

## STATE OF MINNESOTA

## SEVENTY-SEVENTH SESSION—1991

## FORTY-SIXTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 3, 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 Monsignor James D. Habiger, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Farrell and Sarna were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Nelson, S., 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. 86 and H. F. No. 124, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Scheid moved that the rules be so far suspended that S. F. No. 86 be substituted for H. F. No. 124 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 449 and H. F. No. 684, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

O'Connor moved that S. F. No. 449 be substituted for H. F. No. 684 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 861 and H. F. No. 1613, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Carruthers moved that S. F. No. 861 be substituted for H. F. No. 1613 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1231 and H. F. No. 1332, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Nelson, S., moved that S. F. No. 1231 be substituted for H. F. No. 1332 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Ogren from the Committee on Taxes to which was referred:

H. F. No. 702, A bill for an act relating to agriculture; transferring

the rural finance authority to the department of agriculture; changing the makeup and certain duties and procedures of the authority; providing for an agricultural development bond program to finance agricultural business enterprises and beginning farmers; establishing a dairy upgrading program; appropriating funds; amending Minnesota Statutes 1990, sections 41B.025, subdivisions 1, 3, 5, and 6; 41B.211; 474A.02, subdivisions 13a and 23a; 474A.03, subdivision 1; 474A.061, subdivisions 1, 2b, 3, and 4; 474A.081; 474A.091; 474A.14; proposing coding for new law in Minnesota Statutes, chapter 41B; proposing coding for new law as Minnesota Statutes, chapter 41C.

Reported the same back with the following amendments:

Page 21, delete section 25

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 13, delete "474A.081;"

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

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 833, A bill for an act relating to economic development; regulating the use of tax-exempt revenue bonds; amending Minnesota Statutes 1990, sections 474A.02, subdivisions 1, 2b, 7, 8, 19, and by adding subdivisions; 474A.04, subdivision 1a; 474A.047, subdivisions 1 and 3; 474A.061, subdivisions 1, 2a, 2b, 2c, 3, and 4; 474A.091, subdivisions 1, 2, 3 and 5; 474A.131, by adding a subdivision; 474A.15; 474A.16; and 474A.17; proposing coding for new law in Minnesota Statutes, chapters 462A and 462C; repealing Minnesota Statutes 1990, sections 474A.048; and 474A.081, subdivisions 1, 2, and 4.

Reported the same back with the following amendments:

Page 7, after line 21, insert:

"Sec. 11. Minnesota Statutes 1990, section 474A.03, is amended to read:

474A.03 [DETERMINATION OF ANNUAL VOLUME CAP.]

Subdivision 1. [ANNUAL VOLUME CAP UNDER FEDERAL TAX LAW; POOL ALLOCATIONS.] At the beginning of each calendar year after December 31, 1990, the commissioner shall determine the aggregate dollar amount of the annual volume cap under federal tax law for the calendar year, and of this amount the commissioner shall make the following allocation:

(1) \$75,000,000 to the manufacturing pool, except for calendar year 1991, \$65,000,000;

(2) \$46,000,000 to the housing pool for calendar year 1992 and \$81,000,000 thereafter;

(3) \$10,000,000 to the public facilities pool; and

(4) amounts to be allocated as provided in subdivision 2a.

If the annual volume cap is greater or less than the amount of bonding authority allocated under clauses (1) to (4) and subdivision 2a, paragraph (a), clauses (1) to (3), the allocation must be adjusted so that each adjusted allocation is the same percentage of the annual volume cap as each original allocation is of the total bonding authority originally allocated.

Subd. 2a. [ENTITLEMENT ISSUER ALLOCATION.] (a) The commissioner shall make the following allocation to the Minnesota housing finance agency and the following cities and county:

(1) \$51,000,000 per year to the Minnesota housing finance agency, less any amount received in the previous year under section 474A.091, subdivision 6;

(2) \$20,000,000 per year to the city of Minneapolis; and

(3) \$15,000,000 per year to the city of Saint Paul; and

(4) \$10,000,000 per year to the Dakota county housing and redevelopment authority for use in Dakota county or its political subdivisions.

The allocations under clauses (2) to (4) are for calendar year 1991 only.

(b) Allocations provided under this subdivision must be used for mortgage bonds, mortgage credit certificates, or residential rental

project bonds, except that entitlement cities may also use their allocations for public facility bonds."

Page 13, after line 15, insert:

"(f) No city in an entitlement county may apply for or be allocated authority to issue bonds from the housing pool."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 5, after the semicolon insert "474A.03;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

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

Reported the same back with the following amendments:

Pages 3 to 9, delete sections 3 to 6

Page 9, line 3, delete "7" and insert "3"

Page 9, line 17, delete "8" and insert "4"

Page 9, line 18, delete "7" and insert "3"

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, delete lines 5 to 7

Page 1, line 8, delete "property;"

Page 1, line 11, delete "273.1316, subdivisions 2, 5, and 8;"

Page 1, line 12, delete "290.06, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 1420, A bill for an act relating to public finance; providing conditions and requirements for the issuance of debt and for the financial obligations of authorities; amending Minnesota Statutes 1990, sections 287.06; 400.101; 429.061, subdivision 3; 447.49; 469.155, subdivision 12; 473.811, subdivision 2; 475.58, subdivision 2; 475.60, subdivision 1; 475.66, subdivision 3; and 475.67, subdivisions 3 and 8; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Minnesota Statutes 1990, section 475.60, subdivision 2.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 3, line 6, delete the new language and insert "November 30"

Page 3, line 7, delete the new language

Page 4, after line 26, insert:

"Sec. 4. [462C.14] [HOUSING PROGRAM AND DEVELOPMENTAL FINANCIAL SERVICES.]

Subdivision 1. [AUTHORIZATION TO PROVIDE SERVICES.] A city may provide housing program and development financial services, including mortgage banking services, for housing financed or assisted under a housing program of the city. The services provided by the city may include all housing program and development financial services, including origination of loans or other indebtedness, administration and servicing of loans or other indebtedness,

arranging for mortgage insurance from private or public sources, and other related services. For this purpose, the city may exercise any of the powers relating to housing or housing finance provided in this section and the powers of a city under this chapter, a housing and redevelopment authority under chapter 469, or the Minnesota housing finance agency under chapter 462A. Housing program and development financial services provided by the city are determined to be for the public purpose of assuring an adequate supply of affordable, decent, safe, and sanitary housing. A city may form a corporation under chapter 302A or 317A controlled by the city and delegate to it the power to exercise the powers granted to the city by this section.

Subd. 2. [BOUNDARY LIMITATIONS.] A city may provide housing program and development financial services only within its corporate boundaries, except to the extent that a joint powers agreement or contract authorizes a city to provide the services within the boundaries of another city or within the jurisdiction of a state agency.

Subd. 3. [JOINT ACTION.] Two or more cities, or housing and redevelopment authorities or port authorities authorized to exercise the powers of a city under this chapter, or a joint powers board formed by them, may act jointly pursuant to section 471.59 and this section or may delegate the exercise of their powers under this section to a corporation controlled by them. A city or other political subdivision or state agency may contract with the city or a joint powers board or a corporation for housing program and development financial services for housing.

Subd. 4. [OBLIGATIONS.] The city may issue bonds or other obligations and apply their proceeds for any proper purpose of the city or a corporation formed by the city relating to housing program and development financial services. Bonds or other obligations issued for a specific program or development shall be issued only in accordance with sections 462C.01 to 462C.07 to the extent required by section 462C.08. Bonds or obligations issued for financial services purposes may be sold at public or private sale, without an election, on the terms and conditions the city shall determine. For that purpose, the city may exercise any of the powers that a housing and redevelopment authority may exercise under chapter 469, or the Minnesota housing finance agency may exercise under chapter 462A, in either case without limitation under the provisions of chapter 475. The city or corporation may purchase real or personal property used or useful for housing program or development financial services under an installment contract, or lease real or personal property with an option to purchase under a lease purchase agreement. The city may issue bonds or other obligations secured by obligations under an installment contract or lease, in the manner provided in this section for other bonds or obligations issued for financial services purposes.

Subd. 5. [DEFINITIONS.] The definitions in section 462C.02 apply to this section."

Pages 7 and 8, delete section 10 and insert:

"Sec. 10. Minnesota Statutes 1990, section 475.60, subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;

(2) obligations sold by an issuer in an amount not exceeding the total sum of \$1,200,000 in any 12-month period;

(3) obligations issued by a governing body other than a school board in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately;

(4) obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency;

(5) obligations issued to fund pension and retirement fund liabilities under section 475.52, subdivision 6, obligations issued with tender options under section 475.54, subdivision 5a, crossover refunding obligations referred to in section 475.67, subdivision 13, and any issue of obligations comprised in whole or in part of obligations bearing interest at a rate or rates which vary periodically referred to in section 475.56;

(6) obligations to be issued for a purpose, in a manner, and upon terms and conditions authorized by law, if the governing body of the municipality, on the advice of bond counsel or special tax counsel, determines that interest on the obligations cannot be represented to be excluded from gross income for purposes of federal income taxation;

(7) obligations issued in the form of an installment purchase contract, lease purchase agreement, or other similar agreement; ~~and~~

(8) obligations sold under a bond reinvestment program; and



(9) obligations which the governing body determines to sell by private negotiation, if the municipality has retained an independent financial adviser."

Page 9, line 4, strike "governments" and insert "government" and strike "are" and insert "is"

Page 9, lines 5 and 6, delete the new language

Page 9, line 7, reinstate the stricken language

Page 9, line 9, after "state" insert ", or (4) a general or revenue obligation of any agency or authority of the state of Minnesota other than a general obligation of the Minnesota housing finance agency"

Page 9, line 11, after "service" insert "and provided that investments under clause (4) must be in obligations that are rated AA or better by a national bond rating service"

Pages 10 to 12, delete sections 12 to 14 and insert:

"Sec. 12. Minnesota Statutes 1990, section 475.67, subdivision 3, is amended to read:

Subd. 3. (a) Any or all obligations and interest thereon may be refunded if and when and to the extent that for any reason the taxes or special assessments, revenues, or other funds appropriated for their payment are not sufficient to pay all principal and interest due or about to become due thereon.

(b) Any or all obligations of one or more issues regardless of their source of payment and interest thereon may be refunded before their due dates, if:

(1) consistent with covenants made with the holders thereof, ~~when; and~~

(2) determined by the governing body to be necessary or desirable;

(i) for the reduction of debt service cost to the municipality; or

(ii) for the extension or adjustment of the maturities in relation to the resources available for their payment; or

(iii) for the issuance of obligations bearing a fixed rate of interest in the case of obligations bearing interest at a rate varying periodically; or

(iv) in the case of obligations payable solely from a special fund, for the more advantageous sale of additional obligations payable from the same fund or to relieve the municipality of restrictions imposed by covenants made with the holders of the obligations to be refunded; ~~provided.~~

(c) The amount of interest which may be refunded from the proceeds of the refunding obligations shall not exceed the amount of proceeds estimated to be required in excess of the principal amount of refunded obligations to retire the refunded obligations in accordance with subdivision 6, ~~but.~~ In no event shall the aggregate principal amount of the refunding obligations exceed by more than ten percent the aggregate principal amount of the obligations to be refunded.

(d) No general obligations, for which the full faith and credit of the issuer is pledged, shall be issued to refund special obligations previously issued for any purpose, payable solely from a special fund, unless ~~such~~ the issuance is authorized by ~~such~~ the election, hearing, petition, resolution, or other procedure ~~as that~~ would have been required as a condition precedent to the original issuance of general obligations for the same purpose.

Sec. 13. [ANOKA, WASHINGTON, AND DAKOTA COUNTIES; MORTGAGE TAX EXEMPTION.]

Subdivision 1. [AUTHORIZATION.] Construction loans on publicly owned low-income or senior multifamily housing projects in Anoka, Washington, and Dakota counties shall not be subject to the tax imposed by Minnesota Statutes, section 287.04. If the construction loan is held by the same entity as the permanent financing on a publicly owned low-income or senior multifamily housing, the tax imposed by Minnesota Statutes, section 287.04, shall be imposed only once at the time of the permanent financing.

Subd. 2. [EFFECTIVE DATE.] This section is effective for Washington county upon approval by the Washington county board and compliance with Minnesota Statutes, section 645.021, subdivision 3. This section is effective for Dakota county upon approval by the Dakota county board and compliance with Minnesota Statutes, section 645.021, subdivision 3. This section is effective for Anoka county upon approval by the Anoka county board and compliance with Minnesota Statutes, section 645.021, subdivision 3."

