

STATE OF MINNESOTA

SEVENTY-SEVENTH SESSION—1991

FORTY-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 8, 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 Pastor Tom Stuart, Way of the Cross Church, Blaine, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Hartle was excused until 2:25 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Winter moved that further reading of the Journal be dispensed

with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Carlson, for the Committee on Appropriations/Education Division, introduced:

H. F. No. 1687, A bill for an act relating to education; establishing missions for public post-secondary systems; requiring joint administrative appointments; clarifying the powers and duties of the higher education coordinating board; creating a commission to develop a master plan and a new funding formula; providing incentives for quality; requiring policies for credit transfer; establishing an intersystem council; creating technical college districts; requiring a study of uses of Waseca campus; appropriating money; amending Minnesota Statutes 1990, section 136A.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 135A and 136C.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Segal and Greenfield introduced:

H. A. No. 25, A proposal to study new approaches to chemical dependency treatment of persons with serious and persistent mental illness.

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

Runbeck, Greenfield, Stanius, Vellenga and Clark introduced:

H. A. No. 26, A proposal to conduct an interim study on the treatment needs of violent juvenile sex offenders.

The advisory was referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 579, A bill for an act relating to retirement; contributions and benefit computation for members of the Richfield police relief association; amending Laws 1965, chapter 458, sections 2, 4, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Garcia moved that the House concur in the Senate amendments to H. F. No. 579 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 579, A bill for an act relating to retirement; contributions and benefit computation for members of the Richfield police relief association; amending Laws 1965, chapter 458, sections 2, 4, and by adding a section; repealing Laws 1957, chapter 455, section 2, subdivision 3.

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

The question was taken on the repassage of the bill and the roll was called. There were 121 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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. 634, 809, 906, 1316 and 1411.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 634, A bill for an act relating to court actions; providing immunity from liability arising out of the use of breath alcohol testing devices in liquor establishments; prohibiting the use of the breath alcohol test as evidence; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the first time.

Brown moved that S. F. No. 634 and H. F. No. 675, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 809, A bill for an act relating to crimes; providing that it is a prima facie case for certification to adult court if a juvenile used a firearm at the time of the offense or is alleged to have committed a firearms violation after a previous firearms violation; increasing the penalty for furnishing a firearm to a minor; providing for witness protection services; providing for consecutive mandatory minimum sentences for firearm and controlled substances violations; increasing the penalty for theft of a firearm; prohibiting soliciting a juvenile to commit a crime; imposing enhanced penalties for committing a crime to benefit a gang; enhancing penalties for weapons violations in public housing zones; increasing the penalty for unlawful possession of a pistol by a minor; amending Minnesota Statutes 1990, sections 260.125, subdivision 3; 299C.065; 609.05,

subdivision 4, and by adding a subdivision; 609.11, by adding a subdivision; 609.52, subdivision 3; 609.66, subdivisions 1, 1a, and by adding subdivisions; 609.72, subdivision 1; 609.902, subdivision 4; 624.713, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time.

Orenstein moved that S. F. No. 809 and H. F. No. 867, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 906, A bill for an act relating to retirement; authorizing purchase of military service credit by a certain teachers retirement association member.

The bill was read for the first time.

Beard moved that S. F. No. 906 and H. F. No. 1044, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1316, A bill for an act relating to horse racing; authorizing the commission to adopt rules governing affirmative action plan goals and economic opportunity contract goals; amending Minnesota Statutes 1990, sections 240.06, subdivision 1; 240.07, subdivision 1; 240.19; and 240.23.

The bill was read for the first time.

Osthoff moved that S. F. No. 1316 and H. F. No. 1392, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1411, A bill for an act relating to housing; requiring counseling for reverse mortgage loans; providing penalties; amending Minnesota Statutes 1990, section 47.58, by adding a subdivision.

The bill was read for the first time.

Thompson moved that S. F. No. 1411 and H. F. No. 1359, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Long, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately preceding Special Orders pending for today, Wednesday, May 8, 1991:

S. F. Nos. 81 and 793; H. F. No. 267; S. F. No. 417; H. F. Nos. 786, 1197 and 669; S. F. Nos. 302 and 1315; H. F. Nos. 1119, 1189, 202, 1190 and 1593; S. F. No. 437; H. F. Nos. 958 and 1142; S. F. No. 531; H. F. No. 867; S. F. Nos. 953, 691, 880 and 636; H. F. Nos. 765, 1147, 20 and 1359; and S. F. Nos. 1032, 355, 998, 1027, 687, 460 and 918.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Long, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved that Rule 1.16 of the Permanent Rules of the House of Representatives for the 77th Session be amended to read as follows:

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee or division (other than a bill in Appropriations) no report has been made upon it by the committee or division, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee or division shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee or division fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the end of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

In regular session in the odd-numbered year after Friday, May 10

May 17, 1991, and in the even-numbered year after, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate or from the Governor.

The motion prevailed and the amendment to the Permanent Rules of the House for the 77th Session was adopted.

The Speaker called Rodosovich to the Chair.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Ogren requested immediate consideration of H. F. No. 833.

H. F. No. 833 was reported to the House.

Scheid and Schreiber moved to amend H. F. No. 833, the second engrossment, as follows:

Page 9, line 29, after "and" insert "(1)"

Page 9, line 30, before the period insert "or (2) the proposed project meets the following requirements:

(i) the proposed project is the rehabilitation of an existing multi-family building which meets the requirements for minimum rehabilitation expenditures in section 42(e)(2) of the Internal Revenue Code;

(ii) the developer of the proposed project includes a managing general partner which is a nonprofit organization under chapter 317A and meets the requirements for a qualified nonprofit organization in section 42(h)(5) of the Internal Revenue Code; and

(iii) the proposed project involves participation by a local unit of government in the financing of the acquisition or rehabilitation of the project"

Page 9, lines 34 and 35, delete the underscored text

The motion prevailed and the amendment was adopted.

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.03; 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.

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

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

Those who voted in the affirmative were:

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

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

SPECIAL ORDERS

S. F. No. 81 was reported to the House.

Janezich moved that S. F. No. 81 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 793 was reported to the House.

Wagenius moved that S. F. No. 793 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 267 was reported to the House.

Kalis moved that H. F. No. 267 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 417 was reported to the House.

There being no objection, S. F. No. 417 was temporarily laid over on Special Orders.

H. F. No. 786 was reported to the House.

Blatz moved that H. F. No. 786 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 1197 was reported to the House.

Bauerly moved to amend H. F. No. 1197, the first engrossment, as follows:

Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 1990, section 80C.14, is amended by adding a new subdivision to read:

Subd. 6. [RIGHT OF FIRST REFUSAL LIMITED.] If, under the terms of the franchise agreement, the franchisor has the right of first refusal or first option to buy when the franchisee decides to transfer, assign, or sell any right or interest in the franchise, and, in addition, the franchisee must obtain the franchisor's prior consent to a transfer, assignment, or sale of any right or interest in the franchise, then after the franchisee notifies the franchisor and makes an offer to transfer, assign, or sell the right or interest in the franchise to the franchisor, the franchisor has 60 days in which to enter into a binding agreement with the franchisee. If, after 60 days, the franchisor has not exercised the right or option, then the franchisee is free to transfer, assign, or sell to another subject only to the franchisor's consent."

Page 2, line 3, delete "Section 1 is" and insert "Sections 1 and 2 are"

Page 2, line 4, delete "applies" and insert "apply"

Renumber the sections in sequence

Amend the title accordingly

Correct internal references

The motion prevailed and the amendment was adopted.

Seaberg moved to amend H. F. No. 1197, the first engrossment, as amended, as follows:

In the Bauerly amendment, page 1, line 17, after "another" insert a period

Page 1, delete line 18

The motion prevailed and the amendment was adopted.

H. F. No. 1197, A bill for an act relating to commerce; franchises; regulating assignments, transfers, and sales; amending Minnesota Statutes 1990, section 80C.14, subdivision 5, and by adding a subdivision.

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 123 yeas and 9 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Davids	Frerichs	Krinkie	Stanisus	Welker
Frederick	Haukoos	Pellow	Sviggum	

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

S. F. No. 81 which was temporarily laid over earlier today was again reported to the House.

Janezich moved to amend S. F. No. 81, the unofficial engrossment, as follows:

Page 1, after line 21, insert:

"Section 1. Minnesota Statutes 1990, section 180.03, is amended by adding a subdivision to read:

Subd. 5. Upon written notice to the county mine inspector, a person, firm, or corporation that is actively and exclusively engaged in the business of cold water aquaculture shall be exempt from the requirements of subdivision 3. The exemption shall only apply to those portions of idle or abandoned open pit mines that are actively being used for aquaculture operations and that are owned by the person, firm, or corporation. A landowner exempted assumes all responsibility for inspection and safety measures pertaining to the affected parcels of land and the county mine inspector is relieved of inspection requirements. The notice provided to the county mine inspector pursuant to this subdivision shall be annual and shall be filed with the county mine inspector's office by January 15 of each year. The notice shall describe the affected parcels of land and shall provide a sworn affidavit by the landowner that the subject property will be actively and exclusively used for aquaculture purposes during the calendar year. Failure to comply with the notice requirement of this subdivision makes the idle or abandoned open pit mines subject to the provisions of subdivision 3."

Page 8, after line 31, insert:

"Sec. 11. Minnesota Statutes 1990, section 375B.04, is amended to read:

375B.04 [CREATION BY COUNTY BOARD.]

The county board of commissioners of any county, except a metropolitan county as defined in section 473.121, subdivision 4, ~~and any other county containing a city of the first class,~~ may establish a subordinate service district in a portion of the county by adoption of an appropriate resolution. Before the adoption of the resolution, the county board shall hold a public hearing on the question of whether or not a subordinate service district shall be established. The resolution shall specify the service or services to be provided within the subordinate service district and shall specify the territorial boundaries of the district."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Schreiber moved to amend S. F. No. 81, the unofficial engrossment, as amended, as follows:

Page 8, after line 31, insert:

"Sec. 10. Minnesota Statutes 1990, section 383B.68, subdivision 1, is amended to read:

Subdivision 1. ~~Effective January 1, 1983, and~~ Notwithstanding any provision of sections 398.02 to 398.04, or any other law to the contrary, the board of park district commissioners of the Hennepin county park reserve district shall consist of seven commissioners ~~appointed or~~ elected as provided in this section.

