunheim
Mariani	Orenstein	Reding	Simoneau	Valento
McGuire	Orfield	Rest	Skoglund	Vellenga
Murphy	Osthoff	Rice	Solberg	Wagenius
Nelson, K.	Ostrom	Rodosovich	Sparby	Wejcman
Newinski	Ozment	Runbeck	Stanisus	Wenzel
Olson, K.	Pauly	Scheid	Trimble	Spk. Vanasek

The motion prevailed and the amendment was adopted.

Reding moved to amend S. F. No. 1533, as amended, as follows:

Page 53, delete lines 17 to 25

Renumber the sections in sequence

The motion did not prevail and the amendment was not adopted.

The Speaker called Rodosovich to the Chair.

Heir, Lynch, Davids and Bettermann offered an amendment to S. F. No. 1533, as amended.

Anderson, I., requested a division of the Heir et al amendment to S. F. No. 1533, as amended.

The first portion of the Heir et al amendment to S. F. No. 1533, as amended, reads as follows:

Page 9, delete lines 14 to 26 and insert:

"None of the appropriation in this section may be used to operate pumping facilities at Hill Annex Mine."

A roll call was requested and properly seconded.

The question was taken on the first portion of the Heir et al amendment and the roll was called. There were 40 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Anderson, R. H.	Frerichs	Hufnagle	Limmer	Pellow
Bettermann	Goodno	Hugoson	Lynch	Runbeck
Blatz	Gruenes	Knickerbocker	Morrison	Schafer
Davids	Hartle	Koppendrayer	Newinski	Schreiber
Dempsey	Haukoos	Krinkie	Onnen	Seaberg
Erhardt	Heir	Krueger	Ostrom	Stanisus
Frederick	Henry	Leppik	Pauly	Svigum



Swenson

Tompkins

Valento

Waltman

Welker

Those who voted in the negative were:

Abrams	Dorn	Lasley	Olson, E.	Smith
Anderson, I.	Farrell	Lieder	Olson, K.	Solberg
Anderson, R.	Garcia	Long	Omann	Steensma
Battaglia	Girard	Lourey	Orenstein	Thompson
Bauerly	Greenfield	Macklin	Orfield	Trimble
Beard	Hanson	Mariani	Ozment	Tunheim
Begich	Hasskamp	Marsh	Pelowski	Uphus
Bertram	Hausman	McEachern	Peterson	Vellenga
Bodahl	Jacobs	McGuire	Pugh	Wagenius
Boo	Janezich	McPherson	Reding	Weaver
Brown	Jefferson	Milbert	Rest	Wejzman
Carlson	Jennings	Munger	Rice	Welle
Carruthers	Johnson, A.	Murphy	Rodosovich	Wenzel
Clark	Johnson, R.	Nelson, K.	Rukavina	Winter
Cooper	Kahn	Nelson, S.	Sarna	Spk. Vanasek
Dauner	Kalis	O'Connor	Scheid	
Dawkins	Kelso	Ogren	Segal	
Dille	Kinkel	Olsen, S.	Simoneau	

The motion did not prevail and the first portion of the Heir et al amendment was not adopted.

The second portion of the Heir et al amendment to S. F. No. 1533, as amended, reads as follows:

Page 10, line 23, delete "\$1,467,000" and insert "\$1,617,000"

Page 10, line 24, delete "\$1,704,000" and insert "\$1,854,000"

A roll call was requested and properly seconded.

The question was taken on the second portion of the Heir et al amendment and the roll was called. There were 32 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Krinkie	Olsen, S.	Stanius
Anderson, R. H.	Goodno	Krueger	Onnen	Steensma
Blatz	Gruenes	Leppik	Osthoff	Swenson
Davids	Heir	Limmer	Ostrom	Tompkins
Erhardt	Henry	Lynch	Pauly	
Farrell	Hufnagle	Marsh	Pellow	
Frederick	Kinkel	Morrison	Schafer	

Those who voted in the negative were:

Anderson, I.	Begich	Brown	Dauner	Girard
Anderson, R.	Bertram	Carlson	Dawkins	Greenfield
Battaglia	Bettermann	Carruthers	Dille	Gutknecht
Bauerly	Bodahl	Clark	Dorn	Hanson
Beard	Boo	Cooper	Garcia	Hartle

Hasskamp	Koppendrayner	O'Connor	Rukavina	Tunheim
Haukoos	Lasley	Ogren	Runbeck	Uphus
Hausman	Lieder	Olson, E.	Sarna	Valento
Hugoson	Long	Olson, K.	Scheid	Vellenga
Jacobs	Lourey	Omann	Schreiber	Wagenius
Janezich	Mariani	Orenstein	Seaberg	Waltman
Jaros	McEachern	Orfield	Segal	Weaver
Jefferson	McGuire	Ozment	Simoneau	Wejzman
Jennings	McPherson	Pelowski	Skoglund	Welker
Johnson, A.	Milbert	Peterson	Smith	Welle
Johnson, R.	Munger	Pugh	Solberg	Wenzel
Kahn	Murphy	Reding	Sparby	Winter
Kalis	Nelson, K.	Rest	Sviggum	Spk. Vanasek
Kelso	Nelson, S.	Rice	Thompson	
Knickerbocker	Newinski	Rodosovich	Trimble	

The motion did not prevail and the second portion of the Heir et al amendment was not adopted.

Beard was excused for the remainder of today's session.