Page 12, line 35, delete "14" and insert "12"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "287.06;"

Page 1, line 8, delete "1" and insert "2"

Page 1, line 9, delete "subdivisions 3 and 8" and insert "subdivision 3"

Page 1, line 10, delete "chapter" and insert "chapters 462C and" and delete "; repealing"

Page 1, line 11, delete everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 1631, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; consolidating certain funds and accounts and making conforming changes; changing the organization, operation, financing, and management of certain courts and related offices; amending Minnesota Statutes 1990, sections 2.722, subdivision 1, and by adding a subdivision; 3.885, subdivisions 3 and 6; 8.06; 14.07, subdivisions 1 and 2; 14.08; 14.26; 15.191, subdivision 1; 15.50, subdivision 3; 15A.081, subdivision 1; 16A.27, subdivision 5; 16A.45, subdivision 1; 16A.641, subdivision 3; 16A.662, subdivision 4; 16A.672, subdivision 9; 16A.69, by adding a subdivision; 16A.721, subdivision 1; 16B.24, subdivisions 5 and 6; 16B.36, subdivision 1; 16B.41, subdivision 2, and by adding a subdivision; 16B.465, subdivision 4; 16B.48, subdivision 2; 17.49, subdivision 1; 62D.122; 62J.02, subdivisions 2 and 3; 79.34, subdivision 1; 103B.311, subdivision 7; 103B.315, subdivision 5; 103F.761, subdivision 1; 103H.101, subdivision 4; 103H.175, subdivisions 1 and 2; 115A.072, subdivision 1; 116C.03, subdivisions 2, 4, and 5; 116C.712, subdivisions 3 and 5; 116J.8765, by adding a subdivision; 116L.03, subdivisions 1 and 2; 124C.03, subdivisions 2, 3, 8, 9, 10, 12, 14, 15, and 16; 126A.02, subdivisions 1 and 2; 126A.03; 128C.12, subdivision 1; 138.17, subdivision 1; 144.70, subdivision 2; 144A.071, subdivision

5; 145.926, subdivisions 1, 4, 5, 7, and 8; 145A.02, subdivision 16; 145A.09, subdivision 6; 160.276, by adding a subdivision; 176A.11; 214.141; 256H.25, subdivision 1; 268.361, subdivision 3; 271.06, subdivision 4; 271.19; 275.14; 275.51, subdivision 6; 275.54, subdivision 3; 299A.30, subdivision 2; 299A.31, subdivision 1; 299A.40, subdivision 4; 356.215, subdivisions 4d and 4g; 357.24; 363.121; 368.01, subdivision 1a; 373.40, subdivision 1; 402.045; 422A.05, by adding subdivisions; 422A.101; 422A.17; 422A.23, subdivision 2; 462.384, subdivision 7; 462.396, subdivision 2; 466A.05, subdivision 1; 469.203, subdivision 4; 469.207, subdivisions 1 and 2; 473.156, subdivision 1; 474A.03, by adding a subdivision; 477A.011, subdivisions 3 and 3a; 477A.014, subdivision 4; 480.181, by adding a subdivision; 480.24, subdivision 3; 480.242, subdivision 2 and by adding a subdivision; 481.10; 504.34, subdivisions 5 and 6; 590.05; 593.48; 609.101, subdivision 1; 611.14; 611.18; 611.25, subdivision 1; 611.26, subdivision 6, and by adding subdivisions; 611.27, subdivisions 1 and 4; 626.861, by adding a subdivision; 643.29, subdivision 1; Laws 1989, chapter 335, article 1, section 7; article 3, section 44, as amended; and Laws 1990, chapter 610, article 1, section 27; proposing coding for new law in Minnesota Statutes, chapters 4; 7; 16A; 16B; 43A; 116J; 270; 356; and 471; repealing Minnesota Statutes 1990, sections 3C.035, subdivision 2; 3C.056; 8.15; 14.32, subdivision 2; 40A.02, subdivision 2; 40A.08; 116K.01; 116K.02; 116K.03; 116K.04; 116K.05; 116K.06; 116K.07; 116K.08; 116K.09; 116K.10; 116K.11; 116K.12; 116K.13; 116K.14; 144.861; 144.874, subdivision 7; 480.250; 480.252; 480.254; 480.256; 611.215, subdivision 4; 611.261; 611.28; 611.29; Laws 1989, chapter 335, article 3, section 54, as amended; and Laws 1990, chapter 604, article 9, section 14.

Reported the same back with the following amendments:

Page 13, line 18, after "location" insert " , preferably"

Page 13, line 20, delete "the"

Page 13, line 23, delete "Effective"

Page 13, delete lines 24 to 33

Page 13, line 34, delete "the governor."

Page 13, line 57, delete the first "\$783,049" and insert "\$777,946" and delete the second "\$783,049" and insert "\$780,497"

Page 13, lines 60 and 61, delete "\$1,000,000" and insert "\$800,000"

Page 14, line 14, delete the first "\$181,815" and insert "\$134,315" and delete the second "\$181,815" and insert "\$134,315"

Page 14, after line 46, insert:

“State agencies directly involved in furnishing information or rendering services to the public, and that serve a substantial number of non-English-speaking people shall report on their progress in meeting the requirements in *Minnesota Statutes*, section 15.441, and make recommendations for improving services to non-English-speaking people. The report and recommendations must be submitted to the state government divisions of the house appropriations and senate finance committees by February 1, 1992.”

Page 18, delete lines 52 to 55

Page 21, line 1, delete “\$4,767,000” and insert “\$4,367,000”

Page 21, line 2, delete “\$5,267,000” and insert “\$4,867,000”

Page 21, line 4, delete “\$5,404,000” and insert “\$5,004,000”

Page 21, line 5, delete “\$3,504,000” and insert “\$3,104,000”

Page 21, lines 15 and 16, delete “\$2,691,000” and insert “\$2,291,000”

Page 24, lines 52 and 53, delete “\$500,000” and insert “\$150,000”

Page 25, delete lines 48 to 52

Page 26, delete lines 1 and 2

Pages 54 to 56, delete section 73

Pages 91 and 92, delete section 118

Page 94, delete lines 23 to 25

Renumber the sections in article 1 in sequence

Correct internal references

Adjust the totals accordingly

Amend the title accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 833, 1072, 1420 and 1631 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 86, 449, 861 and 1231 were read for the second time.

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

The following House Files were introduced:

Winter and Skoglund introduced:

H. F. No. 1678, A bill for an act relating to commerce; regulating mortgage payment services; requiring a license and bond; prescribing the duties of the commissioner; establishing fees; proposing coding for new law as Minnesota Statutes, chapter 82C.

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

Frederick introduced:

H. F. No. 1679, A bill for an act relating to state parks; authorizing issuance of special permits to organized and supervised youth groups; amending Minnesota Statutes 1990, section 85.053, by adding a subdivision.

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

Skoglund, Winter, Carruthers, Knickerbocker and Orfield introduced:

H. F. No. 1680, A bill for an act relating to financial institutions; regulating bank charters, the purchase and sale of property, relocations, loans, detached facilities, capital and surplus requirements, and clerical services; regulating the report and audit schedules and account insurance of credit unions; regulating business changes of industrial loan and thrifts; regulating business changes, license requirements, loan security, and interest rates of regulated lenders; providing special corporate voting and notice provisions for banking corporations; amending Minnesota Statutes 1990, sections 46.041, subdivision 4; 46.044; 46.047, subdivision 2; 46.048, subdivision 3; 46.131, subdivision 4; 47.10; 47.101, subdivision 3; 47.20, subdivisions 2, 4a, and 5; 47.52; 47.54; 47.55; 48.02; 48.89, subdivision 5; 49.34, subdivision 2; 52.06, subdivision 1; 52.24, subdivision 1; 53.03, subdivision 5; 56.04; 56.07; 56.12; 56.125, subdivision 2; 56.131, subdivision 4; 300.23; 300.52, subdivision 1; repealing Minnesota Statutes 1990, section 48.03, subdivisions 4 and 5.

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

Skoglund, Winter, Lourey, Carruthers and Knickerbocker introduced:

H. F. No. 1681, A bill for an act relating to commerce; regulating service of process on certain corporations; carrying out the intent of the legislature to make uniform the statutory service of process provisions under the jurisdiction of the department of commerce; regulating insurance agent licensing and education; regulating conversion privileges on accident and health policies; modifying coverage for diagnostic procedures for cancer; regulating crop hail adjusters; making various technical changes; amending Minnesota Statutes 1990, sections 48.185, subdivision 7; 60A.17, subdivision 1a; 60A.1701, subdivisions 3 and 7; 60A.19, subdivision 4; 60A.21, subdivision 2; 60D.02, subdivision 8; 62A.21, subdivision 2b; 62A.30, subdivision 1; 62A.54; 62E.16; 64B.35, subdivision 2; 71A.02, subdivision 3; 72A.22, subdivision 5; 72A.37, subdivision 2; 72A.43, subdivision 2; 72B.02, by adding a subdivision; 72B.03, subdivision 2; 72B.04, subdivision 6; 80A.27, subdivisions 7 and 8; 80C.20; 82.31, subdivision 3; 82A.22, subdivisions 1 and 2; 82B.15, subdivision 3; 83.39, subdivisions 1 and 2; and 543.08; repealing Minnesota Statutes 1990, section 65B.70.

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

Segal introduced:

H. F. No. 1682, A bill for an act relating to insurance; accident and health; regulating outpatient mental health services; amending Minnesota Statutes 1990, sections 62A.152 and 62D.102.

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

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Kalis; Anderson, I.; Ogren; Garcia and Lasley introduced:

H. A. No. 21, A proposal to study user financing of municipal streets and roads.

The advisory was referred to the Committee on Transportation.

Kalis; Anderson, I.; Garcia; Wagenius and Lieder introduced:

H. A. No. 22, A proposal to study light rail transit.

The advisory was referred to the Committee on Transportation.

Begich introduced:

H. A. No. 23, A proposal for study of the Minnesota extension service.

The advisory was referred to the Committee on Labor-Management Relations.

#### 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 Files, herewith returned:

H. F. No. 375, A bill for an act relating to marriage; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1990, section 517.04.



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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1396, A bill for an act relating to local government; allowing Pine county to transfer money from the county welfare fund to the general fund to support a hospital.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1455, A bill for an act relating to the Minneapolis park and recreation board; providing for two members appointed by the Minneapolis park and recreation board on the Minneapolis reapportionment commission; establishing standards for park board redistricting.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Jefferson moved that the House concur in the Senate amendments to H. F. No. 1455 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1455, A bill for an act relating to the Minneapolis park and recreation board; providing for two members appointed by the Minneapolis park and recreation board on the Minneapolis reapportionment commission; establishing standards for park board redistricting.

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 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. Nos. 1315, 837, 1034, 268, 691 and 899.

PATRICK E. FLAHAVEN, Secretary of the Senate

## FIRST READING OF SENATE BILLS

S. F. No. 1315, A bill for an act relating to commerce; real estate appraisers; amending Minnesota Statutes 1990, sections 82B.02, subdivisions 8 and 12; 82B.05, subdivision 1; 82B.11; 82B.13, subdivision 1, and by adding subdivisions; 82B.14; 82B.15, subdivision 3; 82B.17; 82B.18; and 82B.19, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 82B; repealing Minnesota Statutes 1990, sections 82B.05, subdivision 2; 82B.13, subdivision 2; and 82B.225.

The bill was read for the first time.

Morrison moved that S. F. No. 1315 and H. F. No. 1492, now on

General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 837, A bill for an act relating to natural resources; amending certain provisions concerning mineral exploration, exploratory boring, and data acquired in connection therewith; amending Minnesota Statutes 1990, sections 13.793, subdivision 2; 103I.601, subdivision 4; and 103I.605, subdivision 4.

The bill was read for the first time.

Hausman moved that S. F. No. 837 and H. F. No. 1173, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1034, A bill for an act relating to civil actions; increasing penalties for retaliation by employers under the child abuse and vulnerable adults reporting acts; amending Minnesota Statutes 1990, sections 626.556, subdivision 4a; and 626.557, subdivision 17.

The bill was read for the first time.

Segal moved that S. F. No. 1034 and H. F. No. 1099, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 268, A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1990, sections 363.06, subdivision 3; and 363.116.

The bill was read for the first time.

Hausman moved that S. F. No. 268 and H. F. No. 1170, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 691, A bill for an act relating to probate; authorizing the court to set aside certain transactions made prior to establishment of a guardianship or conservatorship; amending Minnesota Statutes 1990, section 525.56, by adding a subdivision.

The bill was read for the first time.

Pugh moved that S. F. No. 691 and H. F. No. 1473, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 899, A bill for an act relating to torts; providing immunity against tort liability for claims arising out of the use of highways that provide access to timber; amending Minnesota Statutes 1990, sections 3.736, subdivision 3; and 466.03, by adding a subdivision.

The bill was read for the first time.

Solberg moved that S. F. No. 899 and H. F. No. 916, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Simoneau requested immediate consideration of H. F. No. 719.

H. F. No. 719 was reported to the House.

The Speaker called Krueger to the Chair.

Greenfield moved to amend H. F. No. 719, the second engrossment, as follows:

Page 3, line 12, delete "\$1,788,615,000" and insert "\$1,794,839,000"; delete "\$1,897,735,000" and insert "\$1,903,960,000"; delete "\$3,686,350,000" and insert "\$3,698,799,000"

Page 3, line 14, delete "1,814,000" and insert "1,726,000"; delete "1,638,000" and insert "1,546,000"; delete "3,452,000" and insert "3,272,000"

Page 3, line 18, delete "1,792,084,000" and insert "1,798,220,000"; delete "1,901,027,000" and insert "1,907,160,000"; delete "3,693,111,000" and insert "3,705,380,000"

Page 3, line 27, delete "1,496,946,000" and insert "1,503,145,000"; delete "1,597,525,000" and insert "1,603,724,000"

Page 13, line 53, delete "813,451,000" and insert "819,650,000"; delete "912,430,000" and insert "918,629,000"

Page 13, line 59, delete "773,991,000" and insert "780,190,000"; delete "865,916,000" and insert "872,115,000"

Page 26, line 9, delete both occurrences of "406,000" and insert "410,000" in both instances

Page 26, delete lines 15 and 16

Page 26, line 18, delete "213,000" and insert "215,000"; delete "220,000" and insert "238,000"

Page 26, delete lines 19 and 20

Page 26, delete lines 34 and 35

Page 26, delete lines 37 and 38

Page 91, line 25, delete "\$230" and insert "\$258"

Page 91, line 29, delete "7.2" and insert "9.2"

Page 93, line 10, delete "66" and insert "74"

Page 93, line 19, delete "7.2" and insert "9.2"

Page 448, line 37, delete "8" and "10" and insert "7" and "9"

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Sviggum and Dauner offered an amendment to H. F. No. 719, the second engrossment, as amended.