Sec. 11. Minnesota Statutes 1990, section 383B.68, subdivision 3, is amended to read:

Subd. 3. ~~Five~~ Seven park district commissioners shall be elected as provided in this subdivision to represent those portions of Hennepin county outside of the city of Minneapolis. One park district commissioner shall be elected without party designation from each of the districts established pursuant to subdivision 4. Elections under this subdivision shall be held at the same time and in the same manner as elections for the office of county commis-

tioner ~~beginning at the 1986 general election.~~ Each park district commissioner elected pursuant to this subdivision shall be a resident of the district represented and shall serve for a term of four years and until a successor is elected and qualifies, except that the term of office of each park district commissioner elected at the general election held in the year of a federal census shall be only two years and until a successor is elected and qualifies. At the general election following redistricting as required in subdivision 4, the ~~three~~ four commissioners from odd-numbered districts shall be elected for four-year terms and the ~~two~~ three commissioners from even-numbered districts shall be elected for two-year terms. If a vacancy occurs in the office of any commissioner elected pursuant to this subdivision, the board of park district commissioners shall appoint a successor residing in that district to fill the unexpired term.

Sec. 12. Minnesota Statutes 1990, section 383B.68, subdivision 4, is amended to read:

Subd. 4. ~~After September 1, 1985, and after at least 30 days' notice and public hearing,~~ The board of park district commissioners of the Hennepin county park reserve district shall divide the territory of Hennepin county outside the city of Minneapolis into ~~five~~ seven districts, which constitute the Hennepin county park reserve district. Each district shall be composed of contiguous territory as regular and compact in form as practicable and as nearly equal in population as possible, provided that no district shall vary in population more than ten percent from the average of all the districts, unless compliance with this requirement requires division of a voting precinct. After each federal census and by not later than 120 days before the next ensuing general election, after at least 30 days notice and public hearing, the board of park district commissioners of the Hennepin county park reserve district shall redistrict the territory of the Hennepin county park reserve district into new commissioner districts as necessary to comply with the provisions of this subdivision. The districts established pursuant to this subdivision shall remain effective until new districts are established. Any person aggrieved by a districting plan established pursuant to this subdivision may challenge the plan in the same manner as a county commissioner districting plan may be challenged pursuant to section 375.025. The district court in reviewing any challenge to a districting plan under this subdivision shall proceed in the manner prescribed by section 375.025. Each districting plan established pursuant to this subdivision shall be filed in the office of the director of finance of Hennepin county or any successor office and shall be effective 31 days after its publication in a newspaper of general circulation in the county. The first board of seven elected commissioners shall be elected in 1992.

Sec. 13. [REPEALER.]

Minnesota Statutes 1990, sections 383B.68, subdivision 2; and 383B.69, are repealed.

Sec. 14. [LOCAL APPROVAL.]

Sections 10 to 13 take effect the day after the Hennepin county park reserve district board complies with Minnesota Statutes, section 645.021, subdivision 3."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Rice raised a point of order pursuant to rule 3.09 that the Schreiber amendment was not in order. Speaker pro tempore Rodosovich ruled the point of order not well taken and the amendment in order.

The question recurred on the Schreiber amendment and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abrams	Garcia	Krinkie	Omann	Skoglund
Anderson, R.	Girard	Krueger	Onnen	Smith
Anderson, R. H.	Goodno	Lasley	Ozment	Stanius
Bettermann	Gruenes	Leppik	Pauly	Sviggum
Bishop	Gutknecht	Limmer	Pellow	Swenson
Blatz	Haukoos	Lynch	Pelowski	Tompkins
Boo	Heir	Macklin	Pugh	Uphus
Davids	Henry	Marsh	Rodosovich	Valento
Dempsey	Hufnagle	McPherson	Runbeck	Wagenius
Dille	Hugoson	Morrison	Schafer	Waltman
Dorn	Johnson, V.	Munger	Scheid	Weaver
Erhardt	Kahn	Nelson, S.	Schreiber	Welker
Frederick	Knickerbocker	Newinski	Seaberg	Wenzel
Frerichs	Koppendrayner	Olsen, S.	Simoneau	Winter

Those who voted in the negative were:

Anderson, I.	Brown	Hanson	Johnson, A.	Lourey
Battaglia	Carlson	Hasskamp	Johnson, R.	Mariani
Bauerly	Carruthers	Jacobs	Kalis	McEachern
Beard	Cooper	Janezich	Kelso	McGuire
Begich	Dauner	Jaros	Kinkel	Milbert
Bertram	Dawkins	Jefferson	Lieder	Murphy
Bodahl	Greenfield	Jennings	Long	Nelson, K.

O'Connor	Orfield	Rest	Solberg	Tunheim
Ogren	Osthoff	Rice	Sparby	Vellenga
Olson, E.	Ostrom	Rukavina	Steensma	Wejcman
Olson, K.	Peterson	Sarna	Thompson	Welle
Orenstein	Reding	Segal	Trimble	Spk. Vanasek

The motion prevailed and the amendment was adopted.

S. F. No. 81, A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1990, sections 367.03, subdivision 1; and 367.05, subdivision 1.

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

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

Those who voted in the affirmative were:

Abrams	Frederick	Kinkel	Olsen, S.	Skoglund
Anderson, I.	Frerichs	Knickerbocker	Olson, E.	Smith
Anderson, R.	Garcia	Koppendrayer	Olson, K.	Solberg
Anderson, R. H.	Girard	Krinkie	Omann	Sparby
Battaglia	Goodno	Krueger	Onnen	Stanius
Bauerly	Greenfield	Lasley	Orenstein	Steensma
Beard	Gruenes	Leppik	Orfield	Sviggum
Begich	Gutknecht	Lieder	Osthoff	Swenson
Bertram	Hanson	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	Reding	Vellenga
Carlson	Hugoson	McEachern	Rest	Wagenius
Carruthers	Jacobs	McGuire	Rice	Waltman
Clark	Janezich	McPherson	Rodosovich	Weaver
Cooper	Jaros	Milbert	Rukavina	Wejcman
Dauner	Jefferson	Morrison	Runbeck	Welker
Davids	Jennings	Munger	Sarna	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	
Farrell	Kelso	Ogren	Simoneau	

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

Anderson, R., was excused while in conference.

H. F. No. 267 which was temporarily laid over earlier today was again reported to the House.

Kalis moved to amend H. F. No. 267, the first engrossment, as follows:

Page 2, line 6, delete "and" and insert "or"

Page 2, line 7, after "fertilizer" insert "or pesticide"

Page 2, line 12, delete "trailer" in both places and insert "semi-trailer"

Page 2, line 16, delete "trailer" and insert "semitrailer"

Page 3, line 20, delete "by law" and insert "in section 5"

Page 3, line 23, before "Code" insert "49" and delete ", title 49"

Page 3, line 24, after "and" insert "in"

Page 5, line 19, delete "trailer" and insert "semitrailer"

Page 5, line 22, after "service" delete everything through the period and insert "under the North American Uniform Driver, Vehicle, and Hazardous Materials Out-of-Service Criteria issued by the federal highway administration and the commercial motor vehicle safety alliance."

Page 6, line 22, delete "and" and insert "or" and after "fertilizer" insert "or pesticide"

Page 6, line 29, strike "effective" and before "July" insert "suspended until"

Page 6, line 33, delete "50" and insert "75"

Page 6, line 35, delete "9" and insert "8"

Page 6, line 36, after the period insert "Section 9 is effective retroactively to April 1, 1991."

The motion prevailed and the amendment was adopted.

Welker; Sviggum; Omann; Girard; Hugoson; Koppendraye; Waltman; Johnson, V.; Bettermann and Uphus moved to amend H. F. No. 267, the first engrossment, as amended, as follows:

Page 1, after line 25, insert sections to read:

"Section 1. Minnesota Statutes 1990, section 168.011, is amended by adding a subdivision to read:

Subd. 17a. [FARM USE TRUCKS.] "Farm use truck" means all trucks, trailers, and semi-trailers licensed as farm use trucks and used by the owner of the truck to transport within a 40 mile radius of the home post office of the owner of the truck (1) agricultural, horticultural, dairy, and other farm products, including livestock, produced or finished by the owner of the truck, and any other personal property owned by the farmer to whom the license for the truck is issued, from the farm to market, and (2) property and supplies to the farm of the owner.

Sec. 2. Minnesota Statutes 1990, section 168.013, subdivision 1c, is amended to read:

Subd. 1c. [FARM TRUCKS.] (1) (a) On farm trucks and farm use trucks having a gross weight of not more than 57,000 pounds, the tax shall be based on total gross weight and shall be 45 percent of the Minnesota base rate prescribed by subdivision 1e during each of the first eight years of vehicle life, but in no event less than \$35, and during the ninth and succeeding years of vehicle life the tax shall be 27 percent of the Minnesota base rate prescribed by subdivision 1e, but in no event less than \$21.

(2) (b) On farm trucks and farm use trucks having a gross weight of more than 57,000 pounds, the tax shall be 60 percent of the Minnesota base rate during each of the first eight years of vehicle life and 36 percent of the Minnesota base rate during the ninth and succeeding years.

Sec. 3. Minnesota Statutes 1990, section 168.12, subdivision 1, is amended to read:

Subdivision 1. [NUMBER PLATES; VISIBILITY, PERIODS OF ISSUANCE.] The registrar, upon the approval and payment, shall issue to the applicant the number plates required by law, bearing the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. License plates issued to farm use trucks must have a distinctive orange background color. The plates shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates issued shall clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid. These number plates shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, these number plates, when viewed from a vehicle equipped with standard head-

lights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) Number plates issued pursuant to sections 168.27, subdivisions 16 and 17, and 168.053 shall be for a one-year period.

(2) New number plates issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax exempt agency to another.

(3) Plates issued for passenger automobiles as defined in section 168.011, subdivision 7, shall be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of annual registration or will become so during the registration period.

(4) Plates for any vehicle not specified in clauses (1), (2) and (3), except for trailers as hereafter provided, shall be issued for the life of the vehicle. Beginning with number plates issued for the year 1981, plates issued for trailers with a total gross weight of 3,000 pounds or less shall be issued for the life of the trailer and shall be not more than seven inches in length and four inches in width.

In a year in which plates are not issued, the registrar shall issue for each registration a tab or sticker to designate the year of registration. This tab or sticker shall show the calendar year or years for which issued, and is valid only for that period. The number plates, number tabs, or stickers issued for a motor vehicle may not be transferred to another motor vehicle during the period for which it is issued.

Notwithstanding any other provision of this subdivision, number plates issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of number plates under this paragraph and may prescribe a form for notification.

Sec. 4. [169.146] [FARM USE TRUCKS; MAXIMUM SPEED.]

A vehicle licensed as a farm use truck may not be operated at a speed in excess of 40 miles per hour."