Dauner; Dille; Bertram; Nelson, S.; Uphus; Cooper and Peterson moved to amend S. F. No. 1533, as amended, as follows:

Page 2, line 10, delete the numbers and insert "142,432,500 140,146,500 282,579,000"

Page 15, line 2, delete the numbers and insert "209 209"

Page 15, line 7, delete the numbers and insert "11,689,000 11,681,000"

Page 15, line 14, delete the numbers and insert "4,816,000 4,806,000"

Page 15, after line 22, insert:

"The complement for the food inspection services program in each year of the biennium does not increase but remains the same as during fiscal year 1991."

Page 73, line 31, after the period insert "If the commissioner determines that fees and penalties set in this section exceed the department's actual costs, including reasonable administrative costs, for providing inspection services to food handlers, the commissioner shall reduce the license fees proportionately to the level at which revenues match costs."

A roll call was requested and properly seconded.

The question was taken on the Dauner et al amendment and the roll was called. There were 52 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Davids	Johnson, R.	Olson, E.	Thompson
Anderson, R.	Dawkins	Kelso	Onnen	Uphus
Anderson, R. H.	Dille	Knickerbocker	Ostrom	Valento
Bauerly	Dorn	Krinkie	Peterson	Vellenga
Bertram	Goodno	Krueger	Reding	Waltman
Bettermann	Gruenes	Lasley	Runbeck	Welker
Bishop	Gutknecht	Lourey	Sarna	Welle
Bodahl	Hanson	Mariani	Schafer	Winter
Brown	Haukoos	McEachern	Smith	
Cooper	Heir	Nelson, S.	Steensma	
Dauner	Jennings	Newinski	Sviggum	

Those who voted in the negative were:

Abrams	Hartle	Limmer	Orfield	Solberg
Battaglia	Hausman	Long	Osthoff	Sparby
Begich	Henry	Lynch	Ozment	Stanis
Blatz	Hufnagle	Macklin	Pauly	Swenson
Boo	Hugoson	Marsh	Pellow	Tompkins
Carlson	Jacobs	McGuire	Pelowski	Trimble
Carruthers	Jaros	McPherson	Pugh	Tunheim
Clark	Jefferson	Milbert	Rice	Wagenius
Dempsey	Johnson, A.	Morrison	Rodosovich	Weaver
Erhardt	Johnson, V.	Munger	Rukavina	Wejcman
Farrell	Kahn	Murphy	Scheid	Wenzel
Frederick	Kalis	Nelson, K.	Schreiber	Spk. Vanasek
Frerichs	Kinkel	Olsen, S.	Seaberg	
Garcia	Koppendrayer	Olson, K.	Segal	
Girard	Leppik	Omann	Simoneau	
Greenfield	Lieder	Orenstein	Skoglund	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

#### MOTION FOR RECONSIDERATION

Jaros moved that the vote whereby the Johnson, R., et al amendment to S. F. No. 1533, as amended, which was adopted earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Jaros motion and the roll was called. There were 72 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R.	Battaglia	Bishop	Bodahl
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Boo	Hartle	McGuire	Peterson	Steensma
Carlson	Haukoos	Morrison	Pugh	Swenson
Cooper	Hausman	Munger	Rest	Thompson
Dauner	Heir	Murphy	Rice	Trimble
Dauids	Hugoson	Nelson, S.	Rodosovich	Tunheim
Dawkins	Jaros	Newinski	Runbeck	Valento
Dorn	Johnson, A.	Olson, K.	Scheid	Wagenius
Frederick	Johnson, V.	Omann	Schreiber	Waltman
Garcia	Kahn	Orenstein	Segal	Wejzman
Girard	Kalis	Orfield	Simoneau	Wenzel
Goodno	Koppendrayer	Osthoff	Skoglund	Spk. Vanasek
Greenfield	Krueger	Ostrom	Solberg	
Gruenes	Lieder	Ozment	Sparby	
Gutknecht	Long	Pauly	Stanius	

Those who voted in the negative were:

Anderson, I.	Frerichs	Knickerbocker	McPherson	Sarna
Anderson, R. H.	Hanson	Krinkie	Milbert	Schafer
Bauerly	Hasskamp	Lasley	Nelson, K.	Seaberg
Begich	Henry	Leppik	O'Connor	Smith
Bertram	Hufnagle	Limmer	Ogren	Sviggum
Bettermann	Jacobs	Lourey	Olsen, S.	Tompkins
Brown	Jefferson	Lynch	Olsen, E.	Uphus
Dempsey	Jennings	Macklin	Onnen	Vellenga
Dille	Johnson, R.	Mariani	Pellow	Weaver
Erhardt	Kelso	Marsh	Pelowski	Welker
Farrell	Kinkel	McEachern	Rukavina	Welle

The motion prevailed.

The Johnson, R., et al amendment to S. F. No. 1533, as amended, was reported to the House.

Johnson, R.; Rukavina; Onnen; Begich; Schafer; McEachern and Bauerly moved to amend S. F. No. 1533, as amended, as follows:

Page 46, delete lines 29 to 36

Page 47, delete lines 1 to 36

Page 48, delete lines 1 and 2

Page 65, delete lines 27 and 28

A roll call was requested and properly seconded.