Greenfield requested a division of the Sviggum and Dauner amendment to H. F. No. 719, the second engrossment, as amended.

The first portion of the Sviggum and Dauner amendment to H. F. No. 719, the second engrossment, as amended, reads as follows:

Page 4, after line 60, insert:

"In submitting the agency budget under section 16A.10, subdivision 2, for the biennium beginning July 1, 1993, the commissioner of human services shall include a line item amount that is reserved for increasing staff salaries, wages, benefits, and training of person-

nel below top management, for the purpose of reducing the turnover of staff and increasing the quality of community-based residential services, including intermediate care facilities for persons with mental retardation and related conditions, semi-independent living services, home and community-based waived services, developmental achievement centers, community support programs, and residential facilities for persons with mental illness."

A roll call was requested and properly seconded.

The question was taken on the first portion of the Sviggum and Dauner amendment and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the first portion of the Sviggum and Dauner amendment was adopted.

The second portion of the Sviggum and Dauner amendment to H. F. No. 719, the second engrossment, as amended, reads as follows:

Page 15, after line 36, insert:

"The appropriation to the commissioner of human services in article 1, section 2, for the work readiness program is reduced by 18.5 million dollars and that sum is appropriated for purposes of providing salary adjustments under sections 245.465, subdivision 2; 252.24, subdivision 5; 252.275, subdivision 9; 256B.491, subdivision 3; 256B.501, subdivision 12; and 268A.06, subdivision 3."

Page 17, after line 41, insert:

"In submitting the agency budget under section 16A.10, subdivision 2, for the biennium beginning July 1, 1993, the commissioner of jobs and training shall include a line item amount that is reserved for increasing staff salaries, wages, benefits, and training of personnel below top management, for the purpose of reducing the turnover of staff and increasing the quality of rehabilitation services."

Page 123, after line 34, insert:

"Sec. 55. Minnesota Statutes 1990, section 268A.06, is amended by adding a subdivision to read:

Subd. 3. [REHABILITATION FACILITIES: SALARY ADJUSTMENTS; RATES.] The commissioner shall annually increase rates, as of July 1, 1991, for each rehabilitation facility by a salary adjustment figured by multiplying the total salaries, payroll taxes, and fringe benefits for personnel below top management by an amount equal to the cost of living as estimated by the statewide composite index using Data Resources, Inc., forecast for change in the Consumer Price Index-All Items (U.S. city average) (CPI-U), plus an additional four percent as of July, 1992. All increased revenue produced by this calculation must be used for salary and related costs of personnel in positions below top management."

Page 131, after line 12, insert:

"Sec. 2. Minnesota Statutes 1990, section 245.465, is amended to read:

245.465 [DUTIES OF COUNTY BOARD.]

Subdivision 1. The county board in each county shall use its share of mental health and community social service act funds allocated by the commissioner according to a biennial local mental health service proposal approved by the commissioner. The county board must:

(1) develop and coordinate a system of affordable and locally available adult mental health services in accordance with sections 245.461 to 245.486;

(2) provide for case management services to adults with serious and persistent mental illness in accordance with sections 245.462, subdivisions 3 and 4; 245.4711; and 245.486;

(3) provide for screening of adults specified in section 245.476 upon admission to a residential treatment facility or acute care hospital inpatient, or informal admission to a regional treatment center;

(4) prudently administer grants and purchase-of-service contracts that the county board determines are necessary to fulfill its responsibilities under sections 245.461 to 245.486; and

(5) assure that mental health professionals, mental health practitioners, and case managers employed by or under contract with the county to provide mental health services have experience and training in working with adults with mental illness.

Subd. 2. [RESIDENTIAL AND COMMUNITY SUPPORT PROGRAMS FOR PERSONS WITH MENTAL ILLNESS: SALARY ADJUSTMENTS PER DIEM.] In establishing, operating, or contracting for the provision of programs licensed under Minnesota Rules, parts 9520.0500 to 9520.0690 and programs funded under Minnesota Rules, parts 9535.0100 to 9535.1600, beginning in July 1, 1991, a county board must contract at rates to reflect increased salaries by multiplying the total salaries, payroll taxes and fringe benefits related to personnel below top management by an amount equal to the expected change in cost of living as estimated by the statewide composite index using Data Resources, Inc., forecast for change in the Consumer Price Index-All Items (U.S. city average) (CPI-U), plus five percent as of July 1, 1992, and then dividing the resulting amount by the contracted total number of service units of service. County boards shall use the indices as forecasted by Data Resources, Inc., in the first quarter of the calendar year in which the rate year begins. These increases in rates shall continue in future rate years. Counties shall develop a mechanism to assure that all increased revenue produced by this calculation must be used for salary and related costs of personnel in positions below top management.



"Sec. 3. Minnesota Statutes 1990, section 252.24, is amended by adding a subdivision to read:

Subd. 5. [DAC'S: SALARY ADJUSTMENTS PER DIEM.] In contracting with a developmental achievement center, beginning in July 1, 1991, a county board must contract at rates to reflect increased salaries by multiplying the total salaries, payroll taxes and fringe benefits related to personnel below top management by an amount equal to the expected change in cost of living as estimated by the statewide composite index using Data Resources, Inc., forecast for change in the Consumer Price Index-All Items (U.S. city average) (CPI-U), plus five percent as of July 1, 1992, and then dividing the resulting amount by the contracted total number of days of service. These increases in rates shall continue in future rate years. Counties shall use the indices as forecasted by Data Resources, Inc. in the fourth quarter of the previous calendar year. Counties shall develop a mechanism to assure that all increased revenue produced by this calculation must be used for salary and related costs of personnel in positions below top management. The state shall provide counties with proper reimbursement to cover these increased costs.

Sec. 4. Minnesota Statutes 1990, section 252.275, is amended by adding a subdivision to read:

Subd. 9. [SILS: SALARY ADJUSTMENTS; RATES.] In establishing, operating, or contracting for the provision of semi-independent living services, beginning in January 1, 1992, a county board must contract at rates to reflect increased salaries by multiplying the total salaries, payroll taxes and fringe benefits related to personnel below top management by an amount equal to the expected change in cost of living as estimated by the statewide composite index using Data Resources, Inc., forecast for change in the Consumer Price Index-All Items (U.S. city average) (CPI-U), plus three percent as of January 1, 1992 and three percent as of January 1, 1993, and then dividing the resulting amount by the contracted total number of service units of service. These increases in rates shall continue in future rate years. Counties shall use the indices as forecasted by Data Resources, Inc. in the first quarter of the calendar year in which the rate year begins. Counties shall develop a mechanism to assure that all increased revenue produced by this calculation must be used for salary and related costs of personnel in positions below top management. The state shall provide counties with proper reimbursement to cover these increased costs."

Page 178, after line 10, insert:

"Sec. 51. Minnesota Statutes 1990, section 256B.491, is amended by adding a subdivision to read:

Subd. 3. [WAIVERED SERVICES: SALARY ADJUSTMENTS;

RATES.] In establishing, operating, or contracting for the provision of services covered under the home and community-based waiver, beginning in January 1, 1992, a county board must contract at rates to reflect increased salaries by multiplying the total salaries, payroll taxes and fringe benefits related to personnel below top management by an amount equal to the expected change in cost of living as estimated by the statewide composite index using Data Resources, Inc., forecast for change in the Consumer Price Index-All Items (U.S. city average) (CPI-U), plus five percent as of January 1, 1993, and then dividing the resulting amount by the contracted total number of service units of service. These increases in rates shall continue in future rate years. Counties shall use the indices as forecasted by Data Resources, Inc. in the first quarter of the calendar year in which the rate year begins. Counties shall develop a mechanism to assure that all increased revenue produced by this calculation must be used for salary and related costs of personnel in positions below top management. The state shall provide counties with proper reimbursement to cover these increased costs."

Page 187, after line 1, insert:

"Sec. 55. Minnesota Statutes 1990, section 256B.501, is amended by adding a subdivision to read:

Subd. 12. [ICF/MR SALARY ADJUSTMENTS.] For the rate period beginning January 1, 1992, and ending September 30, 1993, and for the rate period beginning January 1, 1993, and ending September 30, 1994, the commissioner shall add the appropriate salary adjustment cost per diem calculated in paragraphs (a) to (c) to the total operating cost payment rate of each facility. The salary adjustment cost per diem must be determined as follows:

(a) [COMPUTATION AND REVIEW GUIDELINES.] Except as provided in paragraph (d), a state-operated community service, and any facility whose payment rates are governed by closure agreements, receivership agreements, or Minnesota Rules, part 9553.0075, are not eligible for salary adjustments otherwise granted under this subdivision. For purposes of the salary adjustment per diem computation and reviews in this subdivision, the term "salary adjustment cost" means the facility's allowable program operating cost category employee training expenses, and the facility's allowable salaries, payroll taxes and fringe benefits. The term does not include these same salary related costs for both administrative or central office employees.

For the purpose of determining the amount of salary adjustment to be granted under this subdivision, the commissioner must use the reporting years ending December 31, 1990, and December 31, 1991 as the base year for the salary adjustment per diem computations. For the purpose of each year's salary adjustment cost review, the commissioner must use the facility's salary adjustment cost for the

reporting year ending December 31, 1991, as the base year. If the base year and the reporting year subject to review include salary cost reclassifications made by the department, the commissioner must reconcile those differences before completing the salary adjustment per diem review.

(b) [AVERAGE HOURLY WAGE COMPUTATION.] For each eligible facility, the commissioner must compute the facility average hourly wage. The computation of the facility average hourly wage shall be equal to the facility's salary adjustment costs divided by the total compensated hours for those same employees. The commissioner shall array the facility average hourly wage computations. Once the commissioner has established the array, the array must not be reestablished.

(c) [SALARY ADJUSTMENT PER DIEM COMPUTATIONS.] The salary adjustment cost per diem shall be equal to the computation in clause (1) or clause (2), as appropriate.

(1) For the rate period beginning January 1, 1992, a facility whose average hourly wage computation is in the lowest 30 percent of the array shall receive a salary adjustment cost per diem equal to its salary adjustment costs multiplied by 6.5 percent, and then divided by the facility's resident days. For the facilities not in the lowest 30 percent of the array, their salary adjustment cost per diem shall equal to their salary adjustment costs multiplied by five percent, and then divided by the facility's resident days.

(2) For the rate period beginning January 1, 1992, each facility shall receive a salary adjustment cost per diem equal to its salary adjustment costs multiplied by 5 percent, and then divided by the facility's resident days.

(d) [ADJUSTMENTS FOR NEW FACILITIES.] For newly constructed or newly established facilities, except for state-operated community services, whose payment rates are governed by Minnesota Rules, part 9553.0075, if the settle-up cost report includes a reporting year which is subject to review under this subdivision, the commissioner shall adjust the rule provision governing the maximum settle-up payment rate by increasing the .4166 percent for each full month of the settle-up cost report to .7083. For any subsequent rate period which is authorized for salary adjustments under this subdivision, the commissioner shall compute salary adjustment cost per diems by annualizing the salary adjustment costs for the settle-up cost report period and treat that period as the base year for purposes of reviewing salary adjustment cost per diems.

(e) [SALARY ADJUSTMENT PER DIEM REVIEW.] The commissioner shall review the implementation of the salary adjustments on a per diem basis. For reporting years ending December 31, 1992,

December 31, 1993, and December 31, 1994, the commissioner must review and determine the amount of change in salary adjustment costs in each of the above reporting years over the base year. In the case of each review, the commissioner must inflate the base year's salary adjustment costs by the cumulative percentage increase granted in paragraph (c), plus three percent or the lesser for each of the three years reviewed. The commissioner must then compare each facility's salary adjustment costs for the reporting year divided by the facility's resident days for the base year. If the facility has had a one-time program operating cost adjustment settle-up during any of the reporting years subject to review, the commissioner must remove the per diem effect of the one-time program adjustment before completing the review and per diem comparison.

The review and per diem comparison must be done by the commissioner each year following the reporting years subject to review. If the salary adjustment cost per diem for the reporting year being reviewed is less than the base year's inflated salary adjustment cost per diem, the commissioner must recover the difference within 120 days after the date of written notice. The amount of the recovery shall be equal to the per diem difference multiplied by the facility's resident days in the reporting year being reviewed. Written notice of the amount subject to recovery must be given by the commissioner following each reporting year reviewed. Interest charges must be assessed by the commissioner after the 120th day of that notice at the same interest rate the commissioner assesses for other balance outstanding."

Page 240, delete section 29 and insert:

"Sec. 29. Minnesota Statutes 1990, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] (a) ~~A person, family, or married couple~~ Except as provided in this subdivision, persons who are residents of the state and whose income and resources are less than the standard of assistance established by the commissioner, but who are not categorically eligible under section 256D.05, subdivision 1, are eligible for the work readiness program for a maximum period of six consecutive calendar months during any 12 consecutive calendar month period, subject to the provisions of subdivision 3. The person's six-month eligibility period begins on the first day of the calendar month following the date of application for assistance or the date all eligibility factors are met, whichever is later, and ends on the last day of the third consecutive calendar month, whether or not the person has received benefits for all three months. The person is not eligible to receive work readiness benefits during the six calendar months immediately following the six-month eligibility period; however, the person may voluntarily continue to participate in work readiness services for up to three additional consecutive months immediately following the last month of

benefits to complete the provisions of the person's employability development plan.