Renumber the remaining sections

Page 2, line 4, delete "or"

Page 2, line 7, after "fertilizer" insert ", or (4) a farm use truck"

Amend the title:

Page 1, line 2, after the semicolon insert: "providing for the registration and licensing of certain farm trucks, and imposing certain restrictions on their use; exempting certain farm trucks from mandatory commercial vehicle inspection;"

Page 1, line 21, after "sections" insert "168.011, by adding a subdivision; 168.013, subdivision 1c; 168.12, subdivision 1;"

Page 1, line 24, after "11" insert "; proposing coding for new law in Minnesota Statutes, chapter 169"

A roll call was requested and properly seconded.

The question was taken on the Welker et al amendment and the roll was called. There were 35 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Anderson, R. H.	Frederick	Henry	Marsh	Schafer
Bettermann	Frerichs	Hufnagle	McPherson	Stanisus
Blatz	Girard	Hugoson	Olson, K.	Sviggun
Boo	Gruenes	Johnson, V.	Omann	Swenson
Davids	Gutknecht	Koppendrayner	Onnen	Waltman
Dempsey	Haukoos	Krinkie	Pauly	Weaver
Erhardt	Heir	Lynch	Runbeck	Welker

Those who voted in the negative were:

Abrams	Goodno	Leppik	Orenstein	Smith
Anderson, I.	Greenfield	Lieder	Orfield	Solberg
Battaglia	Hanson	Limmer	Osthoff	Sparby
Bauerly	Hartle	Long	Ostrom	Steensma
Beard	Hasskamp	Lourey	Ozment	Thompson
Begich	Hausman	Macklin	Pellow	Tompkins
Bertram	Jacobs	Mariani	Pelowski	Trimble
Bishop	Janezich	McEachern	Peterson	Tunheim
Bodahl	Jaros	McGuire	Pugh	Valento
Brown	Jefferson	Milbert	Reding	Vellenga
Carlson	Jennings	Morrison	Rest	Wagenius
Carruthers	Johnson, A.	Munger	Rice	Wejcmann
Clark	Johnson, R.	Murphy	Rodosovich	Welle
Cooper	Kahn	Nelson, K.	Rukavina	Wenzel
Dauner	Kafis	Nelson, S.	Sarna	Winter
Dawkins	Kelso	Newinski	Scheid	Spk. Vanasek
Dille	Kinkel	O'Connor	Seaberg	
Dorn	Knickerbocker	Ogren	Segal	
Farrell	Krueger	Olsen, S.	Simoneau	
Garcia	Lasley	Olson, E.	Skoglund	

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

Dempsey moved to amend H. F. No. 267, the first engrossment, as amended, as follows:

Page 6, line 22, insert sections to read:

"Sec. 9. Minnesota Statutes 1990, section 221.011, subdivision 15, is amended to read:

Subd. 15. "Motor carrier" means a carrier operating for hire ~~under the authority of this chapter~~ and subject to the rules and orders of the commissioner ~~and the board~~.

Sec. 10. Minnesota Statutes 1990, section 221.141, subdivision 4, is amended to read:

Subd. 4. [IRREGULAR ROUTE CARRIERS OF HOUSEHOLD GOODS.] ~~An irregular route common carrier of A household goods carrier shall maintain in effect cargo insurance or cargo bond in the amount of \$50,000 and shall file with the commissioner a cargo certificate of insurance or cargo bond. A cargo certificate of insurance must conform to Form H, Uniform Motor Cargo Certificate of Insurance, described in Code of Federal Regulations, title 49, part 1023. A cargo bond must conform to Form J, described in Code of Federal Regulations, title 49, part 1023. Both Form H and Form J are incorporated by reference. The cargo certificate of insurance or cargo bond must be issued in the full and correct name of the person, corporation, or partnership to whom the irregular route common carrier of household goods permit was issued and household goods carrier whose operations are being insured. A carrier that was issued a permit as an irregular route common carrier of household goods before August 1, 1989, shall obtain and file a cargo certificate of insurance or bond within 90 days of August 1, 1989.~~

Sec. 11. Minnesota Statutes 1990, section 221.261, is amended to read:

221.261 [COMPLAINTS, ACTION IN DISTRICT COURT.]

An action or proceeding may be instituted, upon verified complaint of the commissioner or any interested person in any district court of any county wherein a motor carrier has a principal office or into which its route extends, for the enforcement of any provision of this chapter, or any order, rule or directive of the commissioner ~~or board~~ herein authorized, and the court may grant provisional or other relief, ordinary or extraordinary, legal or equitable, which the nature of the case may require, including temporary mandatory or restraining orders. Except when there is a constitutional right to trial by jury not expressly waived, all proceedings shall be tried summarily by the court and these matters shall take precedent over all other matters except criminal cases.

Sec. 12. Minnesota Statutes 1990, section 221.271, is amended to read:

221.271 [LIABILITY.]

Any person which shall do or cause to be done any unlawful act as herein provided, or fail to perform any duty prescribed, or violate any duly established order, rule or directive of the commissioner ~~or board~~, or which shall aid or abet in the performance of any unlawful act or in the failure to perform any such duty, shall be liable in damages to any person injured thereby, and such person, if the person recovers, shall be allowed, in addition to damages, reasonable attorneys' fees, together with costs and disbursements.

Sec. 13. Minnesota Statutes 1990, section 221.281, is amended to read:

221.281 [VIOLATIONS, PENALTIES.]

Any ~~regular route common motor carrier or petroleum carrier~~, or any officer, agent or employee of any such carrier, failing to comply with any final order, decision, rule, or directive, or any part or provision thereof, of the commissioner ~~or board~~, or any provision of sections 221.011 to 221.296, shall be subject to a penalty of \$50 for each and every day of such failure, to be recovered for the state in a civil action brought by the commissioner. ~~Any such carrier granting any special rate, rebate, drawback, or directly or indirectly charging, demanding, or collecting a greater or less compensation than provided by its regular established schedule of rates and charges, shall be punished by a fine not exceeding \$10,000 for each such offense.~~

Sec. 14. Minnesota Statutes 1990, section 221.291, subdivision 1, is amended to read:

Subdivision 1. [VIOLATION.] Except as provided in ~~subdivisions 4 and 5, and~~ sections 221.036 and 609.671, a person who commits, procures, aids or abets or conspires to commit, or attempts to commit, aid or abet in the violation of a provision of this chapter or a valid order or rule of the commissioner ~~or board~~ issued hereunder, whether individually or in connection with one or more persons or as principal, agent, or accessory, shall be guilty of a misdemeanor, and every person who falsely, fraudulently, forcibly, or willfully induces, causes, coerces, requires, permits, or directs another to violate a provision of this chapter, is likewise guilty of a misdemeanor. Every distinct violation is a separate offense.

Sec. 15. [REPEALER.]

Minnesota Statutes 1990, sections 221.011, subdivisions 7, 8, 9,

10, 11, 12, 14, 17, 18, 24, 25, 28, and 32; 221.021; 221.022; 221.0315; 221.041; 221.051; 221.061; 221.071; 221.081; 221.091; 221.101; 221.111; 221.121; 221.122; 221.123; 221.131; 221.132; 221.151; 221.161; 221.165; 221.171; 221.185; 221.251; 221.291, subdivisions 4 and 5; 221.295; and 221.296; are repealed."

Renumber the remaining sections

Page 6, after line 33, insert:

"(d) Sections 9 to 15 are effective July 1, 1992."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Dempsey amendment and the roll was called. There were 59 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Jennings	Morrison	Seaberg
Anderson, R. H.	Girard	Johnson, V.	Olsen, S.	Smith
Bertram	Goodno	Koppendrayner	Olson, K.	Stanis
Bettermann	Gruenes	Krinkie	Omann	Sviggun
Blatz	Gutknecht	Krueger	Onnen	Swenson
Boo	Hartle	Leppik	Ostrom	Tompkins
Davids	Haukoos	Limmer	Ozment	Uphus
Dempsey	Heir	Lynch	Pauly	Waltman
Dille	Henry	Macklin	Pellow	Weaver
Dorn	Hufnagle	Marsh	Pugh	Welker
Erhardt	Hugoson	McEachern	Runbeck	Winter
Frederick	Jaros	McPherson	Schafer	

Those who voted in the negative were:

Anderson, I.	Greenfield	Lieder	Osthoff	Sparby
Battaglia	Hanson	Long	Pelowski	Steensma
Bauerly	Hasskamp	Lourey	Peterson	Thompson
Beard	Hausman	Mariani	Reding	Trimble
Begich	Jacobs	McGuire	Rest	Tunheim
Bodahl	Janezich	Milbert	Rice	Valento
Brown	Jefferson	Munger	Rodosovich	Vellenga
Carlson	Johnson, A.	Murphy	Rukavina	Wagenius
Carruthers	Johnson, R.	Nelson, K.	Sarna	Wejman
Clark	Kahn	Nelson, S.	Scheid	Welle
Cooper	Kalis	Newinski	Schreiber	Wenzel
Dauner	Kelso	O'Connor	Segal	Spk. Vanasek
Dawkins	Kinkel	Ogren	Simoneau	
Farrell	Knickerbocker	Olson, E.	Skoglund	
Garcia	Lasley	Orenstein	Solberg	

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

Lasley moved to amend H. F. No. 267, the first engrossment, as amended, as follows:

Page 3, line 27, after the period insert:

"The commissioner shall issue separate categories of inspector certificates based on the following classifications:

(1) a class of certificate that authorizes the certificate holder to inspect commercial motor vehicles without regard to ownership or lease; and

(2) a class of certificate that authorizes the certificate holder to inspect only commercial motor vehicles the certificate holder owns or leases.

The commissioner shall issue a certificate described in clause (1) only to a person described in paragraph (b), clause (2) or (3)."

The motion prevailed and the amendment was adopted.

H. F. No. 267, A bill for an act relating to motor vehicles; exempting from commercial vehicle inspection requirements and hazardous material driver's license endorsement requirements, pickup trucks carrying certain quantities of petroleum products or liquid fertilizer; reducing the minimum size of fleets of commercial vehicles permitted to conduct self-inspections; specifying the commercial vehicle inspection standards to be adopted by the commissioner of public safety; providing that certain vehicles may be issued certificates by complying with out-of-service criteria, and that such certificates are valid for two years; providing certain proof of federal inspection in lieu of state inspection decal requirements; changing the period of time for which inspection records must be retained; lowering the property damage level of accidents subject to postcrash vehicle inspections; delaying effective date of requirement that all commercial vehicles bear a commercial vehicle inspection decal; amending Minnesota Statutes 1990, sections 169.781, subdivisions 1, 2, 3, 4, 5, and by adding a subdivision; 169.783, subdivision 1; 171.02, by adding a subdivision; and Laws 1990, chapter 563, section 11.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 793 which was temporarily laid over earlier today was again reported to the House.