The question was taken on the Johnson, R., et al amendment and the roll was called. There were 83 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Begich	Blatz	Carlson	Dauids
Anderson, R. H.	Bertram	Bodahl	Cooper	Dempsey
Bauerly	Bettermann	Brown	Dauner	Dille

Dorn	Jennings	McPherson	Peterson	Swenson
Erhardt	Johnson, R.	Milbert	Pugh	Thompson
Farrell	Kelso	Nelson, S.	Reding	Tompkins
Frerichs	Kinkel	Newinski	Rodosovich	Tunheim
Goodno	Knickerbocker	O'Connor	Rukavina	Uphus
Gruenes	Koppendrayner	Ogren	Runbeck	Valento
Gutknecht	Krinkie	Olsen, S.	Sarna	Waltman
Hanson	Lasley	Olson, E.	Schafer	Weaver
Hartle	Limmer	Olson, K.	Schreiber	Welker
Hasskamp	Lourey	Onnen	Segal	Welle
Haukoos	Lynch	Orenstein	Smith	Wenzel
Henry	Macklin	Ostrom	Solberg	Winter
Hufnagle	Marsh	Pellow	Sparby	
Janezich	McEachern	Pelowski	Sviggum	

Those who voted in the negative were:

Abrams	Girard	Kahn	Murphy	Simoneau
Anderson, R.	Greenfield	Kalis	Nelson, K.	Skoglund
Battaglia	Hausman	Krueger	Omann	Stanis
Bishop	Heir	Leppik	Orfield	Trimble
Boo	Hugoson	Lieder	Osthoff	Vellenga
Carruthers	Jacobs	Long	Ozment	Wagenius
Clark	Jaros	Mariani	Pauly	Wejzman
Dawkins	Jefferson	McGuire	Rice	Spk. Vanasek
Frederick	Johnson, A.	Morrison	Scheid	
Garcia	Johnson, V.	Munger	Seaberg	

The motion prevailed and the amendment was adopted.

S. F. No. 1533, A bill for an act relating to the organization and operation of state government; appropriating money for the protection of the state's environment and natural resources; amending Minnesota Statutes 1990, sections 14.18; 41A.09, subdivision 3; 85A.02, subdivision 17; 103B.321, subdivision 1; and 116P.11.

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 108 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Henry	Lasley	Murphy
Anderson, I.	Dawkins	Hufnagle	Leppik	Nelson, K.
Anderson, R.	Dille	Hugoson	Lieder	Nelson, S.
Battaglia	Dorn	Jacobs	Limmer	Newinski
Bauerly	Erhardt	Janezich	Long	O'Connor
Begich	Farrell	Jaros	Lourey	Ogren
Bertram	Frederick	Jefferson	Lynch	Olsen, S.
Bishop	Garcia	Johnson, A.	Macklin	Olson, K.
Blatz	Girard	Johnson, V.	Mariani	Omann
Bodahl	Greenfield	Kahn	Marsh	Onnen
Boo	Hanson	Kalis	McGuire	Orenstein
Carlson	Hasskamp	Kelso	Milbert	Orfield
Carruthers	Hausman	Knickerbocker	Morrison	Osthoff
Clark	Heir	Krueger	Munger	Ostrom

Ozment	Rodosovich	Smith	Tompkins	Weaver
Pauly	Rukavina	Solberg	Trimble	Wejzman
Pelowski	Runbeck	Sparby	Tunheim	Welle
Peterson	Scheid	Stanis	Uphus	Wenzel
Pugh	Schreiber	Steensma	Valento	Winter
Reding	Segal	Sviggum	Vellenga	Spk. Vanasek
Rest	Simoneau	Swenson	Wagenius	
Rice	Skoglund	Thompson	Waltman	

Those who voted in the negative were:

Anderson, R. H.	Dempsey	Hartle	Koppendrayer	Pellow
Bettermann	Frerichs	Haukoos	Krinkie	Sarna
Brown	Goodno	Jennings	McEachern	Schafer
Dauner	Gruenes	Johnson, R.	McPherson	Seaberg
Davids	Gutknecht	Kinkel	Olson, E.	Welker

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

### CONSENT CALENDAR

S. F. No. 1074, A bill for an act relating to the city of Mankato; authorizing the city to annex unctiguous territory to the city.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Krinkie	Omann	Solberg
Anderson, I.	Greenfield	Krueger	Onnen	Sparby
Anderson, R. H.	Gruenes	Lasley	Orenstein	Stanis
Battaglia	Gutknecht	Leppik	Orfield	Steensma
Bauerly	Hanson	Lieder	Osthoff	Sviggum
Begich	Hartle	Limmer	Ostrom	Swenson
Bertram	Hasskamp	Long	Ozment	Thompson
Bettermann	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	Wejzman
Davids	Jennings	Munger	Runbeck	Welker
Dawkins	Johnson, A.	Murphy	Sarna	Welle
Dempsey	Johnson, R.	Nelson, K.	Schafer	Wenzel
Dille	Johnson, V.	Nelson, S.	Scheid	Winter
Dorn	Kahn	Newinski	Schreiber	Spk. Vanasek
Erhardt	Kalis	O'Connor	Seaberg	
Farrell	Kelso	Ogren	Segal	
Frerichs	Kinkel	Olsen, S.	Simoneau	
Garcia	Knickerbocker	Olson, E.	Skoglund	
Girard	Koppendrayer	Olson, K.	Smith	

Those who voted in the negative were:

Frederick

The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

## CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Simoneau requested immediate consideration of H. F. No. 53.

H. F. No. 53 was reported to the House.

Carlson moved to amend H. F. No. 53, the first engrossment, as follows:

Page 67, after line 16, insert:

“Sec. 4. Technical Colleges

Subdivision 1. To the state board of technical colleges for the purposes specified in this section

\$ 1,393,000

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Notwithstanding Minnesota Statutes, section 136C.44, during the biennium the state board of technical colleges must not make grants to school districts but shall directly supervise and control the preparation of plans and specifications to construct, alter, or enlarge the technical college buildings and structures, and for improvements provided in this section.

During the biennium, the state board of technical colleges shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

During the biennium, the state board may delegate the authority provided in this section to the campus president for capital repair and replacement projects with a total cost of less than \$50,000, if the state board determines that the projects can be efficiently managed at the campus level.



Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, no improvement made, and no building constructed that entails the expenditure of more money than the appropriation for the project, unless otherwise provided in this article.

The state board of technical colleges may delegate responsibilities under this section to technical college staff.

#### Subd. 2. Capital Improvements

\$ 1,393,000

This appropriation is for capital improvement grants to school districts for life safety projects at technical college campuses, including fuel tank removal and replacement, PCB removal, asbestos removal, handicapped access, emergency lighting, steam pipes, and capital code compliance. In the event that the state board spends any of this appropriation on fuel tanks, the board shall report on its reimbursement efforts to the appropriations and finance committees.

#### Sec. 5. Community Colleges

Subdivision 1. To the commissioner of administration for the purposes specified in this section

\$ 2,575,000

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state board for community colleges shall supervise and control necessary capital repairs to all community college buildings and structures during the biennium.

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Subd. 2. Systemwide Capital Improvements

\$ 2,575,000

This appropriation is for capital improvements at community colleges for life safety projects and continued maintenance requirements, including code compliance, handicapped access, improving mechanical systems, heating and ventilation, energy management upgrading, replacing water mains, paving parking surfaces, and emergency lighting.

Sec. 6. State Universities

Subdivision 1. To the state university board for the purposes specified in this section

\$ 5,155,000

Notwithstanding Minnesota Statutes, sections 16B.30 and 16B.31, during the biennium, the state university board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of state university buildings and structures, and for improvements provided in this section. The board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompa-

nied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, no improvement made, and no building constructed that entails the expenditure of more money than the appropriation for the project, unless otherwise provided in this article.

The board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state university board shall supervise and control necessary repairs to all state university buildings and structures during the biennium.

Subd. 2. Systemwide Capital Improvements

\$ 215,000

This appropriation is for capital improvements on state university campuses for hazardous materials abatement.

Subd. 3. Mankato Campus

\$ 1,340,000

This appropriation is for utility tunnel upgrade.

Subd. 4. Moorhead Campus

\$ 3,600,000

This appropriation is to rehabilitate the heating plant, restore the heating system, and enable it to meet future steam demands in accord with a recent engineering study.

Sec. 7. University of Minnesota

Subdivision 1. To the regents of the University of Minnesota for the purposes specified in this section

\$ 1,925,000

The regents shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Subd. 2. Systemwide Capital Improvements

\$ 1,925,000

This appropriation is for capital improvements on University of Minnesota campuses for life safety projects, including code compliance, handicapped access, fuel tank removal and replacement, and asbestos removal. In the event that the board of regents spends any of this appropriation on fuel tanks, the board shall report on its reimbursement efforts to the appropriations and finance committees."

Renumber the remaining sections

Page 67, line 52, delete "\$1,400,000" and insert "\$12,448,000"

Page 68, line 21, delete "6" and insert "10"

The question was taken on the Carlson amendment and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Waltman  
Weaver

Wejcman  
Welker

Welle  
Wenzel

Winter  
Spk. Vanasek

Those who voted in the negative were:

Erhardt

The motion prevailed and the amendment was adopted.

The Speaker called Krueger to the Chair.

Seaberg moved to amend H. F. No. 53, the first engrossment, as amended, as follows:

Page 11, line 16, delete "15,504,000" and insert "15,629,000" and delete "15,526,000" and insert "15,641,000"

Page 11, after line 19, insert:

"Highway User 125,000 125,000"

Page 23, delete section 28

Page 27, delete section 37

Renumber the sections in sequence

Correct internal references

Adjust the totals accordingly

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Seaberg amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams  
Anderson, R. H.  
Bettermann  
Bishop  
Blatz  
Boo  
Davids  
Dempsey  
Dille

Frederick  
Frerichs  
Girard  
Goodno  
Gruenes  
Gutknecht  
Hartle  
Haukoos  
Heir

Henry  
Hufnagle  
Hugoson  
Johnson, V.  
Koppendrayner  
Krinkie  
Leppik  
Limmer  
Lynch

Macklin  
Marsh  
McPherson  
Morrison  
Newinski  
Olsen, S.  
Omann  
Ozment  
Pellow

Runbeck  
Schafer  
Schreiber  
Seaberg  
Smith  
Stanis  
Sviggum  
Swenson  
Tompkins

Uphus

Valento

Weaver

Welker

Those who voted in the negative were:

Anderson, I.	Garcia	Krueger	Onnen	Simoneau
Anderson, R.	Greenfield	Lasley	Orenstein	Skoglund
Battaglia	Hanson	Lieder	Orfield	Solberg
Bauerly	Hasskamp	Long	Osthoff	Sparby
Begich	Hausman	Lourey	Ostrom	Steensma
Bertram	Jacobs	McEachern	Pelowski	Thompson
Bodahl	Janezich	McGuire	Peterson	Trimble
Brown	Jaros	Milbert	Pugh	Tunheim
Carlson	Jefferson	Munger	Reding	Vellenga
Carruthers	Jennings	Murphy	Rest	Wagenius
Clark	Johnson, A.	Nelson, K.	Rice	Waltman
Cooper	Johnson, R.	Nelson, S.	Rodosovich	Wejcman
Dauner	Kahn	O'Connor	Rukavina	Welle
Dawkins	Kalis	Ogren	Sarna	Wenzel
Dorn	Kelso	Olson, E.	Scheid	Winter
Farrell	Kinkel	Olson, K.	Segal	Spk. Vanasek

The motion did not prevail and the amendment was not adopted.