(b) Persons, families, and married couples who are not state residents but who are otherwise eligible for work readiness assistance may receive emergency assistance to meet emergency needs.

(c) Notwithstanding the provisions of sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits due to exhaustion of the period of eligibility specified in paragraph (a).

Sec. 30. Minnesota Statutes 1990, section 256D.051, subdivision 1a, is amended to read:

Subd. 1a. [WORK READINESS PAYMENTS.] (a) Except as provided in this subdivision, grants of work readiness shall be determined using the standards of assistance, exclusions, disregards, and procedures which are used in the general assistance program. Work readiness shall be granted in an amount that, when added to the nonexempt income actually available to the assistance unit, the total amount equals the applicable standard of assistance.

(b) Work readiness payments must be provided to persons determined eligible for the work readiness program as provided in this subdivision except when the special payment provisions in subdivision 1b are utilized. The initial payment must be prorated to provide assistance for the period beginning with the date the completed application is received by the county agency or the date the assistance unit meets all work readiness eligibility factors, whichever is later, and ending on the final day of that month. The amount of the first payment must be determined by dividing the number of days to be covered under the payment by the number of days in the month, to determine the percentage of days in the month that are covered by the payment, and multiplying the monthly payment amount by this percentage. Subsequent payments must be paid monthly on the first day of each month. Except as provided in section 256D.05, subdivision 6, work readiness assistance must be paid on the first day of each month.

At the time the county agency notifies the assistance unit that it is eligible for family general assistance or work readiness assistance and on the first day of each month of services, the county agency must inform all mandatory registrants in the assistance unit that they must attend an orientation within 30 days comply with all work readiness requirements that month, and that work readiness eligibility will end at the end of the month in which the orientation is scheduled unless the registrants attend orientation comply with work readiness requirements before the end of the month. A registrant who fails, without good cause, to comply with require-

ments during this time period, including attendance at orientation, will lose family general assistance or work readiness eligibility without notice under section 256D.101, subdivision 1, paragraph (b). The registrant shall, however, be sent a notice, ~~on or before the date that~~ no later than five days after eligibility ends, which informs the registrant that family general assistance or work readiness eligibility has ended in accordance with this section for failure to comply with work readiness requirements. The notice shall set forth the factual basis for such determination and ~~advises~~ advise the registrant of the right to reinstate eligibility upon a showing of good cause for the failure to meet the requirements. Subsequent assistance must not be issued unless the person completes an application, is determined eligible, and ~~attends an orientation~~ complies with the work readiness requirements that had not been complied with, or demonstrates that the person had good cause for failing to comply with the requirement. The time during which the person is ineligible under these provisions is counted as part of the person's period of eligibility under subdivision 1.

(c) Notwithstanding the provisions of section 256D.01, subdivision 1a, paragraph (d), when one member of a married couple has exhausted the six months of work readiness eligibility in a 12-month period and the other member has one or more months of eligibility remaining within the same 12-month period, the standard of assistance applicable to the member who remains eligible is the first adult standard in the aid to families with dependent children program.

(d) Notwithstanding sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits under paragraph (b).

Sec. 31. Minnesota Statutes 1990, section 256D.051, subdivision 3a, is amended to read:

Subd. 3a. [PERSONS REQUIRED TO REGISTER FOR AND PARTICIPATE IN THE WORK READINESS PROGRAM.] Each person in a work readiness assistance unit who is 18 years old or older must register for and participate in the work readiness program. A child person in the assistance unit who is at least 16 years old but less than 19 years old and who is not a full-time secondary school student is required to register and participate. A student who was enrolled as a full-time student during the last school term must be considered a full-time student during summers and school holidays. If an assistance unit includes children under age six and suitable child care is not available at no cost to the family, one adult member of the assistance unit is exempt from registration for and participation in the work readiness program. The county agency shall designate the adult who must register. The registrant must be the adult who is the principal wage earner,

having earned the greater of the incomes, except for income received in-kind, during the 24 months immediately preceding the month of application for assistance. When there are no earnings or when earnings are identical for each parent, the applicant must designate the principal wage earner, and that designation must not be transferred after program eligibility is determined as long as assistance continues without interruption.

Sec. 32. Minnesota Statutes 1990, section 256D.051, subdivision 6, is amended to read:

Subd. 6. [SERVICE COSTS.] The commissioner shall reimburse 92 percent of county agency expenditures for providing work readiness services including direct participation expenses and administrative costs, except as provided in section 256.017; and reimbursement from the state appropriation must not exceed an average of \$260 each year for each registrant who has completed an employment development plan for direct expenses incurred by the registrant for transportation, clothes, and tools necessary for employment. Beginning July 1, 1991, the state will reimburse counties, up to the limit of state appropriations, according to the payment schedule in section 256.025 for the county share of costs incurred under this subdivision from January 1, 1991, on. State work readiness funds shall be used only to pay the county agency's actual costs of providing participant support services, direct program services, and program administrative costs for persons who participate in work readiness services. Beginning January 1, 1991, the average reimbursable cost per recipient must not exceed \$283 annually. Beginning July 1, 1991, the average annual reimbursable cost for providing work readiness services to a recipient must not exceed \$10 for an orientation, \$50 for a written employability assessment, and \$223 for necessary recipient support services such as tools and clothing necessary for employment and transportation to participate in work readiness services. If the entire \$223 is not needed for recipient support services, the balance may be used for completion of a written employability plan and to pay for all services and costs necessary to implement the plan, including the costs of training, employment search assistance, placement, work experience, on-the-job training, other appropriate activities, and the administrative and program costs incurred in providing these services. Beginning July 1, 1991, the state will reimburse counties, up to the limit of state appropriations, according to the payment schedule in section 256.025 for the county share of costs incurred under this subdivision on or after January 1, 1991. Payment to counties under this subdivision is subject to the provisions of section 256.017. After paying direct expenses as needed by individual registrants, the county agency may use any remaining money to provide additional services as needed by any registrant including employability assessments and employability development plans, education, orientation, employment search assistance, placement, other work experience, on-the-job training, and other appropriate

activities and the administrative costs incurred providing these services.

Sec. 33. Minnesota Statutes 1990, section 256D.051, subdivision 8, is amended to read:

Subd. 8. [VOLUNTARY QUIT.] A person who is required to participate in work readiness services is not eligible for general assistance or work readiness payments or services if, without good cause, the person refuses a legitimate offer of, or quits, suitable employment within 60 days before the date of application. A person who is required to participate in work readiness services and, without good cause, voluntarily quits suitable employment or refuses a legitimate offer of suitable employment while receiving general assistance or work readiness payments or services shall be terminated from the general assistance or work readiness program and disqualified for two months according to rules adopted by the commissioner as specified in subdivision 1a.

Sec. 34. Minnesota Statutes 1990, section 256D.052, subdivision 3, is amended to read:

Subd. 3. [SERVICES PROVIDED.] Within the limits of the state appropriation the county agency must provide child care and transportation to enable people to participate in literacy training under this section. The state shall reimburse county agencies for the costs of providing transportation under this section up to the amount of the state appropriation. Counties must make every effort to ensure that child care is available as needed by recipients who are pursuing literacy training.

Sec. 35. Minnesota Statutes 1990, section 256D.07, is amended to read:

#### 256D.07 [TIME OF PAYMENT OF ASSISTANCE.]

An applicant for general assistance or general assistance medical care authorized by section 256D.03, subdivision 3, shall be deemed eligible if the application and the verification of the statement on that application demonstrate that the applicant is within the eligibility criteria established by sections 256D.01 to 256D.21 and any applicable rules of the commissioner. Any person requesting general assistance or general assistance medical care shall be permitted by the county agency to make an application for assistance as soon as administratively possible and in no event later than the fourth day following the date on which assistance is first requested, and no county agency shall require that a person requesting assistance appear at the offices of the county agency more than once prior to the date on which the person is permitted to make the application. The application shall be in writing in the manner and upon the form prescribed by the commissioner and attested to by the



oath of the applicant or in lieu thereof shall contain the following declaration which shall be signed by the applicant: "I declare that this application has been examined by me and to the best of my knowledge and belief is a true and correct statement of every material point." On the date that general assistance is first requested, the county agency shall inquire and determine whether the person requesting assistance is in immediate need of food, shelter, clothing, assistance for necessary transportation, or other emergency assistance pursuant to section 256D.06, subdivision 2. A person in need of emergency assistance shall be granted emergency assistance immediately, and necessary emergency assistance shall continue until either the person is determined to be ineligible for general assistance or the first grant of general assistance is paid to the person for up to 30 days following the date of application. A determination of an applicant's eligibility for general assistance shall be made by the county agency as soon as the required verifications are received by the county agency and in no event later than 30 days following the date that the application is made. Any verifications required of the applicant shall be reasonable, and the commissioner shall by rule establish reasonable verifications. General assistance shall be granted to an eligible applicant without the necessity of first securing action by the board of the county agency. The first month's grant must be computed to cover the time period starting with the date a signed application form is received by the county agency or from the date that the applicant meets all eligibility factors, whichever occurs later. The first grant may be reduced by the amount of emergency general assistance provided to the applicant.

If upon verification and due investigation it appears that the applicant provided false information and the false information materially affected the applicant's eligibility for general assistance or general assistance medical care provided pursuant to section 256D.03, subdivision 3, or the amount of the applicant's general assistance grant, the county agency may refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 36. Minnesota Statutes 1990, section 256D.10, is amended to read:

**256D.10 [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.]**

No grant of general assistance except one made pursuant to sections 256D.06, subdivision 2; 256D.051, subdivisions 1, paragraph (c), and 1a, paragraph (b); or 256D.08, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the county agency.

Nothing herein shall deprive a recipient of the right to full administrative and judicial review of an order or determination of a county agency as provided for in section 256.045 subsequent to any action taken by a county agency after a prior hearing.

Sec. 37. Minnesota Statutes 1990, section 256D.101, subdivision 1, is amended to read:

Subdivision 1. [NOTICE REQUIREMENTS.] (a) At the time a registrant is registered for the work readiness program, and at least every 30 days on the first day of each month of services after that, the county agency shall provide, in advance, a clear, written description of the specific tasks and assigned duties the registrant which all mandatory registrants must complete to receive general assistance or work readiness pay. The notice must explain that the registrant will be terminated from the work readiness program unless the registrant has completed the specific tasks and assigned duties. The notice must inform the registrant that at the end of the month if the registrant fails without good cause to comply with work readiness requirements more than once every six months, the registrant will be terminated from the work readiness program and disqualified from receiving assistance for one month if it is the registrant's first disqualification within the preceding six months, or for two months if the registrant has been previously disqualified within the preceding six months.

(b) If after the initial certification period the county agency determines that a registrant has failed to comply with work readiness requirements, the county agency shall notify the registrant of the determination. Notice must be hand delivered or mailed to the registrant within three days after the agency makes the determination but no later than the date work readiness pay was scheduled to be paid. For a recipient who has failed to provide the county agency with a mailing address, the recipient must be assigned a schedule by which a recipient is to visit the agency to pick up any notices. For a recipient without a mailing address, notices must be deemed delivered on the date of the registrant's next scheduled visit with the county agency. The notification shall be in writing and shall state the facts that support the county agency's determination. For the first time in a six-month period that the registrant has failed without good cause to comply with program requirements, the notification shall inform the registrant that the registrant may lose eligibility for work readiness pay and must specify the particular actions that must be taken by the registrant to achieve compliance and reinstate work readiness payments. The notice must state that the recipient must take the specified actions by a date certain, which must be at least five working days following the date the notification is mailed or delivered to the registrant; must explain the ramifications of the registrant's failure to take the required actions by the specified date; and must advise the registrant that the registrant may request and have a conference with the county

agency to discuss the notification. A registrant who fails without good cause to comply with requirements of the program more than once in a six-month period must be notified of termination.

Sec. 38. Minnesota Statutes 1990, section 256D.101, subdivision 3, is amended to read:

Subd. 3. [BENEFITS AFTER NOTIFICATION.] Assistance payments otherwise due to the registrant under section 256D.051 may not be paid after the notification required in subdivision 1 has been provided to the registrant unless, before the date stated in the notification, the registrant takes the specified action necessary to achieve compliance or, within five days after the effective date stated in the notice, files an appeal of the grant reduction, suspension, or termination. If, by the required date, the registrant does take the specified action necessary to achieve compliance, both the notification required by subdivision 1 and the notice required by subdivision 2 shall be canceled and all benefits due to the registrant shall be paid promptly. If, by the required date, the registrant files an appeal of the grant termination, benefits otherwise due to the registrant shall be continued pending the outcome of the appeal. An appeal of a proposed termination shall be brought under section 256.045, except that the timelines specified in this section shall apply, notwithstanding the requirements of section 256.045, subdivision 3. Appeals of proposed terminations from the work readiness program shall be heard within 30 days of the date that the appeal was filed."

Page 272, after line 13, insert:

"Sec. 63. [REPEALER; GENERAL ASSISTANCE WORK READINESS.]