Wagenius moved to amend S. F. No. 793, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 115A.9155, subdivision 2, is amended to read:

Subd. 2. [MANUFACTURER RESPONSIBILITY.] (a) A manufacturer of batteries subject to subdivision 1 shall:

(1) ensure that a system for the proper collection, transportation, and processing of waste batteries exists for purchasers in Minnesota; and

(2) clearly inform each final purchaser of the prohibition on disposal of waste batteries and of the system or systems for proper collection, transportation, and processing of waste batteries available to the purchaser.

(b) To ensure that a system for the proper collection, transportation, and processing of waste batteries exists, a manufacturer shall:

(1) identify collectors, transporters, and processors for the waste batteries and contract or otherwise expressly agree with a person or persons for the proper collection, transportation, and processing of the waste batteries; or

(2) accept waste batteries returned to its manufacturing facility.

(c) At the time of sale of a battery subject to subdivision 1, a manufacturer shall provide in a clear and conspicuous manner a telephone number that the final consumer of the battery can call to obtain information on specific procedures to follow in returning the battery for recycling or proper disposal.

The manufacturer may include the telephone number and notice of return procedures on an invoice or other transaction document held by the purchaser. The manufacturer shall provide the telephone number to the commissioner of the agency.

(d) A manufacturer shall ensure that the cost of proper collection, transportation, and processing of the waste batteries is included in the sales transaction or agreement between the manufacturer and any purchaser.

(d) (e) A manufacturer that has complied with this subdivision is not liable under subdivision 1 for improper disposal by a person other than the manufacturer of waste batteries.

Sec. 2. [115A.9157] [RECHARGEABLE BATTERIES AND APPLIANCES.]

Subdivision 1. [DEFINITION.] For the purpose of this section "rechargeable battery" means a sealed nickel-cadmium battery, a sealed lead acid battery, or any other rechargeable battery that is not governed by section 115A.9155 or exempted by the commissioner.

Subd. 2. [PROHIBITION.] Effective August 1, 1991, a person may not place in mixed municipal solid waste a rechargeable battery, a rechargeable battery pack, or an appliance powered by rechargeable batteries or rechargeable battery pack, from which all batteries or battery packs have not been removed.

Subd. 3. [COLLECTION AND MANAGEMENT COSTS.] A manufacturer of rechargeable batteries or appliances powered by rechargeable batteries is responsible for the costs of collecting and managing waste rechargeable batteries and waste appliances to ensure that the batteries are not part of the solid waste stream.

Subd. 4. [PILOT PROJECTS.] By April 15, 1992, manufacturers whose rechargeable batteries or appliances powered by rechargeable batteries are sold in this state shall implement pilot projects for the collection and proper management of all rechargeable batteries and the participating manufacturers' appliances powered by rechargeable batteries. Manufacturers may act as a group or through a representative organization. The pilot projects must run for a minimum of 18 months and be designed to collect sufficient statewide data for the design and implementation of permanent collection and management programs that may be reasonably expected to collect at least 90 percent of waste rechargeable batteries and the participating manufacturers' appliances powered by rechargeable batteries that are generated in the state.

By December 1, 1991, the manufacturers or their representative organization shall submit plans for the projects to the legislative commission. At least every six months during the pilot projects the manufacturers shall submit progress reports to the commission. The commission shall review the plans and progress reports.

By November 1, 1993, the manufacturers or their representative organization shall report to the legislative commission the final results of the projects and plans for implementation of permanent programs. The commission shall review the final results and plans.

Subd. 5. [COLLECTION AND MANAGEMENT PROGRAMS.] By April 15, 1994, the manufacturers or their representative organization shall implement permanent programs, based on the results of the pilot projects required in subdivision 3, that may be reasonably expected to collect 90 percent of the waste rechargeable batteries and the participating manufacturers' appliances powered by rechargeable batteries that are generated in the state. The batteries and appliances collected must be recycled or otherwise managed or disposed of properly.

Subd. 6. [LIST OF PARTICIPANTS.] The manufacturers or their representative organization shall maintain a list of manufacturers participating in projects and programs and make the list available to retailers, distributors, governmental agencies and other interested persons.

Subd. 7. [CONTRACTS.] A manufacturer or a representative organization of manufacturers may contract with the state or a political subdivision to provide collection services under this section. The manufacturer or organization shall fully reimburse the state or political subdivision for the value of any services rendered under this subdivision.

Subd. 8. [ANTICOMPETITIVE CONDUCT.] A manufacturer or organization of manufacturers and its officers, members, employees, and agents who participate in projects or programs to collect and

properly manage waste rechargeable batteries or appliances powered by rechargeable batteries are immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce for activities related to the collection and management of batteries and appliances required under this section.

Sec. 3. Minnesota Statutes 1990, section 325E.125, subdivision 2, is amended to read:

Subd. 2. [MERCURY CONTENT.] (a) A manufacturer may not sell, distribute, or offer for sale in this state an alkaline manganese battery that contains more than .30 percent mercury by weight, ~~or after February 1, 1992, 0.025 percent mercury by weight.~~

(b) On application by a manufacturer, the commissioner of the pollution control agency may exempt a specific type of battery from the requirements of paragraph (a) or (d) if there is no battery meeting the requirements that can be reasonably substituted for the battery for which the exemption is sought. ~~The manufacturer of A~~ battery exempted by the commissioner under this paragraph is subject to the requirements of section 115A.9155, subdivision 2.

(c) Notwithstanding paragraph (a), a manufacturer may not sell, distribute, or offer for sale in this state ~~after January 1, 1992, a button cell alkaline manganese nonrechargeable battery not subject to paragraph (a)~~ that contains more than 25 milligrams of mercury.

(d) A manufacturer may not sell, distribute, or offer for sale in this state a dry cell battery containing a mercuric oxide electrode.

(e) After January 1, 1996, a manufacturer may not sell, distribute, or offer for sale in this state an alkaline manganese battery, except an alkaline manganese button cell, that contains mercury unless the commissioner of the pollution control agency determines that compliance with this requirement is not technically and commercially feasible.

Sec. 4. Minnesota Statutes 1990, section 325E.125, is amended by adding a subdivision to read:

Subd. 2a. [APPROVAL OF NEW BATTERIES.] A manufacturer may not sell, distribute, or offer for sale in this state a nonrechargeable battery other than a zinc air, zinc carbon, silver oxide, lithium, or alkaline manganese battery, without first having received approval of the battery from the commissioner of the pollution control agency. The commissioner shall approve only batteries that comply with subdivision 1 and do not pose an undue hazard when disposed of. This subdivision is intended to ensure that new types of batteries

do not add additional hazardous or toxic materials to the state's mixed municipal waste stream.

Sec. 5. Minnesota Statutes 1990, section 325E.125, is amended by adding a subdivision to read:

Subd. 4. [RECHARGEABLE BATTERIES AND APPLIANCES; NOTICE.] (a) A person who sells rechargeable batteries or appliances powered by rechargeable batteries governed by section 115A.9157 at retail shall post the notice in paragraph (b) in a manner clearly visible to a consumer making purchasing decisions.

(b) The notice must be at least 4 inches by 6 inches and state:

"NOTICE: USED RECHARGEABLE BATTERIES AND APPLIANCES

It is illegal to put a rechargeable battery or rechargeable appliance in the garbage. These products contain toxic heavy metals. State law requires manufacturers of these products to establish a statewide consumer collection system by April 15, 1994."

Sec. 6. Minnesota Statutes 1990, section 325E.125, is amended by adding a subdivision to read:

Subd. 5. [PROHIBITIONS.] A manufacturer of rechargeable batteries or appliances powered by rechargeable batteries that does not participate in the pilot projects and programs required in section 115A.9157 may not sell, distribute, or offer for sale in this state rechargeable batteries or appliances powered by rechargeable batteries after January 1, 1992.

After January 1, 1992, a person who first purchases rechargeable batteries or appliances powered by rechargeable batteries for importation into the state for resale may not purchase rechargeable batteries or appliances powered by rechargeable batteries made by any person other than a manufacturer that participates in the projects and programs required under section 115A.9157.

Sec. 7. Minnesota Statutes 1990, section 325E.1251, is amended to read:

325E.1251 [PENALTY ENFORCEMENT.]

Subdivision 1. [PENALTY.] Violation of sections 115A.9155 and 325E.125 is a misdemeanor. A manufacturer who violates section 115A.9155 or 325E.125 is also subject to a minimum fine of \$100 per violation.

Subd. 2. [RECOVERY OF COSTS.] In an enforcement action under this section in which the state prevails, the state may recover reasonable administrative expenses, court costs, and attorney fees incurred to take the enforcement action, in an amount to be determined by the court.

Sec. 8. [EFFECTIVE DATES.]

(a) Section 3, paragraphs (a), (b), and (d), are effective February 1, 1992, and apply to batteries manufactured on or after that date.

(b) For zinc air batteries that exceed 100 milligrams in weight, section 3, paragraph (c), is effective February 1, 1993, and applies to batteries manufactured on or after that date.

(c) For all other batteries, section 3, paragraph (c), is effective August 1, 1991, and applies to batteries manufactured on or after that date. Section 3, paragraph (e), applies to batteries manufactured on or after January 1, 1996."

Delete the title and insert:

"A bill for an act relating to the environment; establishing maximum content levels of mercury in batteries; prohibiting certain batteries; prohibiting the disposal of rechargeable batteries in mixed municipal solid waste; requiring a notice to consumers; amending Minnesota Statutes 1990, sections 115A.9155, subdivision 2; 325E.125, subdivision 2, and by adding subdivisions; and 325E.1251; proposing coding for new law in Minnesota Statutes, chapter 115A."

The motion prevailed and the amendment was adopted.

Wagenius moved to amend S. F. No. 793, as amended, as follows:

Page 2, line 30, after the second comma insert "a product with a nonremovable rechargeable battery," and delete "an appliance" and insert "a product"

Page 2, lines 34 and 36, delete "appliances" and insert "products"

Page 2, line 36, after "managing" insert "its"

Page 3, lines 3 and 7, delete "appliances" and insert "products"

Page 3, lines 4 and 7, after "by" insert "nonremovable"

Pages 3 and 4, delete subdivision 6 and insert:

"Subd. 6. [LIST OF PARTICIPANTS.] A manufacturer or its representative organization shall inform the legislative commission on waste management when they begin participating in the projects and programs and immediately if they withdraw participation. The list of participants shall be available to retailers, distributors, governmental agencies and other interested persons who provide a self-addressed stamped envelope to the commission."