Runbeck, Frederick, Swenson, McPherson, Newinski and Tompkins moved to amend H. F. No. 53, the first engrossment, as amended, as follows:

Page 13, delete line 26 and insert:

“712,000      712,000

Summary by Fund

General	587,000	587,000
Highway User	125,000	125,000”

Page 23, delete section 28

Page 27, delete section 37

Correct the totals

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Runbeck et al amendment and the roll was called. There were 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Johnson, V.	McPherson	Seaberg
Bettermann	Gruenes	Kinkel	Morrison	Smith
Blatz	Gutknecht	Knickerbocker	Newinski	Stanisus
Boo	Haukoos	Koppendrayner	Olsen, S.	Svigum
Davids	Heir	Krinkie	Omman	Swenson
Dempsey	Henry	Leppik	Ozment	Tompkins
Erhardt	Hufnagle	Limmer	Pellow	Valento
Frederick	Hugoson	Lynch	Runbeck	Weaver
Frerichs	Jennings	Macklin	Schafer	Welker
Girard	Johnson, R.	Marsh	Schreiber	Wenzel

Those who voted in the negative were:

Anderson, I.	Farrell	Lasley	Onnen	Simoneau
Anderson, R.	Garcia	Lieder	Orenstein	Skoglund
Battaglia	Greenfield	Long	Orfield	Solberg
Bauerly	Hanson	Lourey	Osthoff	Sparby
Begich	Hartle	Mariani	Ostrom	Steensma
Bertram	Hasskamp	McEachern	Pelowski	Thompson
Bodahl	Hausman	McGuire	Peterson	Trimble
Brown	Jacobs	Milbert	Pugh	Tunheim
Carlson	Janezich	Munger	Reding	Uphus
Carruthers	Jaros	Murphy	Rest	Vellenga
Clark	Jefferson	Nelson, K.	Rice	Wagenius
Cooper	Johnson, A.	Nelson, S.	Rodosovich	Waltman
Dauner	Kahn	O'Connor	Rukavina	Wejman
Dawkins	Kalis	Ogren	Sarna	Welle
Dille	Kelso	Olson, E.	Scheid	Winter
Dorn	Krueger	Olson, K.	Segal	Spk. Vanasek

The motion did not prevail and the amendment was not adopted.

Runbeck, Welker and Stanisus moved to amend H. F. No. 53, the first engrossment, as amended, as follows:

Page 27, line 7, delete "[3.862]"

Page 27, after line 34, insert:

"Subd. 5. [EXPIRATION.] This section expires July 1, 1993."

Amend the title as follows:

Page 1, lines 31 and 32, delete "proposing coding for new law in Minnesota Statutes, chapter 3;"

The motion prevailed and the amendment was adopted.

Valento, Schreiber and Knickerbocker moved to amend H. F. No. 53, the first engrossment, as amended, as follows:

Page 9, after line 18, insert:

"None of the appropriation in this section may be used for light rail transit planning or administration."

A roll call was requested and properly seconded.

The question was taken on the Valento et al amendment and the roll was called. There were 51 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Johnson, V.	Omman	Sviggum
Anderson, R. H.	Goodno	Knickerbocker	Onnen	Swenson
Bettermann	Gruenes	Koppendrayer	Ozment	Tompkins
Blatz	Gutknecht	Krinkie	Pauly	Valento
Boo	Hartle	Limmer	Pellow	Waltman
Davids	Haukoos	Lynch	Runbeck	Weaver
Dempsey	Heir	Macklin	Schafer	Welker
Dille	Henry	Marsh	Schreiber	
Erhardt	Hufnagle	McPherson	Seaberg	
Frederick	Hugoson	Morrison	Smith	
Frerichs	Jennings	Newinski	Stanis	

Those who voted in the negative were:

Anderson, I.	Farrell	Krueger	Orfield	Skoglund
Anderson, R.	Garcia	Lieder	Osthoff	Solberg
Battaglia	Greenfield	Lourey	Ostrom	Sparby
Bauerly	Hanson	Mariani	Pellowski	Steensma
Begich	Hausman	McEachern	Peterson	Thompson
Bertram	Jacobs	Milbert	Pugh	Trimble
Bodahl	Janezich	Munger	Reding	Tunheim
Brown	Jaros	Murphy	Rest	Uphus
Carlson	Jefferson	Nelson, K.	Rice	Vellenga
Carruthers	Johnson, A.	Nelson, S.	Rodosovich	Wagenius
Clark	Johnson, R.	O'Connor	Rukavina	Wejeman
Cooper	Kahn	Olsen, S.	Sarna	Welle
Dauner	Kalis	Olson, E.	Scheid	Wenzel
Dawkins	Kelso	Olson, K.	Segal	Winter
Dorn	Kinkel	Orenstein	Simoneau	Spk. Vanasek

The motion did not prevail and the amendment was not adopted.

Kalis; Rice; Lieder; Battaglia; Steensma; Dille; Cooper; Wenzel; Welle; Brown; Johnson, V.; Rodosovich and Peterson moved to amend H. F. No. 53, the first engrossment, as amended, as follows:



Page 2, delete line 11 and insert:

"General	\$132,959,000	\$133,488,000	\$266,447,000"
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Page 2, delete line 24 and insert:

"TOTAL	1,267,810,000	1,302,953,000	2,570,763,000"
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Page 20 line 41, delete "4,245,000" and insert "4,345,000" and delete "4,219,000" and insert "4,319,000"

Page 21, after line 16, insert:

"Of this appropriation, the board shall spend \$100,000 the first year and \$100,000 the second year as grants to the state agricultural society to be spent as grants to county agricultural societies for premiums for county fair competitions in arts and crafts."

The motion prevailed and the amendment was adopted.