Minnesota Statutes 1990, sections 256D.051, subdivisions 1b and 3c; 256D.052, subdivision 4; 256D.09, subdivision 4; and 256D.101, subdivision 2, are repealed."

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 second portion of the Sviggum and Dauner amendment and the roll was called. There were 107 yeas and 22 nays as follows:

## Those who voted in the affirmative were:

Abrams	Dorn	Johnson, V.	Newinski	Skoglund
Anderson, I.	Erhardt	Kalis	O'Connor	Smith
Anderson, R. H.	Frederick	Kelso	Olsen, S.	Solberg
Battaglia	Frerichs	Kinkel	Olson, E.	Sparby
Bauerly	Garcia	Knickerbocker	Olson, K.	Stanislaus
Beard	Girard	Koppendrayner	Omann	Steensma
Begich	Goodno	Krinkie	Onnen	Sviggunn
Bertram	Gruenes	Krueger	Orfield	Swenson
Bettermann	Gutknecht	Lasley	Ostrom	Thompson
Bishop	Hanson	Leppik	Ozment	Tompkins
Blatz	Hartle	Lieder	Pauly	Tunheim
Bodahl	Hasskamp	Limmer	Pellow	Uphus
Boo	Haukoos	Lourey	Pelowski	Valento
Brown	Heir	Lynch	Peterson	Waltman
Carlson	Henry	Macklin	Pugh	Weaver
Carruthers	Hufnagle	Marsh	Reding	Welker
Cooper	Hugoson	McEachern	Rodosovich	Welle
Dauner	Jacobs	McGuire	Rukavina	Wenzel
Dauids	Janezich	McPherson	Runbeck	Winter
Dawkins	Jaros	Milbert	Schafer	
Dempsey	Jennings	Morrison	Schreiber	
Dille	Johnson, R.	Nelson, S.	Seaberg	

## Those who voted in the negative were:

Anderson, R.	Johnson, A.	Ogren	Segal	Wejcman
Clark	Kahn	Orenstein	Simoneau	Spk. Vanasek
Greenfield	Long	Osthoff	Trimble	
Hausman	Mariani	Rice	Vellenga	
Jefferson	Nelson, K.	Scheid	Wagenius	

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

Gruenes, Greenfield, Murphy and Dempsey moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 24, delete lines 36 to 43, and insert:

"The increased funding for family planning special project grants shall be awarded through the criteria established in Minnesota Rules. Notwithstanding any rule to the contrary, an organization shall not be excluded or reduced in priority for funding because the organization does not make available, directly or through referral, all methods of contraception for reasons of conscience. The commissioner of health shall develop procedures for establishing a conscience clause in the grant application process."

The motion prevailed and the amendment was adopted.

Dille and Cooper moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 116, after line 22, insert:

"Sec. 49. Minnesota Statutes 1990, section 261.035, is amended to read:

**261.035 [BURIAL AT EXPENSE OF COUNTY.]**

When a person dies in any county without apparent means to provide for burial and without relatives of sufficient ability to procure the burial, the county board shall first investigate to determine whether the person who has died has contracted for any prepaid burial arrangements. If such arrangements have been made, the county shall authorize burial in accord with the written instructions of the deceased. If it is determined that the person did not leave sufficient means to defray the necessary expenses of burial, nor any relatives therein of sufficient ability to procure the burial, the county board shall cause a decent burial or cremation of the person's remains to be made at the expense of the county."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Kinkel moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 290, after line 24, insert:

"Sec. 29. Minnesota Statutes 1990, section 251.011, subdivision 3, is amended to read:

Subd. 3. [~~AH-GWAH-CHING NURSING HOME CENTER.~~] When tuberculosis treatment is discontinued at Ah-Gwah-Ching that facility may be used by the commissioner of human services for the care of geriatric patients, and shall be known as the Ah-Gwah-Ching Nursing Home Center."

Page 338, after line 3, insert:

"Sec. 56. [INSTRUCTION TO REVISOR.]

In the next edition of Minnesota Statutes, the revisor of statutes is directed to change the words "Ah-Gwah-Ching Nursing Home" wherever they appear to "Ah-Gwah-Ching Center".

The motion prevailed and the amendment was adopted.

Lasley moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 154, after line 31, insert:

"Sec. 26. Minnesota Statutes 1990, section 256B.056, subdivision 5, is amended to read:

Subd. 5. [EXCESS INCOME.] A person who has excess income is eligible for medical assistance if the person has expenses for medical care that are more than the amount of the person's excess income, computed by deducting incurred medical expenses from the excess income to reduce the excess to the income standard specified in subdivision 4. The person shall elect to have the medical expenses deducted at the beginning of a one-month budget period or at the beginning of a six-month budget period. The commissioner shall seek applicable waivers from the Secretary of Health and Human Services to allow persons eligible for assistance on a spend-down basis under this subdivision to elect to pay the monthly spend-down amount to the local agency in order to maintain eligibility on a continuous basis for medical assistance and to simplify payment to health care providers. If the local agency has not received payment of the spend-down amount by the 15th day of the month, the recipient is ineligible for this option for the following month. The commissioner may seek a waiver of the requirement of the Social Security Act that all requirements be uniform statewide, to phase in this option over a six-month period."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

Frerichs moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 12, delete lines 58 to 68

Page 13, delete lines 1 to 27 and insert:

"Notwithstanding the provisions of sections 246.18, 246.60, any provisions of chapters 246, 254A, 254B, or any other law to the contrary, the commissioner of human services, for the biennium ending June 1993, is directed to ensure that all regional treatment center programs operated solely for the treatment of chemical dependency as well as the program located in Ah-Gwah-Ching, shall not accept any client admissions for the purpose of chemical dependency treatment after August 1, 1991, and shall cease operating all programs relating solely to chemical dependency services no later than December 31, 1991.

Notwithstanding the provisions of section 252.50 or any other law to the contrary, the closure of the seven regional treatment centers' chemical dependency treatment programs shall not be construed as a component of the department of human services' restructuring plan. Therefore, employee options with respect to restructuring in collective bargaining agreements and the commissioner's plan executed under chapter 179A do not apply unless the commissioner also declares the jobs to be at risk, within the meaning of the agreement authorized by Laws 1989, chapter 282, article 6, subdivision 11, due to the closure of the programs.

Notwithstanding any law to the contrary, the commissioner may maintain one regional treatment center for persons who are chemically dependent and mentally ill, persons who have been committed to chemical dependency treatment under Minnesota Statutes, chapter 253B, or persons who have acute needs and the commissioner determines they would not be served in another chemical dependency program."

A roll call was requested and properly seconded.

The question was taken on the Frerichs amendment and the roll was called. There were 41 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Krinkie	Onnen	Swenson
Blatz	Gruenes	Leppik	Pauly	Tompkins
Boo	Gutknecht	Limmer	Pellow	Valento
Davids	Hartle	Lynch	Runbeck	Waltman
Dempsey	Haukoos	Macklin	Schreiber	Welker
Dille	Heir	Marsh	Seaberg	
Erhardt	Henry	McPherson	Smith	
Frederick	Hufnagle	Morrison	Stanisus	
Frerichs	Hugoson	Olsen, S.	Svigum	

Those who voted in the negative were:

Anderson, I.	Goodno	Koppendraye	Olson, K.	Simoneau
Anderson, R.	Greenfield	Krueger	Omann	Skoglund
Anderson, R. H.	Hanson	Lasley	Orenstein	Solberg
Battaglia	Hasskamp	Lieder	Orfield	Sparby
Beard	Hausman	Long	Osthoff	Steensma
Begich	Jacobs	Lourey	Ostrom	Thompson
Bertram	Janezich	Mariani	Ozment	Trimble
Bettermann	Jaros	McEachern	Pelowski	Tunheim
Bodahl	Jefferson	McGuire	Peterson	Uphus
Brown	Jennings	Milbert	Pugh	Vellenga
Carlson	Johnson, A.	Munger	Reding	Wagenius
Carruthers	Johnson, R.	Murphy	Rest	Weaver
Clark	Johnson, V.	Nelson, K.	Rice	Wejcman
Cooper	Kahn	Nelson, S.	Rodosovich	Welle
Dauner	Kalis	Newinski	Rukavina	Wenzel
Dawkins	Kelso	O'Connor	Schafer	Winter
Dorn	Kinkel	Ogren	Scheid	Spk. Vanasek
Garcia	Knickerbocker	Olson, E.	Segal	

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

Henry; Olsen, S.; Nelson, S.; Jennings; Macklin; McPherson; Newinski; Goodno; Frederick and Dempsey moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 238, after line 21, insert:

"Sec. 27. [256D.045] [VERIFICATIONS AND CITIZENSHIP STATUS.]

Subdivision 1. [SOCIAL SECURITY NUMBERS.] In order to be eligible for assistance under sections 256D.01 to 256D.21, an indi-



vidual must provide his or her social security number to the county agency.

Subd. 2. [CITIZENSHIP; ALIENAGE STATUS.] In order to be eligible for assistance under sections 256D.01 to 256D.21, an individual must be either:

(1) a citizen of the United States; or

(2) a lawful permanent resident alien or alien residing under color of law, within the meaning of classifications established for the aid to families with dependent children program.

Subd. 3. [COUNTY VERIFICATIONS.] The county agency must verify the social security number and the citizenship or alienage status of all applicants for and recipients of assistance under sections 256D.01 to 256D.21.

Subd. 4. [RULES.] The commissioner is authorized to adopt emergency and permanent rules as necessary to implement the requirements of this section.

Subd. 5. The provisions of this section do not apply to the determination of eligibility for emergency general assistance under section 256D.06, subdivision 2."

Renumber the sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Henry et al amendment and the roll was called. There were 62 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Knickerbocker	Omann	Steensma
Anderson, R. H.	Gruenes	Koppendrayer	Onnen	Svigum
Bettermann	Gutknecht	Krinkie	Osthoff	Swenson
Blatz	Hanson	Leppik	Ozment	Tompkins
Boo	Hartle	Limmer	Pauly	Uphus
Cooper	Haukoos	Lynch	Pellow	Valento
Davids	Heir	Macklin	Peterson	Waltman
Dempsey	Henry	Marsh	Runbeck	Weaver
Dille	Hufnagle	McPherson	Schafer	Welker
Erhardt	Hugoson	Morrison	Schreiber	Winter
Frederick	Jennings	Nelson, S.	Seaberg	
Frerichs	Johnson, V.	Newinski	Smith	
Girard	Kinkel	Olsen, S.	Stanis	

Those who voted in the negative were:

Anderson, I.	Dauner	Kalis	Olson, E.	Simoneau
Anderson, R.	Dawkins	Kelso	Olson, K.	Skoglund
Battaglia	Dorn	Krueger	Orenstein	Solberg
Bauerly	Garcia	Lasley	Orfield	Sparby
Beard	Greenfield	Lieder	Ostrom	Thompson
Begich	Hausman	Long	Pelowski	Trimble
Bertram	Jacobs	Lourey	Pugh	Vellenga
Bishop	Janezich	Mariani	Rest	Wagenius
Bodahl	Jaros	Munger	Rice	Wejzman
Brown	Jefferson	Murphy	Rodosovich	Welle
Carlson	Johnson, A.	Nelson, K.	Rukavina	Wenzel
Carruthers	Johnson, R.	O'Connor	Scheid	Spk. Vanasek
Clark	Kahn	Ogren	Segal	

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

Henry; Olsen, S.; Jennings; Macklin; Newinski; McPherson; Goodno; Frederick and Dempsey moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 240, after line 18, insert:

"Sec. 30. Minnesota Statutes 1990, section 256D.06, subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of subdivision 1, a grant of general assistance shall be made to an eligible individual, married couple, or family for an emergency need, as defined in rules promulgated by the commissioner, where the recipient requests temporary assistance not exceeding 30 days if an emergency situation appears to exist and the individual is ineligible for the program of emergency assistance under aid to families with dependent children and is not a recipient of aid to families with dependent children at the time of application hereunder. Benefits under this section shall be furnished one time in any 12-month period. If an applicant or recipient relates facts to the county agency which may be sufficient to constitute an emergency situation, the county agency shall advise the person of the procedure for applying for assistance pursuant to this subdivision."

Renumber the sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Henry et al amendment and the roll was called. There were 56 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Olsen, S.	Stanius
Anderson, R. H.	Girard	Knickerbocker	Omman	Sviggum
Bettermann	Goodno	Koppendraye	Onnen	Swenson
Bishop	Gruenes	Krinkie	Ozment	Uphus
Blatz	Gutknecht	Limmer	Pauly	Valento
Boo	Hartle	Lynch	Pellow	Waltman
Davids	Haukoos	Macklin	Pelowski	Weaver
Dempsey	Heir	Marsh	Runbeck	Welker
Dille	Henry	McEachern	Schafer	
Dorn	Hufnagle	McPherson	Schreiber	
Erhardt	Hugoson	Morrison	Seaberg	
Frederick	Jennings	Newinski	Smith	

Those who voted in the negative were:

Anderson, I.	Greenfield	Long	Osthoﬀ	Steensma
Anderson, R.	Hanson	Lourey	Ostrom	Thompson
Battaglia	Hausman	Mariani	Peterson	Tompkins
Bauerly	Jacobs	McGuire	Pugh	Trimble
Beard	Janezich	Milbert	Reding	Tunheim
Begich	Jaros	Munger	Rest	Vellenga
Bertram	Jefferson	Murphy	Rice	Wagenius
Bodahl	Johnson, A.	Nelson, K.	Rodosovich	Wejzman
Brown	Kahn	Nelson, S.	Rukavina	Welle
Carlson	Kalis	O'Connor	Scheid	Wenzel
Carruthers	Kelso	Ogren	Segal	Winter
Cooper	Krueger	Olson, E.	Simoneau	Spk. Vanasek
Dauner	Lasley	Olson, K.	Skoglund	
Dawkins	Leppik	Orenstein	Solberg	
Garcia	Lieder	Orfield	Sparby	

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

The Speaker called Krueger to the Chair.