Page 4, line 9, after "any" insert "contractual"

Page 4, line 22, after "(a)" insert "Except as provided in paragraph (c),"

Page 5, after line 34, insert:

"The notice is not required for home solicitation sales as defined in section 325G.06 or for catalogue sales."

Page 5, delete lines 35 and 36

Page 6, delete lines 1 to 4 and insert:

"Attention

users of rechargeable batteries and cordless products under Minnesota law, manufactures of rechargeable batteries, rechargeable battery packs, and products powered by nonremovable rechargeable batteries, will provide a special collection system by April 15, 1994. DO not put these products in the garbage. You must, by law, use the special collection system that will be provided in your area.

The state of Minnesota,
Your retailer and manufacturer"

The motion prevailed and the amendment was adopted.

S. F. No. 793, A bill for an act relating to the environment; establishing maximum content levels of mercury in batteries; prohibiting certain batteries; amending Minnesota Statutes 1990, sections 115A.9155, subdivision 2; 325E.125, subdivision 2, and by adding a subdivision; and 325E.1251.

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 131 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krinkie Welker

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

H. F. No. 786 which was temporarily laid over earlier today was again reported to the House.

Blatz moved to amend H. F. No. 786, the first engrossment, as follows:

Page 4, delete lines 28 to 36 and insert:

"Subd. 5. [ARBITRATION.] (a) The sole remedy for a sales representative against a manufacturer, wholesaler, assembler, or importer who has allegedly violated alleges a violation of any provision of this section is to submit the matter to arbitration. A sales representative may also submit a matter to arbitration, or in the alternative, at the employee's sales representative's option prior to the arbitration hearing, the employee sales representative may bring the employee's sales representative's common law claims in a court of law, and in that event all claims must be resolved in that forum. In the event the parties do not agree to an arbitrator within 30 days after the sales representative demands arbitration in a writing, either party may request the appointment of an arbitrator

from the American Arbitration Association. Each party to a sales representative agreement shall be bound by the arbitration. In the event that the American Arbitration Association declines to appoint an arbitrator, the arbitration shall proceed under chapter 572. The cost of an arbitration hearing must be borne equally by both parties. Except as provided in paragraph (c), the arbitration proceeding is to be governed by the uniform arbitration act, sections 572.08 to 572.30.

(b) The arbitrator may provide any of the following remedies:

(1) sustainment of the termination of the sales representative agreement;

(2) reinstatement of the sales representative agreement, or damages for its breach;

(3) payment of commissions due under subdivision 4;

(4) reasonable attorneys' fees and costs to a prevailing sales representative;

(5) reasonable attorneys' fees and costs to a prevailing manufacturer, wholesaler, assembler, or importer, if the arbitrator finds the complaint was frivolous, unreasonable, or without foundation; or

(6) the full amount of the arbitrator's fees and expenses if the arbitrator finds that the sales representative's resort to arbitration or the manufacturer's, wholesaler's, assembler's, or importer's defense in arbitration was vexatious and lacking in good faith.

(c) Notwithstanding any provision of the uniform arbitration act to the contrary, the decision of any arbitration hearing under this subdivision is final and binding on the sales representative and the manufacturer, wholesaler, assembler, or importer. The district court shall, upon application of a party, issue an order confirming the decision.

Page 5, delete lines 1 to 36

Page 6, delete lines 1 to 6

The motion prevailed and the amendment was adopted.

H. F. No. 786, A bill for an act relating to contracts; providing for enforcement of certain contracts; making technical changes; correcting inconsistencies; clarifying certain provisions; amending Minnesota Statutes 1990, section 325E.37.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 669 was reported to the House.

Hugoson moved to amend H. F. No. 669, the first engrossment, as follows:

Page 2, line 23, delete "must" and insert "may"

Page 2, line 24, delete "\$1 per"

Page 2, line 25, delete "hundredweight"

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

H. F. No. 669, A bill for an act relating to agriculture; providing a

"Minnesota extra" category of dairy products; proposing coding for new law in Minnesota Statutes, chapter 32.

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

The question was taken on the passage of the bill and the roll was called. There were 76 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Frerichs	Johnson, V.	Morrison	Schreiber
Anderson, R. H.	Garcia	Kelso	Newinski	Seaberg
Bettermann	Girard	Knickerbocker	Olsen, S.	Smith
Bodahl	Goodno	Koppendrayner	Omann	Stanis
Boo	Gutknecht	Krinkie	Onnen	Svigum
Dauner	Hartle	Lasley	Osthoff	Swenson
Davids	Haukoos	Limmer	Ozment	Tompkins
Dempsey	Heir	Lynch	Pauly	Valento
Dille	Henry	Macklin	Pellow	Waltman
Erhardt	Hufnagle	Marsh	Runbeck	Weaver
Frederick	Hugoson	McPherson	Schafer	Welker

The bill was passed and its title agreed to.

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

REPORTS OF STANDING COMMITTEES

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 99, A bill for an act relating to transportation; designating trunk highway No. 61 and the Lake City rest area as disabled

American veterans memorial highway and rest area; authorizing special license plates for certain military personnel; amending Minnesota Statutes 1990, sections 161.14, by adding a subdivision; 168.12, subdivision 2c, and by adding a subdivision; and 168.123, subdivision 2.

Reported the same back with the following amendments:

Page 1, lines 16 and 18, delete "memorial"

Page 5, line 11, after "Shield" delete the comma and insert "or"

Page 5, line 12, after "Storm" delete ", or other military operation"

Amend the title as follows:

Page 1, line 4, delete "memorial"

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. 118, A bill for an act relating to occupational safety and health; honoring workers fatally injured while working on public projects; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 182.

Reported the same back with the following amendments:

Page 1, delete section 2

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

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. 691, A bill for an act relating to health; increasing funding for the nutritional supplement program known as WIC to expand services; appropriating money.

Reported the same back with the following amendments:

Page 1, line 17, delete "\$12,000,000" and insert "\$500,000" and after "fund" insert "for fiscal year 1992"

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. 694, A bill for an act relating to the environment; establishing an environmental enforcement account; establishing a field citation pilot project for unauthorized disposal of solid waste; authorizing background investigations of environmental permit applicants; expanding current authority to impose administrative penalties for air and water pollution and solid waste management violations; imposing criminal penalties for knowing violations of standards related to hazardous air pollutants and toxic pollutants in water; providing that certain property is subject to forfeiture in connection with convictions for water pollution and air pollution violations; imposing criminal penalties for unauthorized disposal of solid waste; authorizing prosecution of environmental crimes by the attorney general; providing for environmental restitution as part of a sentence; increasing criminal penalties for false statements on documents related to permits and record keeping; requiring reports; amending Minnesota Statutes 1990, sections 18D.331, subdivision 4; 115.071, by adding a subdivision; 115.072; 115C.05; 116.07, subdivision 4d; 116.072, subdivisions 1, 2, 6, 10, and 11; 609.531, subdivision 1; and 609.671; proposing coding for new law in Minnesota Statutes, chapters 115 and 116.

Reported the same back with the following amendments:

Page 2, line 18, delete "environmental enforcement account in the"

Page 2, line 19, delete everything after "4"

Page 2, line 20, delete everything before the period

Page 2, delete lines 22 to 27

Page 2, line 28, delete "(1)"

Page 2, line 33, delete everything after "taxes," and insert "up to the amount appropriated for implementation of this act, must be deposited in the state treasury and credited to the environmental fund. Any amounts remaining must be deposited in the general fund."

Page 2, delete lines 34 to 36

Page 3, delete lines 1 to 20

Page 3, line 23, delete everything after "commissioner"

Page 3, line 24, delete everything before "may"

Page 4, line 15, delete "and of conservation officers"

Page 11, delete lines 22 to 24

Page 11, line 31, strike "so that the product becomes" and insert "in violation of this chapter, chapter 18B or 18C, or a standard, special order, stipulation agreement, or schedule of compliance of the commissioner and the agricultural chemical is"

Page 14, delete lines 17 to 28 and insert "purposes of this section, an act is committed knowingly if it is done voluntarily and is not the result of negligence, mistake, accident, or circumstances that are beyond the control of the defendant. Whether an act was knowing may be inferred from the person's conduct, from the person's familiarity with the subject matter in question, or from all of the facts and circumstances connected with the case. Knowledge may also be established by evidence that the person took affirmative steps to shield the person from relevant information. Proof of knowledge does not require that a person knew a particular act or failure to act was a violation of law or that the person had specific knowledge of the regulatory limits or testing procedures involved in a case."

Page 14, line 29, delete "by" and insert "of" and delete "officer" and insert "official"

Page 14, line 31, delete "officer" and insert "official"

Page 14, line 32, delete "officer" and insert "official"

Page 14, line 33, delete "officer" and insert "official"

Page 14, line 36, delete everything after "activities" and insert "related to the alleged violation, but not solely"

Page 15, line 1, delete "prove merely"

Page 15, line 3, after "information" insert "regarding the offense for which the defendant is charged" and delete "reasonably" and insert "reasonable and"

Page 15, line 4, delete "under the circumstances" and insert "in the defendant's position" and delete "learn or attempt to"

Page 15, after line 5, insert:

"(c) Knowledge of a corporation may be established by showing that an illegal act was performed by an agent acting on behalf of the corporation within the scope of employment and in furtherance of the corporation's business interest, unless a high managerial person with direct supervisory authority over the agent demonstrated due diligence to prevent the crime's commission."

Page 17, line 23, delete "could" and insert "is likely to"

Page 18, line 1, strike "gross misdemeanor" and insert "crime"

Page 18, after line 23, insert:

"(f) A person is not guilty of a crime under this subdivision if the person notified the pollution control agency as soon as the person discovered the violation and took steps to promptly remedy the violation, unless the violation was intentional."

Page 20, after line 17, insert:

"(b) A person is not guilty of a crime under this subdivision or subdivision 6 if the person notified the pollution control agency as soon as the person discovered the violation and took steps to promptly remedy the violation, unless the violation was intentional."

Page 20, line 18, delete "(b)" and insert "(c)"

Page 21, delete lines 3 to 10

Page 21, after line 13, insert:

"Sec. 6. [APPROPRIATION; 1992-1993 BIENNIUM.]

Subdivision 1. [ADMINISTRATION.] \$460,000 the first year and \$430,000 the second year are appropriated to the pollution control agency from the environmental fund for administration of articles 1 and 2.