Onnen, Waltman, Valento, Girard, Frederick, Goodno, Haukoos, Omann, Pellow, Weaver and Bettermann moved to amend H. F. No. 53, the first engrossment, as amended, as follows:

Page 4, line 26, delete "6,843,000" and insert "7,543,000" and delete "6,843,000" and insert "7,443,000"

Page 21, line 18, delete "12,700,000" and insert "12,000,000" and delete "12,600,000" and insert "12,000,000"

Page 21, delete lines 46 to 51

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Onnen et al amendment and the roll was called. There were 49 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Knickerbocker	Onnen	Smith
Anderson, R.	Girard	Koppendrayner	Ostrom	Stanius
Anderson, R. H.	Goodno	Krinkie	Ozment	Sviggun
Bettermann	Gruenes	Leppik	Pauly	Swenson
Blatz	Hartle	Limmer	Pellow	Tompkins
Boo	Haukoos	Lynch	Pelowski	Uphus
Davids	Heir	Macklin	Runbeck	Valento
Dempsey	Henry	Morrison	Schafer	Waltman
Dorn	Hufnagle	Olsen, S.	Schreiber	Welker
Erhardt	Johnson, V.	Omann	Seaberg	

Those who voted in the negative were:

Anderson, I.	Garcia	Kinkel	Ogren	Simoneau
Battaglia	Greenfield	Krueger	Olson, E.	Skoglund
Bauerly	Gutknecht	Lasley	Olson, K.	Solberg
Begich	Hanson	Lieder	Orenstein	Sparby
Bertram	Hausman	Long	Orfield	Steensma
Bodahl	Hugoson	Lourey	Osthoff	Trimble
Brown	Jacobs	Mariani	Peterson	Tunheim
Carlson	Janezich	Marsh	Pugh	Vellenga
Carruthers	Jaros	McEachern	Reding	Wagenius
Clark	Jefferson	McPherson	Rest	Weaver
Cooper	Jennings	Milbert	Rice	Wejcman
Dauner	Johnson, A.	Munger	Rodosovich	Welle
Dawkins	Johnson, R.	Murphy	Rukavina	Wenzel
Dille	Kahn	Nelson, K.	Sarna	Winter
Farrell	Kalis	Nelson, S.	Scheid	Spk. Vanasek
Ferichs	Kelso	O'Connor	Segal	

The motion did not prevail and the amendment was not adopted.

Sviggun; Valento; McPherson; Nelson, S.; Gutknecht; Weaver; Boo; Dauner; Swenson and Haukoos offered an amendment to H. F. No. 53, the first engrossment, as amended.

#### POINT OF ORDER

Rice raised a point of order pursuant to rule 3.09 that the Sviggun et al amendment was not in order. Speaker pro tempore Krueger ruled the point of order well taken and the amendment out of order.

Sviggun appealed the decision of the Chair.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Stanius and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abrams	Anderson, R. H.	Bauerly	Bertram	Bishop
Anderson, I.	Battaglia	Begich	Bettermann	Blatz

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

Long moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The Speaker resumed the Chair.

Sviggum withdrew his appeal of the decision of the Chair.

Rice withdrew his point of order pursuant to rule 3.09 relating to the Sviggum et al amendment to H. F. No. 53, the first engrossment, as amended.

Sviggum withdrew the Sviggum et al amendment to H. F. No. 53, the first engrossment, as amended.

H. F. No. 53, 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; 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.

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.

Pursuant to Minnesota Statutes, section 10A.07, Hanson requested that he be excused from voting on final passage of H. F. No. 53, as amended. The request was granted by the Speaker.

Long moved that those not voting be excused from voting. The motion prevailed.

There were 95 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Hasskamp	Kahn	McEachern
Anderson, R.	Cooper	Hausman	Kalis	McGuire
Anderson, R. H.	Dauner	Henry	Kelso	Milbert
Battaglia	Dawkins	Hufnagle	Kinkel	Morrison
Bauerly	Dille	Hugoson	Krueger	Munger
Begich	Dorn	Jacobs	Lasley	Murphy
Bertram	Farrell	Janezich	Lieder	Nelson, K.
Blatz	Frederick	Jaros	Long	Nelson, S.
Bodahl	Garcia	Jefferson	Lourey	O'Connor
Brown	Girard	Johnson, A.	Macklin	Ogren
Carlson	Goodno	Johnson, R.	Mariani	Olsen, S.
Carruthers	Greenfield	Johnson, V.	Marsh	Olson, E.

Olson, K.	Peterson	Sarna	Sparby	Vellenga
Orenstein	Pugh	Scheid	Steensma	Wagenius
Orfield	Reding	Seaberg	Swenson	Wejcmán
Osthoff	Rest	Segal	Thompson	Welle
Ostrom	Rice	Simoneau	Tompkins	Wenzel
Pauly	Rodosovich	Skoglund	Trimble	Winter
Pelowski	Rukavina	Solberg	Tunheim	Spk. Vanasek

Those who voted in the negative were:

Abrams	Gruenes	Krinkie	Ozment	Uphus
Bettermann	Gutknecht	Leppik	Pellow	Valento
Bishop	Hartle	Limmer	Runbeck	Waltman
Boo	Haukoos	Lynch	Schafer	Weaver
Davids	Heir	McPherson	Schreiber	Welker
Dempsey	Jennings	Newinski	Smith	
Erhardt	Knickerbocker	Omann	Stanisus	
Frerichs	Koppendrayner	Onnen	Svigum	

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

### SPECIAL ORDERS

Long moved that the 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.

There being no objection, the order of business reverted to Messages from the Senate.