Welker, Hugoson, Girard and Knickerbocker offered an amendment to H. F. No. 719, the second engrossment, as amended.

Jennings requested a division of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended.

The first portion of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended, reads as follows:

Pages 116 to 118 delete section 49

Pages 120 to 123 delete sections 51 to 54 and insert:

"Sec. 51. Minnesota Statutes 1990, section 268.977, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] Notwithstanding section 268.975, subdivisions 6 and 8, the commissioner may waive the threshold

requirements for finding a plant closing or substantial layoff in special cases where the governor's job training council recommends waiver to the commissioner following a finding by the council that the number of workers dislocated as a result of a plant closing or substantial layoff would have a substantial impact on the community or labor market where the closure or layoff occurs and, in the absence of intervention through the rapid response program, would overwhelm the capacity of other programs to provide effective assistance. An individual is eligible for the training and other services described in section 268.977, subdivision 1, clause (4), if the only reason the individual is not a "dislocated worker" under section 268.975, subdivision 3, is because the threshold employment loss requirements of section 268.975, subdivisions 6 and 8, have not been met.

Sec. 52. [LEGISLATIVE AUDITOR STUDY.]

The legislative auditor shall evaluate the effectiveness of the dislocated worker program under sections 268.975 to 268.98 in meeting its objectives and submit the evaluation to the legislature by January 1, 1992.

Sec. 53. Minnesota Statutes 1990, section 268.98, is amended to read:

268.98 [PERFORMANCE STANDARDS; RULES.]

(1) The commissioner shall establish performance standards for the programs and activities administered or funded through the rapid response program under section 268.977. The commissioner may use existing federal performance standards or, if the commissioner determines that the federal standards are inadequate or not suitable, may formulate new performance standards to ensure that the programs and activities of the rapid response program are effectively administered.

(2) The commissioner shall adopt rules implementing the programs authorized under section 268.975 to 268.979 and the performance standards under section 268.98. The rules must include reporting requirements for the programs and grants. While the commissioner is making rules as required under this section, the commissioner shall continue to implement sections 268.975 to 268.98 under existing law. The commissioner shall report to the legislature on the effectiveness of sections 268.975 to 268.98 on February 1 of each year.

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 first portion of the Welker et al amendment and the roll was called. There were 66 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kelso	Omann	Sviggum
Anderson, R. H.	Girard	Knickerbocker	Onnen	Swenson
Bertram	Goodno	Koppendrayner	Ozment	Tompkins
Bettermann	Gruenes	Krinkie	Pauly	Uphus
Blatz	Gutknecht	Leppik	Pellow	Valento
Boo	Hartle	Limmer	Pelowski	Waltman
Cooper	Haukoos	Lynch	Peterson	Weaver
Dauner	Heir	Macklin	Runbeck	Welker
Davids	Henry	Marsh	Schafer	Welle
Dempsey	Hufnagle	McPherson	Schreiber	Winter
Dille	Hugoson	Morrison	Seaberg	
Dorn	Jennings	Nelson, S.	Smith	
Erhardt	Johnson, V.	Olsen, S.	Stanis	
Frederick	Kalis	Olson, E.	Steenasma	

Those who voted in the negative were:

Anderson, I.	Greenfield	Long	Orenstein	Solberg
Anderson, R.	Hanson	Lourey	Orfield	Sparby
Battaglia	Hausman	Mariani	Ostrom	Thompson
Bauerly	Jacobs	McEachern	Pugh	Trimble
Beard	Janezich	McGuire	Reding	Tunheim
Begich	Jaros	Milbert	Rest	Vellenga
Bodahl	Jefferson	Munger	Rice	Wagenius
Brown	Johnson, A.	Murphy	Rodosovich	Wejzman
Carlson	Johnson, R.	Nelson, K.	Rukavina	Wenzel
Carruthers	Kahn	Newinski	Scheid	Spk. Vanasek
Clark	Kinkel	O'Connor	Segal	
Dawkins	Krueger	Ogren	Simoneau	
Garcia	Lieder	Olson, K.	Skoglund	

The motion prevailed and the first portion of the Welker et al amendment was adopted.

The Speaker resumed the Chair.

The second portion of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended, reads as follows:

Page 130, delete section 60 and insert:

"Sec. 60. Laws 1990, chapter 568, article 6, section 4, is amended to read:

## Sec. 4. [SUNSET.]

Section 1 is repealed effective ~~June 30~~ December 31, 1992."

Page 130, line 33, delete "51 to 53" and insert "52, 53, and 60"

Page 130, line 34, after the period insert:

"Section 51 is effective July 1, 1991."

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 second portion of the Welker et al amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Kelso	Omann	Stanisus
Anderson, R. H.	Girard	Knickerbocker	Onnen	Sviggum
Bertram	Goodno	Koppendrayner	Ostrom	Swenson
Bettermann	Gruenes	Krinkie	Ozment	Tompkins
Bishop	Gutknecht	Leppik	Pauly	Uphus
Blatz	Hartle	Limmer	Pellow	Valento
Boo	Heir	Lynch	Pelowski	Waltman
Dauids	Henry	Macklin	Runbeck	Weaver
Dempsey	Hufnagle	Marsh	Schafer	Welker
Dille	Hugoson	McPherson	Schreiber	Welle
Dorn	Jennings	Morrison	Seaberg	
Erhardt	Johnson, V.	Olsen, S.	Smith	
Frederick	Kalis	Olsen, E.	Sparby	

Those who voted in the negative were:

Anderson, I.	Garcia	Lasley	Ogren	Simoneau
Anderson, R.	Greenfield	Lieder	Olson, K.	Skoglund
Battaglia	Hanson	Long	Orenstein	Solberg
Bauerly	Haukoos	Lourey	Orfield	Steensma
Beard	Hausman	Mariani	Osthoff	Thompson
Begich	Jacobs	McEachern	Peterson	Trimble
Bodahl	Janezich	McGuire	Pugh	Tunheim
Brown	Jaros	Milbert	Reding	Vellenga
Carlson	Jefferson	Munger	Rest	Wagenius
Carruthers	Johnson, A.	Murphy	Rice	Wejeman
Clark	Johnson, R.	Nelson, K.	Rodosovich	Wenzel
Cooper	Kahn	Nelson, S.	Rukavina	Winter
Dauner	Kinkel	Newinski	Scheid	Spk. Vanasek
Dawkins	Krueger	O'Connor	Segal	

The motion did not prevail and the second portion of the Welker et al amendment was not adopted.

#### MOTION FOR RECONSIDERATION

Welle moved that the vote whereby the first portion of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended, which was adopted earlier today be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Welle motion and the roll was called. There were 71 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Greenfield	Krueger	Olson, K.	Sparby
Anderson, R.	Hanson	Lasley	Ostrom	Thompson
Battaglia	Hasskamp	Lieder	Pelowski	Trimble
Bauerly	Haukoos	Long	Peterson	Tunheim
Beard	Hausman	Lourey	Pugh	Vellenga
Begich	Jacobs	Mariani	Reding	Wagenius
Bodahl	Janezich	McEachern	Rest	Wejcmán
Brown	Jaros	McGuire	Rice	Welle
Carlson	Jefferson	Milbert	Rodosovich	Wenzel
Carruthers	Johnson, A.	Munger	Rukavina	Winter
Clark	Johnson, R.	Murphy	Scheid	Spk. Vanasek
Cooper	Kahn	Nelson, K.	Segal	
Dawkins	Kalis	O'Connor	Simoneau	
Dorn	Kelso	Ogren	Skoglund	
Garcia	Kinkel	Olson, E.	Solberg	

Those who voted in the negative were:

Abrams	Frederick	Jennings	Morrison	Smith
Anderson, R. H.	Frerichs	Johnson, V.	Olsen, S.	Stanis
Bertram	Girard	Knickerbocker	Omann	Steensma
Bettermann	Goodno	Koppendraye	Onnen	Sviggum
Bishop	Gruenes	Krinkie	Ozment	Swenson
Blatz	Gutknecht	Leppik	Pauly	Tompkins
Boo	Hartle	Limmer	Pellow	Uphus
Davids	Heir	Lynch	Runbeck	Valento
Demsey	Henry	Macklin	Schafer	Waltman
Dille	Hufnagle	Marsh	Schreiber	Weaver
Erhardt	Hugoson	McPherson	Seaberg	Welker

The motion prevailed.

The first portion of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended, was reported to the House.

The first portion of the Welker et al amendment to H. F. No. 719, the second engrossment, as amended, reads as follows:

Pages 116 to 118 delete section 49

Pages 120 to 123 delete sections 51 to 54 and insert:

"Sec. 51. Minnesota Statutes 1990, section 268.977, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] Notwithstanding section 268.975, subdivisions 6 and 8, the commissioner may waive the threshold requirements for finding a plant closing or substantial layoff in special cases where the governor's job training council recommends waiver to the commissioner following a finding by the council that the number of workers dislocated as a result of a plant closing or substantial layoff would have a substantial impact on the community or labor market where the closure or layoff occurs and, in the absence of intervention through the rapid response program, would overwhelm the capacity of other programs to provide effective assistance. An individual is eligible for the training and other services described in section 268.977, subdivision 1, clause (4), if the only reason the individual is not a "dislocated worker" under section 268.975, subdivision 3, is because the threshold employment loss requirements of section 268.975, subdivisions 6 and 8, have not been met.

Sec. 52. [LEGISLATIVE AUDITOR STUDY.]

The legislative auditor shall evaluate the effectiveness of the dislocated worker program under sections 268.975 to 268.98 in meeting its objectives and submit the evaluation to the legislature by January 1, 1992.

Sec. 53. Minnesota Statutes 1990, section 268.98, is amended to read:

268.98 [PERFORMANCE STANDARDS; RULES.]

(1) The commissioner shall establish performance standards for the programs and activities administered or funded through the rapid response program under section 268.977. The commissioner may use existing federal performance standards or, if the commissioner determines that the federal standards are inadequate or not suitable, may formulate new performance standards to ensure that the programs and activities of the rapid response program are effectively administered.

(2) The commissioner shall adopt rules implementing the programs authorized under section 268.975 to 268.979 and the performance standards under section 268.98. The rules must include reporting requirements for the programs and grants. While the commissioner is making rules as required under this section, the



commissioner shall continue to implement sections 268.975 to 268.98 under existing law. The commissioner shall report to the legislature on the effectiveness of sections 268.975 to 268.98 on February 1 of each year."

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 first portion of the Welker et al amendment and the roll was called. There were 61 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Johnson, V.	Omann	Sviggum
Anderson, R. H.	Frerichs	Kalis	Onnen	Swenson
Bertram	Girard	Knickerbocker	Ozment	Tompkins
Bettermann	Goodno	Koppendrayer	Pauly	Uphus
Bishop	Gruenes	Krinkie	Pellow	Valento
Blatz	Gutknecht	Leppik	Peterson	Waltman
Boo	Hartle	Limmer	Runbeck	Weaver
Cooper	Haukoos	Lynch	Schafer	Welker
Dauner	Heir	Macklin	Schreiber	Winter
Davids	Henry	Marsh	Seaberg	
Dempsey	Hufnagle	McPherson	Smith	
Dille	Hugoson	Morrison	Stanis	
Erhardt	Jennings	Olsen, S.	Steensma	

Those who voted in the negative were:

Anderson, I.	Garcia	Kinkel	Olson, E.	Simoneau
Anderson, R.	Greenfield	Krueger	Orenstein	Skoglund
Battaglia	Hanson	Lieder	Orfield	Solberg
Bauerly	Haskamp	Long	Ostrom	Sparby
Beard	Hausman	Lourey	Pelowski	Trimble
Begich	Jacobs	Mariani	Pugh	Tunheim
Bodahl	Janezich	McGuire	Reding	Vellenga
Brown	Jaros	Milbert	Rest	Wagenius
Carlson	Jefferson	Munger	Rice	Wejzman
Carruthers	Johnson, A.	Murphy	Rodosovich	Wenzel
Clark	Johnson, R.	Nelson, K.	Rukavina	Spk. Vanasek
Dawkins	Kahn	O'Connor	Scheid	
Dorn	Kelso	Ogren	Segal	

The motion did not prevail and the first portion of the Welker et al amendment was not adopted.

Macklin moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 266, line 33, after the period insert:

"A parent is not considered voluntarily unemployed or underemployed upon a showing by the parent that (1) the parent has made a good faith effort to seek suitable employment or (2) that the unemployment or underemployment is: (i) temporary and will ultimately lead to an increase in income; or (ii) represents a bona fide career change that outweighs the adverse effect of that parent's diminished income on the child, and under both (i) and (ii), the parent is able to provide reasonable support to the child."

Page 267, line 34, after the period insert:

"If application of the child support guidelines as provided in this paragraph results in an amount that is less than 10 percent higher or lower than the amount of the current support order, then the current support order is rebuttably presumed to be reasonable and fair."

The motion prevailed and the amendment was adopted.