Subd. 2. [LEGAL FEES.] \$119,000 each year is appropriated to the pollution control agency from the environmental fund for payment of attorney general fees incurred under articles 1 and 2."

Amend the title as follows:

Page 1, line 20, after the second semicolon, insert "appropriating money;"

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. 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.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 16, delete lines 1 to 5 and insert:

"Subd. 2. [MINNESOTA RURAL FINANCE AUTHORITY.] (a) \$330,000 is appropriated from the general fund to the commissioner of agriculture for administering the duties of the rural finance authority in fiscal years 1992 and 1993.

(b) The approved complement of the department of agriculture is increased by three general fund positions.

(c) The appropriations to the department of finance are reduced by \$330,000 for fiscal years 1992 and 1993.

(d) The approved complement of the department of finance is reduced by three positions."

Page 16, line 12, delete "1993" and insert "1992" and delete "appropriated as needed" and insert "available through legislative appropriation"

Page 16, line 19, after the period insert "The origination fee initially shall be set at 1.5 percent and the application fee at \$50. The authority shall review the fees annually and make adjustments as necessary."

Page 16, after line 21, insert:

"Sec. 18. [41C.13] [RULES.]

The authority may adopt rules for the efficient administration of this chapter. The rules need not be adopted in compliance with chapter 14."

Page 17, line 30, delete "\$....." and insert "\$15,000,000"

Page 25, delete lines 16 to 18 and insert:

"(a) \$150,000 is appropriated from the general fund to the rural finance authority administrative fund for developing and promoting the agricultural development bond program. This appropriation must be reimbursed from the rural finance administrative fund to the general fund from revenue to the rural finance authority administrative fund by June 30, 1993.

(b) The approved complement of the department of agriculture is increased by two special revenue positions. One of the positions is in the unclassified service."

Page 25, line 19, delete "(b)" and insert "(c)"

Renumber the sections in article 1 in sequence

Correct internal references

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. 860, A bill for an act relating to economic development; providing funding for the Red River trade corridor project; appropriating money.

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

The report was adopted.

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 961, A bill for an act relating to agriculture; appropriating money for the farmer-lender mediation program.

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

The report was adopted.

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 1000, A bill for an act relating to farm safety; authorizing a program for training youth in the safe operation of farm equipment; requiring a farm safety specialist; providing for a pilot project of comprehensive farm safety audits; requiring certain safety equipment on farm tractors at time of sale; establishing a research center for agricultural health and safety; requiring certain studies and reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 17; 137; and 325F.

Reported the same back with the following amendments:

Page 2, line 24, delete "shall" and insert "may"

Page 3, line 2, before "No" insert "(a)" and after "dealer" insert "or other seller"

Page 3, line 5, delete "the following" and delete "that"

Page 3, delete lines 6 to 11

Page 3, line 12, delete everything before the period and insert "as provided in paragraphs (b) and (c).

(b) If originally provided by the manufacturer, the farm tractor must have

(1) power-take-off shields; and

(2) road transport lighting and reflector systems.

(c) Whether or not originally provided by the manufacturer, the farm tractor must have a slow-moving vehicle sign displayed in accordance with section 169.522"

Page 4, line 9, before "\$160,000" insert "Subdivision 1. (YOUTH SAFETY PROGRAM.)"

Page 4, after line 15, insert:

"Subd. 2. [APPROPRIATION, HEALTH SCREENING.] \$130,000 is appropriated from the general fund for the biennium ending June 30, 1993, to the commissioner of health to provide funding to the environmental pathology program of the University of Minnesota's department of laboratory medicine and pathology and department of family practice and community health to continue a health screening and intervention program for herbicide and fumigant applicators in the state. This appropriation is nonrecurring and shall not be included in the base for the 1993-1995 biennial budget request."

Page 4, delete lines 16 to 20

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. 1353, A bill for an act relating to economic development; establishing an international partnership program in the Minnesota trade office; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [116J.974] [INTERNATIONAL PARTNERSHIP PROGRAM.]

The commissioner shall establish an international partnership program to promote joint ventures in research and development, commercialization, and export opportunities between Minnesota companies, foreign companies, and foreign governments. The purpose of the partnership program is to encourage Minnesota business development, joint venture access to foreign markets, and the export of state products, and to create employment opportunities in Minnesota. Activities of the partnership program must include the following:

(1) develop and maintain a database of international partnership programs that finance, assist, or otherwise promote joint projects or ventures with companies in the United States;

(2) collect and disseminate information on international joint venture programs to Minnesota companies and entrepreneurs;

(3) provide technical assistance to Minnesota companies in preparing proposals or other applications for international programs that support joint projects or ventures;

(4) explore methods of improved access to new and expanding international markets in the European Economic Community 1992 and the newly democratized countries;

(5) encourage public-private business and leadership exchanges between Minnesota and foreign countries;

(6) identify potential sources of domestic financing for international partnership programs; and

(7) review and evaluate the need for a state grant or loan program to assist Minnesota companies by providing matching funds through the international partnership program.

State money in an international partnership fund must be matched on a dollar for dollar basis with money from participating foreign governments. An international partnership fund must contribute no more than 50 percent of total costs for each project. Applicants to an international partnership fund must demonstrate a nonpublic commitment of no less than 50 percent of eligible project costs.

Sec. 2. [PARTNERSHIP PROGRAM PROJECT.]

The commissioner may establish an international partnership project as part of the review procedure under section 1, clause (7).

The commissioner may solicit applications and proposals from Minnesota companies and nonprofit organizations for projects that will achieve the goals of the international partnership program. The grants may be used for planning or for participation in joint venture programs. Applications or proposals must:

(1) contain a detailed description of the project or activities that will be used to achieve the goals of the partnership program;

(2) identify the source of the matching funds as required by section 1;

(3) identify the participating country or countries and their financial or other contributions to the project;

(4) identify the expected outcomes from the project; and

(5) contain any other information the commissioner determines necessary to award grants.

The commissioner may establish priorities for applications. The commissioner may adopt rules as necessary for the administration of the grants under this section. The commissioner may establish an advisory committee to assist in carrying out the purposes of this section.

Sec. 3. [REPORT TO THE LEGISLATURE.]

The commissioner of trade and economic development shall report to the legislature by January 15, 1993, on the international partnership program including recommendations on improvements and the need for a grant or loan program to assist Minnesota companies in accessing international partnership programs."

Delete the title and insert:

"A bill for an act relating to economic development; establishing an international partnership program in the Minnesota trade office; authorizing a partnership program project; proposing coding for new law in Minnesota Statutes, chapter 116J."

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. 1657, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEPARTMENT OF CORRECTIONS.]

Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of corrections for payment to the persons named in this section in full and final payment of claims against the state. These appropriations are available until June 30, 1992.

Subd. 2. Ovis Adonay, at Minnesota correctional facility - Stillwater, for artists' supplies lost due to mishandling by prison staff.....\$25.00.

Subd. 3. Charles Croud, 3550 Penn Avenue North, Apartment #3, Minneapolis, MN 55422, for injury to his left index finger sustained while working at Minnesota correctional facility - Stillwater.....\$1,875.00.

Subd. 4. William Daher, 685 106th Lane Northwest, Apartment #3, Coon Rapids, MN 55433, for injury to the third finger on his left hand sustained while working at Minnesota correctional facility - Stillwater.....\$1,875.00.

Subd. 5. Daniel Goodbear, Minnesota correctional facility - Lino Lakes, for belongings lost due to mishandling by prison staff.....\$75.00.

Subd. 6. William Helenboldt, Minnesota correctional facility - Stillwater, for injury to his left hand sustained while working at Minnesota correctional facility - Stillwater, \$11,400.00.

Subd. 7. Carla Rae Horn, 1697 Ford Parkway, St. Paul, MN 55116, for damage to a television set due to mishandling by prison staff at Shakopee.....\$50.00.

Subd. 8. Perry Immerman, 236 Clifton Avenue, Minneapolis, MN 55403, for injuries sustained to his right thumb while working at Minnesota correctional facility - Lino Lakes.....\$1,125.00.

Subd. 9. Peter Jessen, c/o James Reichert, Attorney, 915 Grain Exchange Building, 400 South 4th Street, Minneapolis, MN 55415, for injury to his left thumb, index and middle fingers sustained while working at Minnesota correctional facility - Lino Lakes.....\$19,125.00.

Subd. 10. Louis Linskie, c/o John Kuukari, 211 West 2nd Street - 3rd Floor, Duluth, MN 55802, for injury to the second, third, and fourth fingers of his right hand sustained while working at Minnesota correctional facility - St. Cloud\$2,250.00.

Subd. 11. John Murphy, Minnesota correctional facility - Stillwater, for belongings lost due to mishandling by prison staff.....\$140.00.

Subd. 12. Darrell Olson, Minnesota correctional facility - St. Cloud, for injury to the fifth finger of his left hand sustained while working at Minnesota correctional facility - St. Cloud.....\$1,125.00.

Subd. 13. Michael Picht, 14100 North 78th Avenue, Peoria, AZ 85345, for injury to the fifth finger on his left hand sustained while working at Minnesota correctional facility - Willow River/Moose Lake.....\$562.50.

Subd. 14. For reimbursement to state or local agencies of amounts paid for medical services to individuals who were injured while performing community service work for correctional purposes under Minnesota Statutes, section 3.739:

(1) for claims under \$500.00 each.....\$2,465.28; and

(2) for medical services provided to Jon R. Soleta, for injuries sustained when he fell from a trailer at Talcot Park in Cottonwood county while loading drainfield sections as part of his community service requirement.....\$12,258.82.

Sec. 2. [DEPARTMENT OF PUBLIC SAFETY.]

Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the commissioner of public safety for payment to the persons named in this section in full and final payment for fines assessed due to erroneous weight limits posted on the Champlin bridge. The appropriation is available until June 30, 1992.

Subd. 2. Aqua City Irrigation, 5428 Nicollet Avenue, Minneapolis, MN 55419.....\$156.00.

Subd. 3. Frank Brody, 3805 Reservoir Boulevard, Minneapolis, MN 55421.....\$2,444.00.

Subd. 4. Bumgardners Asphalt Company, 396 Dayton Avenue, St. Paul, MN 55102.....\$876.00.

Subd. 5. Commercial Furniture Movers Inc., 4301 Highway 7, St. Louis Park, MN 55416.....\$1,532.00.

Subd. 6. Crosstown Sign Company, 10166 Central Avenue NE, Minneapolis, MN 55434.....\$460.00.