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 1086, A bill for an act relating to the financing and operation of government in Minnesota; establishing a homestead credit trust fund; allowing the imposition of certain local taxes and fees; modifying the administration, computation, collection, and

enforcement of taxes and assessments; imposing taxes; changing tax classes, rates, bases, credits, exemptions, withholding, and payments; modifying levy limits and aids to local governments; updating references to the Internal Revenue Code; modifying tax increment financing laws; changing definitions; changing certain bonding provisions; providing for suspension of mandate requirements; providing for certain fund transfers; changing provisions for light rail transit; changing certain eminent domain powers; making technical corrections and clarifications; enacting provisions relating to certain cities, counties, watershed districts, and independent school districts; requiring studies; imposing a fee; imposing a surtax; changing certain provisions relating to certain ambulance and emergency services personnel plans; prescribing penalties; appropriating money; amending Minnesota Statutes 1990, sections 13.51, subdivision 2; 14.03, subdivision 3; 18.022, subdivision 2; 43A.316, subdivision 9; 60A.19, subdivision 8; 69.011, subdivisions 1 and 3; 69.021, subdivisions 4, 6, 7, 8, and 9; 69.54; 84.82, by adding a subdivision; 115B.24, subdivision 2; 116.07, subdivision 4h; 124A.03, subdivision 2, and by adding a subdivision; 138.17, subdivision 1a; 171.06, by adding a subdivision; 268.161, subdivision 1; 270.067, subdivisions 1 and 2; 270.11, subdivision 6; 270.12, subdivision 2, and by adding a subdivision; 270.274, subdivision 1; 270.60; 270.66, subdivision 3; 270.68, subdivision 1; 270.69, subdivisions 2, 8, 9, and by adding a subdivision; 270.70, subdivision 10; 270.75, subdivision 4; 270A.03, subdivision 7; 270B.09; 272.02, subdivision 4; 272.025, subdivision 1; 272.31; 272.479; 272.482; 272.483; 272.485; 272.486; 272.67, subdivision 6; 273.11, subdivision 1, and by adding subdivisions; 273.111, subdivision 6; 273.112, subdivisions 1, 2, 3, and 4; 273.12; 273.124, subdivisions 1, 7, 13, and 14; 273.13, subdivisions 22, 23, 24, 25, 31, 32, and by adding a subdivision; 273.1398, subdivisions 6 and 7; 273.1399, subdivisions 1 and 3; 275.065, subdivisions 1a, 3, 5a, and 6; 275.08, subdivision 1b; 275.125, by adding a subdivision; 275.50, subdivisions 5, 5a, and 5b; 275.51, subdivisions 3f, 3h, and 3j; 275.54, subdivision 3; 276.04, subdivision 2; 276.041; 277.01; 278.01; 279.01, subdivisions 1 and 2; 279.03, subdivision 1a; 279.06; 281.17; 282.01, subdivision 1; 287.22; 289A.01; 289A.02, by adding a subdivision; 289A.08, by adding a subdivision; 289A.11, subdivision 1; 289A.12, by adding a subdivision; 289A.18, subdivisions 1, 2, and 4; 289A.19, subdivisions 1 and 2; 289A.20, subdivisions 1, 2, 4, and by adding a subdivision; 289A.25, subdivision 10; 289A.26, subdivisions 1, 6, and by adding a subdivision; 289A.30, subdivision 1; 289A.31, subdivision 1; 289A.35; 289A.37, subdivision 1; 289A.38, subdivisions 9, 10, and 12; 289A.42, subdivisions 1 and 2; 289A.50, subdivision 1; 289A.56, subdivision 2; 289A.60, subdivisions 2, 4, 12, 15, and by adding a subdivision; 290.01, subdivisions 19, 19a, 19b, and 19d; 290.014, subdivisions 2, 3, 4, and 5; 290.05, subdivision 3; 290.06, subdivisions 2c, 2d, 21, 22, 23, and by adding subdivisions; 290.067, subdivisions 1 and 2a; 290.068, subdivisions 1, 2, and 5; 290.0802, subdivisions 1 and 2; 290.091, subdivisions 1 and 2; 290.0921, subdivision 8; 290.0922, subdivision 1, and by adding a subdivision; 290.17, subdivisions 1, 2, and 5; 290.191, subdivisions 6, 8, and 11;