Frerichs moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 307, after line 31, insert:

"Sec. 40. [252.505] [SALE OF STATE-OPERATED COMMUNITY FACILITIES.]

Notwithstanding the requirements of chapter 94 or section 252.50 of Minnesota Statutes, or any other law to the contrary, the commissioner of human services is directed to sell directly by private sealed bid for not less than the appraised value, or to lease, all of the state-operated community residential facilities which are constructed or under construction as of June 30, 1991, under the authority of section 252.50, but which are not serving residents. In addition, the commissioner is directed to sell all parcels of undeveloped land acquired under the authority of section 252.50 directly by sealed bid for not less than the appraised value. The commissioner shall present to the legislature by February 15, 1992, a report on the implementation of this section and a plan for phaseout of all state programs operated under the authority of section 252.50. The plan shall include recommendations developed in consultation with bargaining representatives for transfer of affected state employees."

Renumber the sections in sequence

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Frerichs amendment and the roll was called. There were 42 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Onnen	Sviggrum
Anderson, R. H.	Girard	Koppendrayner	Pauly	Tompkins
Blatz	Gutknecht	Krinkie	Pellow	Uphus
Boo	Hartle	Leppik	Pelowski	Valento
Davids	Haukoos	Limmer	Runbeck	Waltman
Dempsey	Heir	Macklin	Schafer	Welker
Dille	Henry	McPherson	Schreiber	
Erhardt	Hufnagle	Morrison	Seaberg	
Frederick	Hugoson	Newinski	Smith	

Those who voted in the negative were:

Anderson, I.	Goodno	Lasley	Olson, K.	Sparby
Anderson, R.	Greenfield	Lieder	Omann	Stanis
Battaglia	Gruenes	Long	Orenstein	Steensma
Bauerly	Hanson	Lourey	Orfield	Swenson
Beard	Hasskamp	Lynch	Osthoff	Thompson
Begich	Hausman	Mariani	Ozment	Trimble
Bertram	Jacobs	Marsh	Peterson	Tunheim
Bettermann	Janezich	McEachern	Pugh	Vellenga
Bodahl	Jaros	McGuire	Reding	Wagenius
Brown	Jefferson	Milbert	Rest	Weaver
Carlson	Jennings	Munger	Rice	Wejcman
Carruthers	Johnson, A.	Murphy	Rodosovich	Welle
Clark	Johnson, R.	Nelson, K.	Rukavina	Wenzel
Cooper	Kahn	Nelson, S.	Scheid	Winter
Dauner	Kalis	O'Connor	Segal	Spk. Vanasek
Dawkins	Kelso	Ogren	Simoneau	
Dorn	Kinkel	Olsen, S.	Skoglund	
Garcia	Krueger	Olson, E.	Solberg	

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

Frerichs moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 12, delete lines 58 to 68

Page 13, delete lines 1 to 27 and insert:

"The five state-operated community residential facilities for the developmentally disabled which are presently completed or under construction under the authority of section 252.50 shall be opened by the commissioner during the biennium beginning July 1, 1992. There shall be a moratorium effective

immediately on the planning for, and siting or construction of, any additional facilities.

The appropriation in this section for SOCS development shall be reduced accordingly."

Page 307, delete section 39

Page 334, delete section 50

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 Frerichs amendment and the roll was called. There were 38 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Morrison	Sviggun
Anderson, R. H.	Girard	Johnson, V.	Onnen	Tompkins
Bettermann	Gruenes	Koppendrayner	Pauly	Uphus
Boo	Gutknecht	Krinkie	Pellow	Valento
Davids	Hartle	Limmer	Pelowski	Waltman
Dempsey	Haukoos	Macklin	Schafer	Welker
Erhardt	Henry	Marsh	Seaberg	
Frederick	Hufnagle	McPherson	Smith	

Those who voted in the negative were:

Anderson, I.	Garcia	Krueger	Olson, E.	Simoneau
Anderson, R.	Goodno	Lasley	Olson, K.	Skoglund
Battaglia	Greenfield	Lieder	Omann	Solberg
Bauerly	Hanson	Long	Orenstein	Sparby
Beard	Hasskamp	Lourey	Orfield	Stanius
Begich	Hausman	Lynch	Osthoff	Steensma
Bertram	Heir	Mariani	Ostrom	Swenson
Blatz	Jacobs	McEachern	Ozment	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	Weaver
Cooper	Johnson, R.	Nelson, S.	Rodosovich	Wejcmann
Dauner	Kahn	Newinski	Rukavina	Welle
Dawkins	Kalis	O'Connor	Runbeck	Wenzel
Dille	Kelso	Ogren	Scheid	Winter
Dorn	Kinkel	Olsen, S.	Segal	Spk. Vanasek

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

Hasskamp moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 48, line 27, after "Subd. 9." insert "In allocating grant funds for family planning special projects, if there is more than one applicant in a single region, the commissioner shall be sensitive to the diverse family planning philosophies among the applicant grantees."

The motion prevailed and the amendment was adopted.

Wenzel; Marsh; Anderson, I.; Dille; Winter; Davids; Steensma; Uphus; Omann; McEachern; Nelson, S.; Sparby; Bauerly; Bertram; Sviggum and McPherson moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 24, delete lines 30 to 43, and insert:

"The \$2,200,000 appropriation increase in family planning grants is transferred from family planning grants to the women, infants, and children food supplement program (WIC)."

Pages 48 and 49, delete section 25

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 Wenzel et al amendment and the roll was called. There were 58 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Brown	Frederick	Heir	Kelso
Bauerly	Cooper	Girard	Hufnagle	Koppendrayer
Begich	Dauner	Goodno	Hugoson	Krinkie
Bertram	Davids	Gruenes	Jacobs	Limmer
Bettermann	Dempsey	Gutknecht	Johnson, V.	Lynch
Bodahl	Dille	Haukoos	Kalis	Macklin

Marsh	Omann	Rukavina	Sviggum	Weaver
McEachern	Onnen	Schafer	Thompson	Welker
McPherson	Ozment	Seaberg	Tompkins	Wenzel
Nelson, S.	Pellow	Sparby	Uphus	Winter
Newinski	Pelowski	Stanius	Valento	
O'Connor	Peterson	Steensma	Waltman	

Those who voted in the negative were:

Abrams	Frerichs	Krueger	Olsen, S.	Schreiber
Anderson, R.	Garcia	Lasley	Olson, E.	Segal
Anderson, R. H.	Greenfield	Leppik	Olson, K.	Simoneau
Battaglia	Hanson	Lieder	Orenstein	Skoglund
Beard	Hartle	Long	Orfield	Smith
Bishop	Hausman	Lourey	Osthoff	Solberg
Blatz	Jaros	Mariani	Ostrom	Swenson
Boo	Jefferson	McGuire	Pauly	Trimble
Carlson	Jennings	Milbert	Pugh	Tunheim
Carruthers	Johnson, A.	Morrison	Reding	Vellenga
Clark	Johnson, R.	Munger	Rest	Wagenius
Dawkins	Kahn	Murphy	Rodosovich	Wejzman
Dorn	Kinkel	Nelson, K.	Runbeck	Welle
Erhardt	Knickerbocker	Ogren	Scheid	Spk. Vanasek

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

Marsh; Henry; Schafer; Jacobs; Steensma; Anderson, I.; Bertram; Uphus; Wenzel; Sparby; Thompson and O'Connor moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 24, line 43, after the period insert:

"Priority for these funds will be given to grantees not presently receiving federal funds under Title X of the Public Health Services Act."

A roll call was requested and properly seconded.

The question was taken on the Marsh et al amendment and the roll was called. There were 71 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Frederick	Johnson, V.	McPherson	Schreiber
Bauerly	Girard	Kalis	Nelson, S.	Seaberg
Beard	Goodno	Kelso	Newinski	Smith
Begich	Gruenes	Kinkel	O'Connor	Solberg
Bertram	Gutknecht	Knickerbocker	Omann	Sparby
Bettermann	Hasskamp	Koppendrayer	Onnen	Stanius
Bodahl	Haukoos	Krinkie	Ozment	Steensma
Brown	Heir	Lieder	Pellow	Sviggum
Cooper	Henry	Limmer	Pelowski	Swenson
Dauner	Hufnagle	Lynch	Peterson	Thompson
Davids	Hugoson	Macklin	Rice	Tompkins
Dempsey	Jacobs	Marsh	Runbeck	Tunheim
Dille	Johnson, R.	McEachern	Schafer	Uphus

Valento  
Waltman

Weaver  
Welker

Wenzel  
Winter

Those who voted in the negative were:

Abrams	Greenfield	Leppik	Orenstein	Simoneau
Anderson, R. H.	Hanson	Long	Orfield	Skoglund
Battaglia	Hartle	Lourey	Osthoff	Trimble
Bishop	Hausman	Mariani	Ostrom	Vellenga
Carlson	Janezich	McGuire	Pauly	Wagenius
Carruthers	Jaros	Milbert	Pugh	Wejman
Clark	Jefferson	Munger	Reding	Welle
Dawkins	Jennings	Murphy	Rest	Spk. Vanasek
Dorn	Johnson, A.	Nelson, K.	Rodosovich	
Erhardt	Kahn	Ogren	Rukavina	
Frerichs	Krueger	Olson, E.	Scheid	
Garcia	Lasley	Olson, K.	Segal	

The motion prevailed and the amendment was adopted.

Goodno; Welker; Haukoos; Olsen, S.; Swenson; Tunheim; Macklin; Waltman; Omann; Nelson, S.; Henry; Bettermann; Jennings; Lynch; Lieder; Girard; Bertram; Newinski; Tompkins; Davids; Stanius and McPherson moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 240, after line 18, insert:

"Sec. 30. [256D.065] [GENERAL ASSISTANCE AND WORK READINESS PAYMENTS FOR NEW RESIDENTS.]

Notwithstanding any other provisions of sections 256D.01 to 256D.21, otherwise eligible assistance units without minor children, who have been residing in the state less than six months, shall be granted general assistance and work readiness payments in an amount that, when added to the nonexempt income actually available to the assistance unit, shall be no greater than 60% of the amount that the assistance unit would be eligible to receive under section 256D.06, subdivision 1. A unit may receive benefits in excess of this amount, equal to the lesser of the benefits the unit actually received in the last state of residence or the maximum benefits allowable under section 256D.06, subdivision 1. To receive the higher benefit amount, the assistance unit must provide verification of the amount of assistance received in the last state of residence. Nonexempt income is the income considered available under Minnesota Rules, parts 9500.1200 to 9500.1270."

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 Goodno et al amendment and the roll was called. There were 111 yeas and 15 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clark	Hausman	Johnson, A.	Munger	Trimble
Dawkins	Jaros	Kahn	Orenstein	Vellenga
Greenfield	Jefferson	Mariani	Rice	Wejzman

The motion prevailed and the amendment was adopted.

Blatz and Dempsey moved to amend H. F. No. 719, the second engrossment, as amended, as follows:

Page 20, after line 28, insert:

"5,000      5,000

This amount is for the increased administrative costs incurred by the board of pardons to conduct open meetings of all pardon and commutation applications, investigate applications, and provide victim notification services."

Page 428, after line 36, insert:



"Sec. 9. Minnesota Statutes 1990, section 471.705, subdivision 1, is amended to read:

Subdivision 1. Except as otherwise expressly provided by statute, all meetings, including executive sessions, of any state agency, board, commission or department when required or permitted by law to transact public business in a meeting, and the governing body of any school district however organized, unorganized territory, county, city, town, or other public body, and of any committee, subcommittee, board, department or commission thereof, shall be open to the public, except meetings of the board of pardons and the commissioner of corrections. The votes of the members of such state agency, board, commission or department or of such governing body, committee, subcommittee, board, department or commission on any action taken in a meeting herein required to be open to the public shall be recorded in a journal kept for that purpose, which journal shall be open to the public during all normal business hours where such records are kept. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. This section shall not apply to any state agency, board, or commission when exercising quasi-judicial functions involving disciplinary proceedings.

Sec. 10. Minnesota Statutes 1990, section 638.04, is amended to read:

638.04 [MEETINGS.]

The board of pardons shall hold meetings at least twice each year and shall hold a meeting whenever it takes formal action on an application for a pardon or commutation of sentence. All board meetings shall be open to the public as provided in section 471.705.

The victim of an applicant's crime has a right to submit an oral or written statement at the meeting. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the application for a pardon or commutation should be granted or denied. In addition, any law enforcement agency may submit an oral or written statement at the meeting, giving its recommendation on whether the application should be granted or denied. The board must consider the victim's and the law enforcement agency's statement when making its decision on the application.

Sec. 11. Minnesota Statutes 1990, section 638.05, is amended to read:

638.05 [APPLICATION FOR PARDON.]

Every application for a pardon or commutation of sentence shall

be in writing, addressed to the board of pardons, signed by the convict or some one in the convict's behalf, shall state concisely the grounds upon which the pardon or commutation is sought, and in addition shall contain the following facts:

(1) The name under which the convict was indicted, and every alias by which known;

(2) The date and terms of sentence, and the names of the offense for which it was imposed;

(3) The name of the trial judge and the county attorney who participated in the trial of the convict, together with that of the county of trial;

(4) A succinct statement of the evidence adduced at the trial, with the endorsement of the judge or county attorney who tried the case that the same is substantially correct; if such statement and endorsement are not furnished, the reason thereof shall be stated;

(5) The age, birthplace, parentage, and occupation and residence of the convict during five years immediately preceding conviction;

(6) A statement of other arrests, indictments, and convictions, if any, of the convict.

Every application for a pardon or commutation of sentence shall contain a statement by the applicant consenting to the disclosure of any private data concerning the applicant contained in the application or in any other record relating to the grounds on which the pardon or commutation is sought.

Sec. 12. Minnesota Statutes 1990, section 638.06, is amended to read:

#### 638.06 [ACTION ON APPLICATION.]

Every such application shall be filed with the clerk of the board of pardons. If an application for a pardon or commutation has been once heard and denied on the merits, no subsequent application shall be filed without the consent of two members of the board endorsed thereon. The clerk shall, immediately on receipt of any application, mail notice thereof, and of the time and place of hearing thereon, to the judge of the court wherein the applicant was tried and sentenced, and to the prosecuting attorney who prosecuted the applicant, or a successor in office; ~~provided, pardons or commutations of sentence of persons committed to a county jail or workhouse may be granted by the board without notice.~~ The clerk shall also make all reasonable efforts to locate any victim of the applicant's crime. The clerk shall mail notice of the application and the time

and place of the hearing to any victim who is located. This notice shall specifically inform the victim of the victim's right to be present at the hearing and to submit an oral or written statement to the board as provided in section 638.04."

Renumber the sections in sequence

Adjust the numbers accordingly

Amend the title accordingly

The question was taken on the Blatz and Dempsey amendment and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

H. F. No. 719, A bill for an act relating to the organization and operation of state government; appropriating money for human services, jobs and training, corrections, health, human rights, housing finance, and other purposes with certain conditions; amending Minnesota Statutes 1990, sections 3.922, subdivisions 3 and 8; 3.9223, subdivision 1; 3.9225, subdivision 1; 3.9226, subdivision 1; 15.46; 43A.191, subdivision 2; 103I.235; 120.183; 144.335, subdivision 1; 144A.071, by adding a subdivision; 144A.31; 144A.46, subdivision 4; 144A.51, subdivision 5; 144A.53, subdivision 1;

145.925, by adding a subdivision; 148B.01, subdivision 7; 148B.03; 148B.04, subdivision 4; 148B.05, subdivision 1; 148B.06, subdivisions 1 and 3; 148B.07, subdivisions 1, 4, 7, and 8; 148B.08; 148B.12; 148B.17; 148B.18, subdivision 10; 148B.33, subdivision 1; 148B.38, subdivision 3; 157.031, subdivisions 2, 3, 4, and 9; 171.29, subdivision 2; 198.007; 214.04, subdivision 3; 241.022; 245.461, subdivision 3, and by adding a subdivision; 245.462, subdivisions 6 and 18; 245.465; 245.4711, by adding a subdivision; 245.472, by adding a subdivision; 245.473, by adding subdivisions; 245.484; 245.487, subdivision 4, and by adding a subdivision; 245.4871, subdivisions 27, 31, and by adding a subdivision; 245.4873, subdivision 6; 245.4874; 245.4881, subdivision 1; 245.4882, by adding subdivisions; 245.4884, subdivision 1; 245.4885, subdivisions 1, 2, and by adding a subdivision; 245.697, subdivision 1; 246.18, subdivision 4, and by adding a subdivision; 246.64, subdivision 3; 251.011, subdivision 3; 252.24, by adding a subdivision; 252.27, subdivisions 1a and 2a; 252.275; 252.28, subdivisions 1, 3, and by adding a subdivision; 252.32; 252.40; 252.46, subdivisions 3, 6, 12, 14, and by adding a subdivision; 252.478, subdivisions 1 and 3; 252.50, subdivision 2; 253C.01, subdivisions 1 and 2; 254B.04, subdivision 1; 256.01, subdivisions 2, 11, and by adding a subdivision; 256.025, subdivisions 1, 2, 3, and 4; 256.031; 256.032; 256.033; 256.034; 256.035; 256.036, subdivisions 1, 2, 4, and 5; 256.045, subdivision 10; 256.482, subdivision 1; 256.736, subdivision 3a; 256.82, subdivision 1; 256.871, subdivision 6; 256.935, subdivision 1; 256.936, by adding a subdivision; 256.9365, subdivisions 1 and 3; 256.9685, subdivision 1; 256.9686, subdivisions 1 and 6; 256.969, subdivisions 1, 2, 2c, 3a, and 6a; 256.9695, subdivision 1; 256.98, by adding a subdivision; 256.983; 256B.031, subdivision 4, and by adding a subdivision; 256B.04, subdivision 16; 256B.055, subdivisions 10 and 12; 256B.057, subdivisions 1, 2, 3, 4, and by adding a subdivision; 256B.0575; 256B.0625, subdivisions 2, 4, 7, 13, 17, 19, 20, 24, 25, 28, 30, and by adding subdivisions; 256B.0627; 256B.064, subdivision 2; 256B.0641, by adding a subdivision; 256B.08, by adding a subdivision; 256B.091, subdivision 8; 256B.092; 256B.093; 256B.19, subdivision 1, and by adding subdivisions; 256B.431, subdivisions 2l, 3e, 3f, and by adding subdivisions; 256B.48, subdivision 1; 256B.49, by adding a subdivision; 256B.491, by adding a subdivision; 256B.50, subdivision 1d; 256B.501, subdivisions 3g, 8, 11, and by adding a subdivision; 256B.64; 256C.24, subdivision 2; 256C.25; 256D.03, subdivisions 2, 2a, 3, and 4; 256D.05, subdivision 6, and by adding a subdivision; 256D.051, subdivisions 1, 1a, 3a, 6, and 8; 256D.052, subdivision 3; 256D.06, subdivision 1b; 256D.07; 256D.10; 256D.101, subdivisions 1 and 3; 256D.36, subdivision 1; 256D.44, by adding a subdivision; 256F.01; 256F.02; 256F.03, subdivision 5; 256F.04; 256F.05; 256F.06; 256F.07, subdivisions 1, 2, and 3; 256H.02; 256H.03; 256H.05; 256H.08; 256H.09, by adding a subdivision; 256H.15, subdivisions 1, 2, and by adding a subdivision; 256H.18; 256H.20, subdivision 3a; 256H.21, subdivision 10; 256H.22, subdivisions 2, 6, and by adding a subdivision; 256I.04, by adding a subdivision; 256I.05, subdivision 2, and by adding subdivisions; 257.071, subdivision 1a; 257.352, subdivision 2; 257.57, subdivision 2; 261.035; 268.022, subdivision 2; 268.39; 268.914; 268.975, subdivision 3, and by adding a subdivision; 268.977; 268.98; 268A.06, by adding a subdivision;

268A.08, subdivision 2; 268A.09, subdivision 2; 270A.04, subdivision 2; 270A.08, subdivision 2; 273.1398, subdivision 1; 299A.21, subdivision 6; 299A.23, subdivision 2; 299A.27; 393.07, subdivisions 10 and 10a; 401.10; 401.13; 462A.02, subdivision 13; 462A.03, subdivisions 10, 13, and 16; 462A.05, subdivisions 14, 20, and by adding subdivisions; 462A.08, subdivision 2; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 462A.222, subdivision 3; 471.705, subdivision 1; 474A.048, subdivision 2; 518.551, subdivision 5, and by adding subdivisions; 518.64; 609.52, by adding a subdivision; 638.04; 638.05; 638.06; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1988, chapter 689, article 2, section 256, subdivision 1; and Laws 1989, chapter 335, article 1, section 27, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 16B; 144; 145; 148B; 241; 245; 252; 256; 256B; 256D; 256F; 256H; 257; 268A; and 462A; proposing coding for new law as Minnesota Statutes, chapter 144B; repealing Minnesota Statutes 1990, sections 144A.31, subdivisions 2 and 3; 148B.01, subdivisions 2, 5, and 6; 148B.02; 148B.16; 148B.171; 148B.40; 148B.41; 148B.42; 148B.43; 148B.44; 148B.45; 148B.46; 148B.47; 148B.48; 157.031, subdivision 5; 245.476, subdivisions 1, 2, and 3; 252.275, subdivision 2; 256.032, subdivisions 5 and 9; 256.035, subdivisions 6 and 7; 256.036, subdivision 10; 256B.0625, subdivisions 6 and 19; 256B.0627, subdivision 3; 256B.091; 256B.431, subdivision 6; 256B.69, subdivision 8; 256B.71, subdivision 5; 256D.051, subdivisions 1b, 3c, and 16; 256D.052, subdivision 4; 256D.09, subdivision 4; 256D.101, subdivision 2; 256H.26; 462A.05, subdivisions 28 and 29; and Laws 1990, chapter 568, article 6, section 4.

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 89 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Kinkel	Ogren	Skoglund
Anderson, R.	Garcia	Koppendrayer	Olson, E.	Solberg
Battaglia	Goodno	Krueger	Olson, K.	Sparby
Bauerly	Greenfield	Lasley	Orenstein	Steensma
Beard	Hanson	Leppik	Orfield	Sviggum
Begich	Hasskamp	Lieder	Osthoff	Thompson
Bertram	Hausman	Long	Ostrom	Tompkins
Bettermann	Heir	Lourey	Pelowski	Trimble
Bishop	Jacobs	Mariani	Peterson	Tunheim
Bodahl	Janezich	McEachern	Pugh	Vellenga
Brown	Jaros	McGuire	Reding	Wagenius
Carlson	Jefferson	Milbert	Rest	Waltman
Carruthers	Jennings	Munger	Rice	Wejzman
Clark	Johnson, A.	Murphy	Rodosovich	Welle
Cooper	Johnson, R.	Nelson, K.	Rukavina	Wenzel
Dauner	Kahn	Nelson, S.	Scheid	Winter
Dawkins	Kalis	Newinski	Segal	Spk. Vanasek
Dille	Kelso	O'Connor	Simoneau	

Those who voted in the negative were:

Abrams	Girard	Knickerbocker	Omann	Smith
Anderson, R. H.	Gruenes	Krinkie	Onnen	Stanius
Blatz	Gutknecht	Limmer	Ozment	Swenson
Boo	Hartle	Lynch	Pauly	Uphus
Dauids	Haukoos	Macklin	Pellow	Valento
Dempsey	Henry	Marsh	Runbeck	Weaver
Erhardt	Hufnagle	McPherson	Schafer	Welker
Frederick	Hugoson	Morrison	Schreiber	
Frerichs	Johnson, V.	Olsen, S.	Seaberg	

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

Long from the Committee on Rules and Legislative Administration 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, chapter 297A; proposing coding for new law as Minnesota Statutes, chapter 116R.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 132, A bill for an act relating to energy; improving energy efficiency by prohibiting incandescent lighting in certain exit signs; requiring amendments to building codes and standards to increase energy efficiency; requiring state agencies to use funds allocated for utility expenditures to buy nonincandescent bulbs; amending Minnesota Statutes 1990, sections 16B.61, subdivision 3; and 299F.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16B.

The Senate has appointed as such committee:

Messrs. Marty and Finn and Mrs. Benson, J. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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.

The Senate has appointed as such committee:

Messrs. Luther, Mondale and Laidig.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 244, A bill for an act relating to traffic regulations; regulating traffic safety concerning school buses and the safety of school children; providing penalties; amending Minnesota Statutes 1990, sections 169.01, subdivision 6; 169.45; 169.451; 171.07, by adding a subdivision; 171.17; and 171.18; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, sections 169.44; and 169.64, subdivision 7.

The Senate has appointed as such committee:

Mr. Luther; Mses. Flynn and Olson.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

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

The Senate has appointed as such committee:

Messrs. Hughes, Pogemiller and Johnson, D. E.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 633, A bill for an act relating to watercraft; regulating the use and operation of personal watercraft; amending Minnesota Statutes 1990, section 86B.005, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 86B.

The Senate has appointed as such committee:

Messrs. Lessard and Finn and Ms. Olson.



Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 809, A bill for an act relating to counties; fixing various fees for documents; amending Minnesota Statutes 1990, sections 357.18, subdivision 1; 508.82; and 508A.82.

The Senate has appointed as such committee:

Mr. Hottinger, Mrs. Adkins and Mr. Neuville.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1179, A bill for an act relating to metropolitan government; directing the metropolitan council to conduct a study.

The Senate has appointed as such committee:

Mr. Mondale; Mses. Ranum and Johnston.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 187, A bill for an act relating to mental health; authorizing competent persons to make advance declarations regarding mental health treatment; requiring certain notices to be given to the designated agency; amending Minnesota Statutes 1990, sections

253B.03; 253B.18, subdivisions 4b and 5; and 253B.19, subdivision 2.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Mr. Spear; Ms. Berglin and Mr. Belanger.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Greenfield moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 187. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

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 Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Morse; Davis; Merriam; Frederickson, D. R., and Laidig.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Battaglia moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1533. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

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 Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Stumpf and Waldorf; Ms. Piper; Mr. Dicklich and Mrs. Brataas.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 1535. 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. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Rice moved that the House refuse to concur in the Senate amendments to H. F. No. 53, 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.

### **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.

### **MOTIONS AND RESOLUTIONS**

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 Swenson amendment to H. F. No. 700, the first engrossment, as amended." 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. 53:

Rice, Lieder, Sarna, Kalis and Seaberg.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 187:

Greenfield, Segal and Bishop.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1533:

Battaglia; Wenzel; Osthoff; Johnson, V., and McGuire.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1535:

Carlson, Dorn, Orenstein, Haukoos and Brown.

#### ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, May 6, 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., Monday, May 6, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