Subd. 7. Egan-McKay Electrical Contractors, Inc., 7100 Medicine Lake Road, Minneapolis, MN 55427.....\$642.00.

Subd. 8. Eagle Express Inc. and Mark Staley, 3980 South Kingan, Apartment 205, St. Francis, WI 53207.....\$300.00.

Subd. 9. Elk River Concrete Products, 7575 Golden Valley Road, Minneapolis, MN 55427.....\$3,429.00.

Subd. 10. Michael L. Fries, 215 West Raven Street, Belle Plaine, MN 56011.....\$748.00.

Subd. 11. Meyer Golden, 8117 North 28th Avenue, New Hope, MN 55427.....\$1,068.00.

Subd. 12. Green Field Trans. Co. Inc., P.O. Box 1235, Fort Dodge, IA 50501.....\$1,580.00.

Subd. 13. Layson Inc., P.O. Box 94045, Washington, MI 48094.....\$2,406.00.

Subd. 14. McDonough Truck Line, Inc., 3105 Industrial Drive, Faribault, MN 55021.....\$1,484.00.

Subd. 15. Moyer Trucking Corp., c/o North Star Transport, Inc., 837 Apollo Road, P.O. Box 21-307, St. Paul, MN 55121.....\$2,186.00.

Subd. 16. Muller Pribyl Util. Inc., 2402 Hwy. 55, Hamel, MN 55340.....\$60.00.

Subd. 17. Noble Nursery Inc., 10530 Troy Lane, Maple Grove, MN 55369.....\$828.00.

Subd. 18. Northern States Power Co., 414 Nicollet Mall, Minneapolis, MN 55401.....\$4,268.00.

Subd. 19. Overnite Express Inc., 501 16th Street, P.O. Box 250, Newport, MN 55055.....\$2,652.00.

Subd. 20. Phil Mark Excavating Inc., Route 1, Box 152, Clearwater, MN 55320.....\$2,716.00.

Subd. 21. Product Fabricators Inc., Industrial Park, North Branch, MN 55056.....\$940.00.

Subd. 22. Specialized Hauling Inc., P.O. Box 567, 1500 Omaha Street, Sioux City, IA 51102.....\$4,953.00.

Subd. 23. Structural Component Supply Company, 1029 North 4th, Cannon Falls, MN 55009.....\$780.00.

Subd. 24. Tropical Gardens 1, Inc., 1296 Kowalski Road, Mosinee, WI 54455.....\$556.00.

Subd. 25. Universal Am-Can, Ltd., P.O. Box 2007, Warren, MI 48090-9938.....\$1,500.00.

Sec. 3. [DEPARTMENT OF TRANSPORTATION.]

Subdivision 1. The department of transportation shall pay the actual costs of connecting the persons named in this section to city water, including frontage assessments, meter charges, connection fees, and hookup costs not to exceed the amounts specified. Acceptance by a claimant of the department's action under this section is a complete settlement of the claimant's claim for damages resulting from contamination of residential water.

Subd. 2. David Hoheisel, Route 2, Box 32, Little Falls, MN 56345.....\$5,000.00.

Subd. 3. Mark Ray Miedema, 204 14th St. SW, Little Falls, MN 56345.....\$7,000.00.

Subd. 4. Donald E. Opatz, Route 2, P.O. Box 342, Little Falls, MN 56345.....\$5,000.00.

Subd. 5. George and Marlys Winskowski, Route 2, Box 6, Little Falls, Minnesota 56345.....\$5,000.

Sec. 4. [DEPARTMENT OF NATURAL RESOURCES.]

Subdivision 1. The sum set forth in this section is appropriated from the general fund to the commissioner of natural resources for payment to the persons named in full and final payment of claims against the state. The appropriation is available until June 30, 1992.

Subd. 2. Douglas and Kathy Grossman, 32163 North Lakes Trail, Lindstrom, MN 55045, for damages incurred as a result of the

department of natural resources' failure to inform claimants about required permits.....\$7,500.00.

Sec. 5. [DEPARTMENT OF PUBLIC SAFETY; LEGAL DEFENSE COSTS.]

Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the commissioner of public safety for payment to the persons named in full and final payment of claims against the state. The appropriations are available until June 30, 1992.

Subd. 2. Philip H. Hodapp, 140 Meadow Lane, Mankato, MN 56001, for legal defense costs relating to possible criminal negligence charges resulting from a motor vehicle accident while performing duties for the state patrol.....\$3,500.00.

Subd. 3. Michael A. Theis, 1206 Barrette Street, Apartment #103, Crookston, MN 56716, for legal defense costs relating to possible criminal negligence charges resulting from a motor vehicle accident while performing duties for the state patrol.....\$2,567.61.

Sec. 6. [DEPARTMENT OF TRANSPORTATION.]

Subdivision 1. The sum set forth in this section is appropriated from the trunk highway fund to the commissioner of transportation for payment to the person named in full and final payment of claims against the state. The appropriation is available until June 30, 1992.

Subd. 2. Acton Township, Meeker County, c/o Don Slinden, Jr., R.R. 2, Box 248, Atwater, Minnesota, for chloride used as dust control on township roads that were used as an alternative to a state-established detour.....\$7,488.00.

Sec. 7. [DEPARTMENT OF VETERANS AFFAIRS.]

Subdivision 1. The sums set forth in this section are appropriated from the general fund to the commissioner of veterans affairs for payment to the persons named in full and final payment of claims against the state for adjusted compensation arising from World War II, the Korean conflict, and Vietnam service. The appropriations are available until June 30, 1992.

Subd. 2. [WORLD WAR II.] Lester H. Bock, 10469 Woodrow Road NE, Brainerd, MN 56401.....\$360.00.

Subd. 3. [WORLD WAR II-MERCHANT MARINE.] Harrison T. Alink, 803 6th Avenue SE, Austin, MN 55912.....\$60.00.

Archer L. Anderson, 5938 Sheridan Avenue South, Minneapolis, MN 55410.....\$195.00.

Douglas R. Anderson, 6505 21st Avenue South, Richfield, MN 55423.....\$240.00.

Orrie M. Anderson, Box 227, Adams, MN 55909.....\$60.00.

Raymond C. Anderson, 6825 West Broadway, Brooklyn Park, MN 55428.....\$390.00.

Edward J. Andryski, 3105 North Zenith Avenue, Robbinsdale, MN 55422.....\$30.00.

William D. Best, 2106 10th Place NE, Austin, MN 55912.....\$315.00.

Leonard F. Block, 304 10th Street NW, Austin, MN 55912.....\$270.00.

John M. Brommer, 10617 Queen Avenue South, Bloomington, MN 55431.....\$180.00.

Robert E. Clappier, 7149 Coachwood Road, Woodbury, MN 55125.....\$195.00.

Stanley W. Cox, 528 East 131st Street, Burnsville, MN 55337.....\$90.00.

Elmer B. Deick, 1207 6th Avenue Southwest, Austin, MN 55912.....\$225.00.

Delbert F. DeMars, 2663 16th Avenue East, North St. Paul, MN 55109.....\$75.00.

Ivan W. DeMars, 3890 Van Dyke Street, White Bear Lake, MN 55110.....\$285.00.

Oliver H. Dunn, 612 South Missouri Avenue, Belleville, IL 62220.....\$400.00.

Leonard S. Dzieweczynski, R.R. 1, Box 58, Swanville, MN 56382.....\$60.00.

Harold R. Freeberg, 2985 North Fairview, St. Paul, MN 55113.....\$300.00.

Thomas H. Gallagher, 4113 20th Avenue South, Minneapolis, MN 55407.....\$390.00.

Laurel L. Glessing, Highway 12 West, Cokato, MN
55321.....\$45.00.

Leonard G. Hensel, P.O. Box 276, Howard Lake, MN
55349.....\$60.00.

Harold R. Johnson, 1310 10th Avenue Northwest, Austin, MN
55912.....\$15.00.

Reuben E. Johnson, HCR 3, Box 195, Lutsen, MN
55604.....\$255.00.

William D. Liebelt, 1571 Wheelock Lane, Apartment #203, St.
Paul, MN 55117.....\$150.00.

Kenneth L. Lockway, 332 Maria Avenue, St. Paul, MN
55106.....\$135.00.

Austin G. McCann, 537 St. Andrews Drive, Waite Park, MN
56387.....\$60.00.

Terrance R. McCullen, 13407 Wagner Drive, Bayonet Point, FL
34667.....\$240.00.

Alvin J. Metelak, 5442 North Central Avenue, Chicago, IL
60630.....\$45.00.

James E. Neuwirth, 4400 Southeast Naef Road, Apartment #F-
24, Milwaukie, OR 97267.....\$285.00.

Earl L. Olson, P.O. Box 2069, Stillwater, MN 55082.....\$120.00.

Robert L. Pagel, 3954 Southview Drive, San Diego, CA
92117.....\$210.00.

Harold R. Quesenberry, 1130 Richards Avenue, Colorado Springs,
CO 80906.....\$375.00.

F. Milo Reker, 1603 Okabena Street, Worthington, MN
56187.....\$75.00.

George W. Savage, 19450 Bauer Circle, Hastings, MN
55033.....\$240.00.

Earl A. Schwartz, 7374 Irvin Avenue South, Cottage Grove, MN
55016.....\$75.00.

Ellard L. Skuza, 5637 North East River Road, Sauk Rapids, MN
56379.....\$105.00.

Arnold J. Trombley, 321 3rd Street, Elk River, MN 55330.....\$370.00.

Warren E. Velenchenko, 9100 Portland Avenue South, Bloomington, MN 55420.....\$375.00.

Robert H. Vierkant, 4738 45th Street NE, Sauk Rapids, MN 56379.....\$120.00.

Arthur V. Wenner, 312 Dudrey Court, Moorhead, MN 56560.....\$255.00.

Jacob Westra, 714 14th Street Northeast, Austin, MN 55912.....\$45.00.

Subd. 4. [WORLD WAR II-BENEFICIARY.] Sidonia B. Baker, 407 SW 11th Avenue, Apartment #115, Forest Lake, MN 55025.....\$195.00.

Lois I. Bowers, 604 North 4th Street, Stillwater, MN 55082.....\$120.00.

Lucille T. Hansen, 899 Cleveland Avenue, Apartment #910, St. Paul, MN 55116.....\$165.00.

Subd. 5. [KOREAN.] Marilyn J. Amerson, 200 NE 1st Avenue, Apartment #1010A, Austin, MN 55912.....\$127.50.

Charles R. Herrmann, 28339 98-1/2 Street, Zimmerman, MN 55398.....\$97.50.

John A. Hodgin, 6408 Hampshire Avenue North, Minneapolis, MN 55428.....\$120.00.

Granville O. McGee, 4357 Oakland Avenue, Minneapolis, MN 55407.....\$37.50.

Durward C. Peterson, 716 Walsh Street, Crookston, MN 56716.....\$45.00.

Richard L. Radiske, P.O. Box 92, Whipholt, MN 56485.....\$90.00.

George W. Schuneman, Jr., 2222 Blaisdell Avenue South, Apartment #104, Minneapolis, MN 55404.....\$82.50.

Subd. 6. [VIETNAM.] Lloyd E. Arne, Route 2, Box 310, Holly Ridge, NC 28448.....\$600.00.

Perry J. Bakker, Route 2, Box 191, Shell Lake, WI 54871.....\$600.00.

Dana R. Berg, 1415 22nd Street, Apartment #604, Minneapolis, MN 55404.....\$225.00.

Scott H. Boland, Route 3, Box 511A, Mora, MN 55051.....\$600.00.

Lee W. Brown, 510 Folsom Street, Taylors Falls, MN 55084.....\$300.00.

Dennis A. Dandurand, 257 East Park Street, Granite Falls, MN 56241.....\$100.00.

Robert E. Demel, 516 Whitley Avenue, Joliet, IL 60433.....\$600.00.

Douglas D. Dopp, 7925 Quail Avenue North, Brooklyn Park, MN 55443.....\$285.00.

Edward T. Douglas, 5103 Minnehaha Avenue South, Apartment #8, Minneapolis, MN 55417.....\$225.00.

Thomas L. Everson, 210 Elm Avenue, Apartment #7, Montgomery, MN 56069.....\$100.00.

Gary W. Fish, 7464 Colfax Avenue North, Brooklyn Park, MN 55444.....\$570.00.

Manuel Franco, 292 East Robie Street, St. Paul, MN 55107.....\$100.00.

Gene R. Grindstaff, 8419 Oakland Avenue South, Bloomington, MN 55420.....\$600.00.

James D. Hanson, 13172 Hastings Street Northeast, Blaine, MN 55434.....\$435.00.

James B. Kelly, 4295 Liberty Road South, Salem, OR 97302.....\$100.00.

Larry H. Larson, 1063 1st Avenue South, St. James, MN 56081.....\$100.00.

Stephen J. Larson, 2937 Garfield Avenue South, Minneapolis, MN 55408.....\$165.00.

Daniel A. Lee, 516 Fowler Street, Faribault, MN 55021.....\$300.00.

Kirsten A. Malecha, 193 Strese Lane, Apple Valley, MN 55124.....\$300.00.

Norlan J. Malecha, 193 Strese Lane, Apple Valley, MN 55124.....\$300.00.

Theodore G. Mandeville, 3510 23rd Avenue South, Minneapolis, MN 55407.....\$100.00.

Daniel T. McCabe, 123 West 14th Street, Hastings, MN 55033.....\$100.00.

Michael L. McCarty, 5421 Ponds Drive North, Brooklyn Center, MN 55429.....\$100.00.

Timothy V. Milke, 7030 255th Street East, Faribault, MN 55021.....\$300.00.

Richard A. Patrick, 765 Rose, St. Paul, MN 55106.....\$300.00.

James E. Payne, 1171 Marion, St. Paul, MN 55117.....\$210.00.

Orlan N. Pederson, 381-1/2 Wabasha, Apartment #2, St. Paul, MN 55101.....\$300.00.

Dale O. Roman, Dom #2, VAMC, 4801 8th Street North, St. Cloud, MN 56303.....\$195.00.

Richard A. Rude, P.O. Box 39, Motley, MN 56466.....\$105.00.

Richard L. Schultz, 1512 St. Paul Road, Apartment #A-8, Owatonna, MN 55060.....\$600.00.

Thomas E. Schwietz, 425 West Ormsby, Apartment #307, Louisville, KY 40203.....\$600.00.

Alvin E. Seitz, 717 20th Street NW, Bemidji, MN 56601.....\$150.00.

John M. Spande, 2840 Highview Drive, Highway 13, Eagan, MN 55121.....\$195.00.

Frank J. Valentine, 2541 34th Avenue South, Minneapolis, MN 55406.....\$600.00.

Sec. 8. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 99, 118, 691, 694, 702, 860, 961, 1000, 1353 and 1657 were read for the second time.

SPECIAL ORDERS

S. F. No. 302 was reported to the House.

Janezich moved that S. F. No. 302 be continued on Special Orders. The motion prevailed.

Speaker pro tempore Rodosovich called Krueger to the Chair.

Knickerbocker was excused for the remainder of today's session.

S. F. No. 1315 was reported to the House.

Brown and Gutknecht offered an amendment to S. F. No. 1315.

POINT OF ORDER

Olsen, S., raised a point of order pursuant to rule 3.10 that the Brown and Gutknecht amendment was not in order. Speaker pro tempore Krueger ruled the point of order not well taken and the amendment in order.

POINT OF ORDER

Olsen, S., raised a point of order pursuant to rule 3.09 that the Brown and Gutknecht amendment was not in order. Speaker pro tempore Krueger ruled the point of order well taken and the amendment out of order.

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, subdivi-

sion 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 third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Brown	Hasskamp	Peterson	Sparby
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The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1189 was reported to the House.

Winter moved to amend H. F. No. 1189, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 375.164, is amended to read:

375.164 [NONCOMMERCIAL BROADCAST FACILITIES AND TELEVISION TRANSLATOR STATIONS, CONSTRUCTION BY COUNTY.]

The county board may appropriate annually from the county general revenue fund an amount necessary to fund the construction, acquisition, improvement, operation, or maintenance of a translator station ~~in the county~~ or a noncommercial television broadcast facility to receive and transmit television broadcasting signals that can be received by residents of the county."

A roll call was requested and properly seconded.

The question was taken on the Winter amendment and the roll was called. There were 97 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Girard	Kinkel	Olson, K.	Solberg
Anderson, R. H.	Goodno	Koppendrayner	Omann	Sparby
Battaglia	Greenfield	Krinkie	Onnen	Steensma
Bauerly	Gruenes	Krueger	Orenstein	Swenson
Beard	Hanson	Lasley	Orfield	Thompson
Begich	Hartie	Leppik	Ostrom	Trimble
Bertram	Hasskamp	Lieder	Ozment	Tunheim
Bishop	Hausman	Long	Pelowski	Uphus
Bodahl	Heir	Lourey	Peterson	Vellenga
Boo	Jacobs	Mariani	Pugh	Wagenius
Brown	Janezich	McEachern	Reding	Waltman
Carlson	Jaros	McGuire	Rest	Wejzman
Carruthers	Jefferson	Milbert	Rice	Welker
Clark	Jennings	Munger	Rodosovich	Welle
Cooper	Johnson, A.	Murphy	Rukavina	Wenzel
Dauner	Johnson, R.	Nelson, K.	Sarna	Winter
Dawkins	Johnson, V.	Nelson, S.	Schafer	Spk. Vanasek
Dorn	Kahn	O'Connor	Segal	
Farrell	Kalis	Ogren	Simoneau	
Garcia	Kelso	Olson, E.	Skoglund	

Those who voted in the negative were:

Abrams	Frederick	Limmer	Olsen, S.	Seaberg
Bettermann	Frerichs	Lynch	Osthoff	Smith
Blatz	Gutknecht	Macklin	Pauly	Stanis
Davids	Haukoos	Marsh	Pellow	Sviggun
Dempsey	Henry	McPherson	Runbeck	Tompkins
Dille	Hufnagle	Morrison	Scheid	Valento
Erhardt	Hugoson	Newinski	Schreiber	Weaver

The motion prevailed and the amendment was adopted.

H. F. No. 1189, A bill for an act relating to counties; permitting counties to spend money for broadcast facilities; amending Minnesota Statutes 1990, section 375.164.

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 93 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Bodahl	Dempsey	Greenfield	Jefferson
Anderson, R. H.	Boo	Dille	Gruenes	Johnson, A.
Battaglia	Brown	Dorn	Hanson	Johnson, R.
Bauerly	Carlson	Farrell	Hasskamp	Johnson, V.
Beard	Clark	Frederick	Hausman	Kahn
Begich	Cooper	Garcia	Jacobs	Kalis
Bertram	Dauner	Girard	Janezich	Kelso
Bishop	Dawkins	Goodno	Jaros	Kinkel

Koppendraye	Milbert	Orenstein	Rukavina	Tunheim
Krueger	Morrison	Orfield	Sarna	Uphus
Lasley	Munger	Ostrom	Segal	Vellenga
Leppik	Murphy	Ozment	Simoneau	Wagenius
Lieder	Nelson, K.	Pelowski	Skoglund	Wejzman
Long	Nelson, S.	Peterson	Solberg	Welle
Lourey	O'Connor	Pugh	Sparby	Wenzel
Lynch	Ogren	Reding	Steensma	Winter
Mariani	Olson, E.	Rest	Swenson	Spk. Vanasek
McEachern	Olson, K.	Rice	Thompson	
McGuire	Omahn	Rodosovich	Trimble	

Those who voted in the negative were:

Abrams	Hartle	Limmer	Pauly	Stanis
Bettermann	Haukoos	Macklin	Pellow	Svigum
Blatz	Heir	Marsh	Runbeck	Tompkins
Carruthers	Henry	McPherson	Schafer	Valento
Davids	Hufnagle	Newinski	Scheid	Waltman
Erhardt	Hugoson	Olsen, S.	Schreiber	Weaver
Frerichs	Jennings	Onnen	Seaberg	Welker
Gutknecht	Krinkie	Osthoff	Smith	

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

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Osthoff moved that the House concur in the Senate amendments to H. F. No. 1151 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1151, A bill for an act relating to local government; exempting certain St. Paul port authority activities from competitive bidding requirements; validating the sale of certain school building bonds; amending Minnesota Statutes 1990, section 469.084, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

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

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Kalis moved that his name be stricken as an author on H. F. No. 1. The motion prevailed.

Dawkins moved that the name of Hausman be added as an author on H. F. No. 1072. The motion prevailed.

Morrison moved that her name be stricken as an author on H. F. No. 1657. The motion prevailed.

Carruthers moved that the following statement be printed in the Permanent Journal of the House:

"It was my intention to vote in the affirmative on Thursday, May 2, 1991, on the second vote on the Johnson, R., et al amendment to S. F. No. 1533, as amended." The motion prevailed.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 1:00 p.m., Thursday, May 9, 1991. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and Speaker pro tempore Krueger declared the House stands adjourned until 1:00 p.m., Thursday, May 9, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