290.35, subdivision 3; 290.431; 290.611, subdivision 1; 290.92, subdivisions 1, 4b, 4c, 12, 26, 27, and by adding a subdivision; 290.923, by adding a subdivision; 290.9727, subdivisions 1, 3, and by adding subdivisions; 290A.03, subdivisions 3 and 7; 290A.04, by adding a subdivision; 290A.05; 290A.091; 295.01, subdivision 10; 295.34, subdivision 1; 296.026, subdivisions 2, 7, and by adding a subdivision; 296.14, subdivision 1; 297.01, subdivision 7; 297.03, subdivisions 1, 2, 4, and 6; 297.07, subdivision 5; 297.08, subdivision 1; 297.11, subdivision 1, and by adding subdivisions; 297.35, subdivision 1; 297.43, by adding a subdivision; 297A.01, subdivisions 3, 8, 10, 15, and by adding a subdivision; 297A.02, subdivisions 1, 2, 3, and by adding subdivisions; 297A.14, by adding a subdivision; 297A.15, by adding a subdivision; 297A.21, subdivisions 1 and 4; 297A.211, subdivision 2; 297A.24; 297A.25, subdivisions 1, 10, 11, 12, and by adding a subdivision; 297A.255, subdivision 5; 297A.257, subdivisions 2 and 2a; 297A.259; 297A.44, subdivision 1, and by adding a subdivision; 297B.02, by adding a subdivision; 297B.09, by adding a subdivision; 297C.03, subdivisions 1 and 6; 297C.04; 297C.10, by adding a subdivision; 297D.01, subdivision 3; 297D.02; 297D.04; 297D.05; 297D.07; 297D.09, subdivisions 1 and 1a; 297D.11; 297D.12, subdivision 1; 297D.13, subdivisions 1 and 3; 297D.14; 298.01, subdivisions 3, 4, and by adding subdivisions; 298.015, subdivision 1; 298.16; 298.21; 298.27; 325D.32, subdivision 10, and by adding a subdivision; 325D.415; 336.9-411; 349.212, subdivision 4; 353D.01; 353D.02; 353D.03; 353D.05; 353D.06; 357.18, subdivision 2; 375.192, subdivision 2; 386.46; 398A.04, subdivision 8; 414.031, subdivision 6; 414.0325, subdivision 4; 414.033, subdivision 7; 414.06, subdivision 4; 414.061, subdivision 3; 430.102, subdivisions 3 and 4; 462C.03, subdivision 10; 469.012, subdivision 8; 469.176, subdivision 1; 469.1763, subdivisions 1, 2, 3, 4, and by adding a subdivision; 469.177, subdivisions 1 and 8; 469.1771, subdivisions 2 and 4; 469.179, by adding a subdivision; 469.190, subdivision 7; 473.3994, by adding a subdivision; 473.843, subdivision 3; 473F.01; 473F.02, subdivisions 3, 8, 12, and 13; 473F.05; 473F.06; 473F.07; 473F.08, subdivisions 2, 5, and 6; 473F.09; 473F.13, subdivision 1; 477A.011, subdivisions 27, as amended, and 28, as amended; 477A.012, subdivision 6, as added, and by adding a subdivision; 477A.013, subdivision 8, as added; 477A.0135, as added; 477A.014, subdivisions 1, as amended, 4, and by adding subdivisions; 477A.015; 477A.03, subdivision 1; 508.25; 508A.25; 515A.1-105, subdivision 1; Laws 1974, chapter 285, section 4, as amended; Laws 1980, chapter 511, section 1, subdivision 2; Laws 1986, chapter 462, section 31; Laws 1987, chapter 268, article 11, section 12; Laws 1989, First Special Session chapter 1, article 14, section 16; Laws 1990, chapter 604, article 2, section 22; article 3, section 46, subdivision 1; and article 6, section 11; proposing coding for new law in Minnesota Statutes, chapters 16A; 117; 268; 270; 272; 273; 275; 276; 277; 290; 295; 296; 297; 297A; 325D; 353D; 373; 451; and 471; repealing Minnesota Statutes 1990, sections 272.487; 272.50; 272.51; 272.52; 272.53; 273.137; 273.1398; 277.02; 277.05; 277.06; 277.07; 277.08; 277.09; 277.10; 277.11; 277.12; 277.13; 289A.19, subdivision 6; 290.068, subdivision 6; 290.069, subdivi-

sions 2a, 4a, and 4b; 290.17, subdivision 7; 290.191, subdivision 7; 290.48, subdivisions 5 and 8; 296.028; 297A.257, subdivisions 1, 2b, and 3; 297A.39, subdivision 9; 298.05; 298.06; 298.07; 298.08; 298.09; 298.10; 298.11; 298.12; 298.13; 298.14; 298.15; 298.19; 298.20; 473F.02, subdivisions 9, 11, 16, 17, 18, 19, and 20; 473F.12; 473F.13, subdivisions 2 and 3; 477A.011; 477A.012; 477A.013; 477A.014; 477A.015; 477A.016; 477A.017; and 477A.03; Laws 1986, chapter 399, article 1, section 5; and Laws 1989, chapter 277, article 4, section 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ogren moved that the House refuse to concur in the Senate amendments to H. F. No. 1086, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

#### CALL OF THE HOUSE LIFTED

Rodosovich moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

#### MOTIONS AND RESOLUTIONS

Hasskamp moved that the words "by request" be added after her name on H. F. No. 1672. The motion prevailed.

Olson, K., moved that the following statement be printed in the Permanent Journal of the House:

"It was my intention to vote in the affirmative on Wednesday, May 1, 1991, on the Hasskamp et al amendment, as amended, to H. F. No. 1086, the first engrossment, as amended." The motion prevailed.

McGuire moved that the following statement be printed in the Permanent Journal of the House:

"It was my intention to vote in the affirmative on Wednesday, May 1, 1991, on the Knickerbocker et al amendment to H. F. No. 1086, the first engrossment, as amended." The motion prevailed.

Davids moved that the following statement be printed in the Permanent Journal of the House:



"It was my intention to vote in the affirmative on Wednesday, May 1, 1991, on the Schreiber et al amendment to H. F. No. 1086, the first engrossment, as amended." The motion prevailed.

Henry moved that H. F. No. 308 be returned to its author. The motion prevailed.

Bertram moved that H. F. No. 577 be returned to its author. The motion prevailed.

Sviggum moved that H. F. No. 1339 be returned to its author. The motion prevailed.

Simoneau moved that H. F. No. 1631, now on General Orders, be re-referred to the Committee on Appropriations. The motion prevailed.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 132:

Dawkins, Murphy and Hartle.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 137:

Scheid, Gutknecht and Osthoff.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 244:

Murphy, Lieder and Waltman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 633:

Kinkel, McGuire and Goodno.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 700:

Nelson, K.; Bauerly; Kelso; Schafer and McEachern.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 809:

Olson, E.; Schreiber and Dauner.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1086:

Ogren; Long; Olson, E.; Rest and Jacobs.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1179:

Orfield, Garcia and Leppik.

#### ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 1:00 p.m., Friday, May 3, 1991. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Friday, May 3, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives