

## STATE OF MINNESOTA

## SEVENTY-SEVENTH SESSION—1991

## FIFTY-FOURTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 15, 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 Mike Smith, Calvary Assembly of God Church, White Bear Lake, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Pauly was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Mariani 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.

Anderson, R., was excused while in conference.

#### REPORTS OF CHIEF CLERK

S. F. No. 1019 and H. F. No. 1273, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Carruthers moved that the rules be so far suspended that S. F. No. 1019 be substituted for H. F. No. 1273 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1466 and H. F. No. 909, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Trimble moved that the rules be so far suspended that S. F. No. 1466 be substituted for H. F. No. 909 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 31, A bill for an act relating to public safety; creating the Minnesota advisory council on fire protection systems; requiring licensing and certifying of the fire protection industry; providing for rules and an exemption; creating fire protection systems account; providing for fees; imposing a penalty; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 299M.

Reported the same back with the following amendments:

Page 2, line 7, before the period insert "connected to a potable water source"

Page 2, line 29, delete "seven" and insert "eight"

Page 3, line 1, after the period insert "One member must be a building official certified by the department of administration, who is professionally competent in fire protection system inspection."

Page 3, line 13, delete everything after "contractor" and insert "No license is required under this section for a person licensed as a professional engineer under section 326.03 who is competent in fire protection system design or a person licensed as an alarm and communication contractor under section 326.2421 for performing activities authorized by that license."

Page 3, delete line 14

Page 4, line 9, after the period insert "Any person aggrieved by the commissioner's action may request a hearing before the commissioner. The provisions of sections 14.57 to 14.69 apply to the hearing and to any subsequent proceedings."

Page 4, line 12, delete "system" and insert "systems."

Page 4, delete line 13

Page 4, delete section 8, and insert:

"Sec. 8. [299M.08] [PENALTY.]

It is a misdemeanor for any person to intentionally commit or direct another person to commit either of the following acts:

(1) to make a false statement in a license application, request for inspection, certificate, or other form or statement authorized or required under this chapter; or

(2) to perform fire protection system work without a proper permit, when required, and without a license or certificate for that work."

Page 5, line 3, delete "FIRE PROTECTION SYSTEMS ACCOUNT" and insert "MONEY CREDITED TO GENERAL FUND"

Page 5, delete lines 4 and 5 and insert "The fees and penalties"

Page 5, lines 8 and 11, delete "account" and insert "general fund"

Page 5, line 25, delete "PERMIT" and insert "SURCHARGE"

Page 5, line 27, delete "permit" and insert "surcharge"

Page 5, delete lines 30 and 31 and insert "section must be deposited in the state treasury and credited to the general fund."

Pages 5 and 6, delete section 12

Page 6, line 5, delete "[299M.13]" and insert "[299M.12]"

Page 6, line 10, delete "\$....." and insert "\$175,000"

Page 6, line 11, delete "\$....." and insert "\$300,000"

Page 6, line 13, delete "12" and insert "11"

Page 6, line 18, delete "three" and insert "two" and delete "four" and insert "three"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete everything before "providing"

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. 552, A bill for an act relating to motor fuels; requiring ethanol as the oxygenate in oxygenated gasoline; amending Minnesota Statutes 1990, section 239.76, by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 41A.09, subdivision 3, is amended to read:

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

(a) For each gallon of ethanol produced:

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

(2) For the period beginning July 1, 1987, and ending before June 30, 2000 2003, 20 cents per gallon.

(b) For each gallon produced of wet alcohol during the period beginning July 1, 1989, and ending before June 30, 2000, 2003 a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon. The producer payment for wet alcohol under this section may be paid to either the original producer of wet alcohol or the secondary processor, at the option of the original producer, but not to both.

(c) The total payments from the fund to all producers during the period beginning July 1, 1991 and ending June 30, 1993 may not exceed \$9,000,000. This amount may be paid in either fiscal year of the biennium. Total payments to any producer from the account in either fiscal year may not exceed \$3,000,000.

(d) The total payments from the fund to all producers may not exceed \$200,000 during the period beginning July 1, 1986, and ending June 30, 1987, and may not exceed \$10,000,000 in any fiscal year during the period beginning July 1, 1987 1993, and ending June 30, 2000 2003. Total payments to any producer from the account in any fiscal year may not exceed \$3,000,000.

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

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

The commissioner of revenue shall pay \$100,000 in the fiscal year ending June 30, 1992, and \$100,000 in the fiscal year ending June 30, 1993, to the commissioner of agriculture to promote ethanol fuel use.

The commissioner of revenue shall pay \$40,000, or as much thereof as the commissioner of agriculture determines is necessary, in the fiscal year ending June 30, 1992, to the commissioner of agriculture for the purpose of producing and publishing, through the marketing division of the department and in consultation with the department of trade and economic development bureau of business licenses, the environmental permits control unit established under section 116C.25, the commissioner of the pollution control agency, the commissioner of public safety, and the Minnesota extension service, a document that (1) describes the steps necessary for planning, permitting, and constructing an ethanol plant in Minnesota; (2) suggests possible sources of economic support; and (3)

provides such other information to potential ethanol producers as the commissioner of agriculture deems necessary.

Sec. 2. Minnesota Statutes 1990, section 41A.09, subdivision 5, is amended to read:

Subd. 5. [EXPIRATION.] This section expires July 1, ~~2000~~ 2003, and the unobligated balance of each appropriation under this section on that date reverts to the general fund.

Sec. 3. Minnesota Statutes 1990, section 41A.09, subdivision 6, is amended to read:

Subd. 6. [CONTINUED PAYMENTS.] A plant in production or under construction by January 1, 1990, shall continue to receive uninterrupted payments under subdivision 3 of at least 20 cents per gallon of ethanol produced until July 1, ~~2000~~ 2003.

Sec. 4. Minnesota Statutes 1990, section 239.76, is amended by adding a subdivision to read:

Subd. 1a. [OXYGENATED GASOLINE REQUIRED.] (a) After October 31, 1995, gasoline sold or offered for sale as fuel for a motor vehicle licensed in Minnesota or another jurisdiction in air quality nonattainment counties must have a minimum oxygen content of 3.1 percent.

(b) After October 31, 1997, the requirement for oxygenated gasoline in paragraph (a) applies statewide."

Delete the title and insert:

"A bill for an act relating to agriculture; requiring the commissioner of revenue to make certain payments to the commissioner of agriculture for the purpose of promoting ethanol fuel use and providing information to ethanol producers; extending expiration date of ethanol subsidy program; amending Minnesota Statutes 1990, sections 41A.09, subdivisions 3, 5, and 6; and 239.76, by adding a subdivision."

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. 728, A bill for an act relating to traffic regulations; motor vehicles; establishing system for the notification, recording, and collection of delinquent fines for parking violations; prohibiting registration of vehicle of owner who has not paid the fine for a parking violation; prohibiting issuance of warrants for parking violations; imposing a fee; appropriating money; amending Minnesota Statutes 1990, sections 169.91, subdivision 3; 169.95; and 169.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 168 and 169.

Reported the same back with the following amendments:

Page 1, line 27, before the period insert "and the amount of each fine"

Page 3, delete lines 18 to 28, and insert:

"(d) An applicant may register the vehicle after paying or otherwise satisfactorily disposing of all delinquent parking citations and fines as follows:

(1) by reapplying after paying the outstanding parking fines to the appropriate courts and after each court's file of delinquent citations and fines have been recorded and updated in the computerized records system;

(2) by presenting court receipts or statements certifying that all delinquent fines have been paid or otherwise disposed of to the satisfaction of all applicable courts; or

(3) by paying all outstanding delinquent parking fines, as recorded in the computerized records system established in subdivision 2, by satisfactory payment to the deputy registrar, but only if the particular deputy registrar elects to provide this service. A deputy registrar electing to accept payments for fines under this clause shall transmit all payments to the applicable courts without delay.

A deputy registrar may rely conclusively upon the receipts or certified statements issued under clause (2) and purporting to be that of the court named in the receipt or statement that the fines owed to that court have been paid or otherwise satisfied."

Page 6, delete line 8

Page 6, line 9, before the period insert "," and

(4) the date the parking citation was issued"

Page 7, line 17, delete "\$469,000" and insert "\$447,000 the first year of the biennium and \$282,000 the second year of the biennium"

Page 7, line 21, delete "one position" and insert "three positions"

Page 7, after line 21, insert:

"Sec. 8. [EFFECTIVE DATE.]

Section 1, subdivision 2, and section 7 are effective August 1, 1991. The remaining provisions of this act are effective January 1, 1993, for parking citations outstanding and fines delinquent on and after that date."

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. 1589, A bill for an act relating to agriculture; appropriating money for the state's portion of the interstate compact on grain marketing.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1990, section 103G.271, subdivision 6, is amended to read:

Subd. 6. [WATER USE PERMIT PROCESSING FEE.] (a) Except as described in paragraphs (b) to (e) (f), a water use permit processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

(1) 0.05 cents per 1,000 gallons for the first 50,000,000 gallons per year;

(2) 0.10 cents per 1,000 gallons for amounts greater than 50,000,000 gallons but less than 100,000,000 gallons per year;

(3) 0.15 cents per 1,000 gallons for amounts greater than 100,000,000 gallons but less than 150,000,000 gallons per year; and

(4) 0.20 cents per 1,000 gallons for amounts greater than 150,000,000 gallons but less than 200,000,000 gallons per year;

(5) 0.25 cents per 1,000 gallons for amounts greater than 200,000,000 gallons but less than 250,000,000 gallons per year;

(6) 0.30 cents per 1,000 gallons for amounts greater than 250,000,000 gallons but less than 300,000,000 gallons per year;

(7) 0.35 cents per 1,000 gallons for amounts greater than 300,000,000 gallons but less than 350,000,000 gallons per year;

(8) 0.40 cents per 1,000 gallons for amounts greater than 350,000,000 gallons but less than 400,000,000 gallons per year; and

(9) 0.45 cents per 1,000 gallons for amounts greater than 400,000,000 gallons per year.

(b) For once-through cooling systems, a water use processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

(1) for nonprofit corporations and school districts:

(i) 5.0 cents per 1,000 gallons until December 31, 1991;

(ii) 10.0 cents per 1,000 gallons from January 1, 1992, until December 31, 1996; and

(iii) 15.0 cents per 1,000 gallons after January 1, 1997; and

(2) for all other users ~~after January 1, 1990~~, 20 cents per 1,000 gallons.

(c) The fee is payable based on the amount of water appropriated during the year and ~~in no case may, except as provided in paragraph (f), the minimum fee be less than is \$50. The commissioner shall notify all permittees of the fee changes authorized by this law by July 1, 1990. The commissioner is authorized to refund 1989 water use report processing fees under this subdivision.~~

(d) For water use processing fees other than once-through cooling systems:

(1) the fee for a city of the first class may not exceed \$175,000 per year;

(2) the fee for other entities for any permitted use may not exceed:

(i) \$35,000 per year for an entity holding three or fewer permits;

(ii) \$50,000 per year for an entity holding four or five permits;

(iii) \$175,000 per year for an entity holding more than five permits;

(3) the fee for agricultural irrigation may not exceed \$750 per year.

(e) Failure to pay the fee is sufficient cause for revoking a permit. A fee may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal governmental agency holding a water appropriation permit.

(f) The minimum water use processing fee for a permit issued for irrigation of agricultural land is \$10 for years in which:

(1) there is no appropriation of water under the permit; or

(2) the permit is suspended for more than seven consecutive days between May 1 and October 1.

(g) For once-through systems fees payable after July 1, 1993, at least 50 percent of the fee deposited in the general fund shall be used for grants, loans, or other financial assistance as appropriated by the legislature to assist in financing retrofitting of permitted once-through systems until December 31, 1999. The commissioner shall adopt rules for determining eligibility and criteria for the issuance of grants, loans, or other financial assistance for retrofitting according to chapter 14, by July 1, 1993.

~~(g) This subdivision applies to permits issued or effective on or after January 1, 1990."~~

Page 1, line 6, delete "Section 1." and insert "Sec. 2."

Amend the title as follows:

Page 1, line 2, after the semicolon insert "changing certain water use processing fees;"

Page 1, line 4, after "marketing" insert "; amending Minnesota Statutes 1990, section 103G.271, subdivision 6"

With the recommendation that when so amended the bill pass.

The report was adopted.

Simoneau from the Committee on Appropriations to which was referred:

S. F. No. 1127, A bill for an act relating to human services; establishing an advisory council; requiring a plan to simplify rules and regulations governing services to persons with developmental disabilities and related conditions.

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:

S. F. No. 1152, A bill for an act relating to motor vehicles; authorizing the registrar of motor vehicles to prorate the original registration on groups of passenger motor vehicles presented to St. Paul by a lessor; amending Minnesota Statutes 1990, section 168.017, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 1, delete "such other locations" and insert "deputy registrar offices"

Page 2, line 10, delete "bill" and insert "act"

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 31, 552, 728 and 1589 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 1019, 1466, 1127 and 1152 were read for the second time.

**INTRODUCTION AND FIRST READING  
OF HOUSE BILLS**

The following House Files were introduced:

Rodosovich introduced:

H. F. No. 1699, A bill for an act relating to the legislature; changing the boundaries of legislative districts; amending Minnesota Statutes 1990, section 2.031, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 1990, sections 2.019; and 2.042 to 2.702.

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

Schafer introduced:

H. F. No. 1700, A bill for an act relating to historical sites; designating the old Sibley county courthouse as an additional site; amending Minnesota Statutes 1990, section 138.56, by adding a subdivision.

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

Steensma, Kalis, Munger, Uphus and Lieder introduced:

H. F. No. 1701, A bill for an act relating to railroads; authorizing expenditure of rail service improvement account money for maintenance of rail lines and rights-of-way in the rail bank; authorizing the commissioner of transportation to acquire abandoned rail lines and rights-of-way by eminent domain; eliminating requirement to offer state rail bank property to adjacent land owners; amending Minnesota Statutes 1990, sections 222.50, subdivision 7; 222.63, subdivisions 2, 2a, and 4; repealing Minnesota Statutes 1990, section 222.63, subdivision 5.

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

Rest and Vellenga introduced:

H. F. No. 1702, A bill for an act relating to adoption; providing for release of birth information to adopted persons; amending Minnesota Statutes 1990, sections 259.49, subdivisions 1, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1990, section 259.49, subdivisions 2 and 3.

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

Orfield introduced:

H. F. No. 1703, A bill for an act relating to taxation; property; reducing the class rate applied to certain homesteads; amending Minnesota Statutes 1990, section 273.13, subdivision 22.

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

Long, Wagenius, Munger, Ozment and Orfield introduced:

H. F. No. 1704, A bill for an act relating to the environment; moving from the office of waste management to the environmental quality board the responsibility for supplementary review of the siting of waste facilities; amending the planning and siting process for new large solid waste management facilities and expansions of facilities to provide for earlier environmental review and public participation processes; amending Minnesota Statutes 1990, section 115A.32; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

#### HOUSE ADVISORIES

The following House Advisories were introduced:

Solberg, Kahn, Vellenga and Bishop introduced:

H. A. No. 30, A proposal to study the Federal treaties with the Indians of Minnesota.

The advisory was referred to the Committee on Judiciary.

Solberg, Vellenga and Bishop introduced:

H. A. No. 31, A proposal to study the public defense system.

The advisory was referred to the Committee on Judiciary.

Johnson, R.; Reding; Knickerbocker; O'Connor and Jefferson introduced:

H. A. No. 32, A proposal to study public employee deferred compensation systems in Minnesota.

The advisory was referred to the Committee on Governmental Operations.

Clark, Begich, Winter, Jaros and Dawkins introduced:

H. A. No. 33, A proposal to monitor *military spending patterns* in Minnesota and make recommendations to preserve jobs.

The advisory was referred to the Committee on Economic Development.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

H. F. No. 696, A bill for an act relating to education; revising membership requirements for joint vocational technical boards; authorizing joint vocational technical boards to appoint additional members; amending Minnesota Statutes 1990, section 136C.61, subdivision 1; and by adding a subdivision.

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

H. F. No. 1657, A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 564, A bill for an act relating to telephones; exempting certain providers of telephone service from regulation by the public utilities commission; requiring hotels, motels, and other establishments to provide notice of separate charges for use of telephones and notice of which long distance carriers provide service to telephones in the establishments; proposing coding for new law in Minnesota Statutes, chapters 237 and 325F.

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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 815, A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; regulating premium determinations, meetings, and experimental delivery and managed care delivery methods; authorizing preferred provider networks; classifying PPO agreement data; regulating access; amending Minnesota Statutes 1990, sections 13.71, by adding a subdivision; 62E.08, by adding a subdivision; 62E.10, subdivisions 4 and 9; 62E.12; 62E.13, by adding a subdivision; and 62E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62E.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Skoglund moved that the House concur in the Senate amendments to H. F. No. 815 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 815, A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; regulating premium determinations, meetings, and experimental delivery and managed care delivery methods; authorizing preferred provider networks; classifying PPO agreement data; regulating access; amending Minnesota Statutes 1990, sections 13.71, by adding a subdivision; 62E.08, by adding a subdivision; 62E.10, subdivisions 4 and 9; 62E.12; 62E.13, by adding a subdivision; and 62E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62E.

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

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

Those who voted in the affirmative were:

Abrams	Frerichs	Knickerbocker	Olson, E.	Smith
Anderson, I.	Garcia	Koppendrayner	Olson, K.	Solberg
Anderson, R. H.	Girard	Krinkie	Omann	Sparby
Battaglia	Goodno	Krueger	Onnen	Stanias
Bauerly	Greenfield	Lasley	Orenstein	Steensma
Beard	Gruenes	Leppik	Orfield	Sviggum
Begich	Gutknecht	Lieder	Osthoff	Swenson
Bertram	Hanson	Limmer	Ostrom	Thompson
Bettermann	Hartle	Long	Ozment	Tompkins
Bishop	Hasskamp	Lourey	Pellow	Trimble
Blatz	Haukoos	Lynch	Pelowski	Tunheim
Bodahl	Hausman	Macklin	Peterson	Uphus
Boo	Heir	Mariani	Pugh	Valento
Brown	Henry	Marsh	Reding	Vellenga
Carlson	Hufnagle	McEachern	Rest	Wagenius
Carruthers	Hugoson	McGuire	Rice	Waltman
Clark	Jacobs	McPherson	Rodosovich	Weaver
Cooper	Janezich	Milbert	Rukavina	Wejman
Dauner	Jefferson	Morrison	Runbeck	Welker
Dauids	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	
Frederick	Kinkel	Olsen, S.	Skoglund	

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

Mr. Speaker:

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

H. F. No. 1001, A bill for an act relating to game and fish; authorizing radio communication between a handler and dog; amending Minnesota Statutes 1990, section 97B.085, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Trimble moved that the House concur in the Senate amendments to H. F. No. 1001 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1001, A bill for an act relating to game and fish; authorizing radio communication between a handler and dog; amending Minnesota Statutes 1990, section 97B.085, 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 743, A bill for an act relating to the Red River watershed management board; changing the description of the area subject to special authority of watershed districts; requiring the board to adopt criteria for funding applications; clarifying the uses of levy proceeds; expanding the board's authority to cooperate with other entities; amending Laws 1976, chapter 162, sections 1 and 2, as amended, and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Lieder moved that the House concur in the Senate amendments to H. F. No. 743 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 743, A bill for an act relating to the Red River watershed management board; changing the description of the area subject to special authority of watershed districts; requiring the board to adopt criteria for funding applications; clarifying the uses of levy proceeds; expanding the board's authority to cooperate with other entities; amending Laws 1976, chapter 162, sections 1 and 2, as amended, and 3.

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

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

Those who voted in the affirmative were:

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

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

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Sviggum moved that the House concur in the Senate amendments to H. F. No. 424 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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

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

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

The Speaker called Krueger to the Chair.

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. 551, A bill for an act relating to drivers' licenses; extending waiting period for person to receive limited driver's license who has been convicted of certain crimes; providing a penalty; amending Minnesota Statutes 1990, sections 171.17; and 171.30, subdivisions 2, 4, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hanson moved that the House concur in the Senate amendments to H. F. No. 551 and that the bill be repassed as amended by the Senate.

Swenson moved that the House refuse to concur in the Senate amendments to H. F. No. 551, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Olson, E., moved that the House concur in the Senate amendments to H. F. No. 85 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 85, A bill for an act relating to health; authorizing nursing homes with 150 or fewer beds that are located within 75 miles of each other to share an administrator; amending Minnesota Statutes 1990, section 144A.04, subdivision 5.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

Tompkins  
Trimble  
Tunheim

Uphus  
Valento  
Vellenga

Wagenius  
Waltman  
Weaver

Wejcman  
Welker  
Welle

Wenzel  
Winter  
Spk. Vanasek

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

Mr. Speaker:

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

H. F. No. 716, A bill for an act relating to crime victims; requiring victims to be notified of offender's escape; requiring notification to victim of final disposition of case; waiving fees necessary to obtain a temporary restraining order for harassment if petitioner is indigent; amending Minnesota Statutes 1990, sections 609.748, subdivisions 3, 4, and 6; 611A.02, subdivision 2; and 611A.06; proposing coding for new law in Minnesota Statutes, chapter 611A.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Seaberg moved that the House concur in the Senate amendments to H. F. No. 716 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 716, A bill for an act relating to crime victims; requiring victims to be notified of offender's escape; requiring notification to victim of final disposition of case; waiving fees necessary to obtain a temporary restraining order for harassment if petitioner is indigent; modifying appointment of legislative members of the crime victim and witness advisory council; amending Minnesota Statutes 1990, sections 609.748, subdivisions 3 and 4; 611A.02, subdivision 2; 611A.06; and 611A.71, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 611A.

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  
Anderson, I.  
Anderson, R. H.  
Battaglia

Bauerly  
Beard  
Begich  
Bertram

Bettermann  
Bishop  
Blatz  
Bodahl

Boo  
Brown  
Carlson  
Carruthers

Clark  
Cooper  
Dauner  
Davids

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

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

Mr. Speaker:

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

H. F. No. 154, A bill for an act relating to financial transactions; enacting conforming amendments to the Uniform Commercial Code proposed by the Uniform Laws Conference; proposing changes to articles relating to leases and bulk sales; amending Minnesota Statutes 1990, sections 47.015, by adding a subdivision; 336.1-105; 336.2-403; 336.2A-103; 336.2A-209; 336.2A-303; 336.2A-304; 336.2A-307; 336.2A-309; 336.2A-407; 336.2A-501; 336.2A-503; 336.2A-507; 336.2A-508; 336.2A-516; 336.2A-517; 336.2A-518; 336.2A-519; 336.2A-523; 336.2A-525; 336.2A-527; 336.2A-528; 336.2A-529; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1990, sections 336.6-101 to 336.6-111; and 336.9-111.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Scheid moved that the House concur in the Senate amendments to H. F. No. 154 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 154, A bill for an act relating to the Uniform Commercial

Code; enacting conforming amendments proposed by the Uniform Laws Conference; proposing changes to articles relating to leases and bulk sales; amending Minnesota Statutes 1990, sections 336.1-105; 336.2-403; 336.2A-103; 336.2A-209; 336.2A-303; 336.2A-304; 336.2A-307; 336.2A-309; 336.2A-407; 336.2A-501; 336.2A-503; 336.2A-507; 336.2A-508; 336.2A-516; 336.2A-517; 336.2A-518; 336.2A-519; 336.2A-523; 336.2A-525; 336.2A-527; 336.2A-528; 336.2A-529; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1990, sections 336.6-101 to 336.6-111; and 336.9-111.

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

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

Mr. Speaker:

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

H. F. No. 870, A bill for an act relating to retirement; public

employees retirement fund police and fire consolidation accounts; permitting survivors of account members killed in the line of duty to elect coverage; proposing coding for new law in Minnesota Statutes, chapter 353A.

PATRICK E. FLAHAVEN, Secretary of the Senate

#### CONCURRENCE AND REPASSAGE

Pugh moved that the House concur in the Senate amendments to H. F. No. 870 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 870, A bill for an act relating to retirement; public employees retirement fund police and fire consolidation accounts; permitting survivors of account members killed in the line of duty to elect coverage; proposing coding for new law in Minnesota Statutes, chapter 353A.

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

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

Mr. Speaker:

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

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bauerly moved that the House refuse to concur in the Senate amendments to H. F. No. 1197, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 100, 1238, 1340, 820, 1402, 109, 740, 836 and 1182.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 100, A bill for an act relating to transportation; authorizing replacement funds for certain culverts and grading costs; authorizing certain assistance for bridge approaches from the town bridge account; amending Minnesota Statutes 1990, section 161.082, subdivision 2a.

The bill was read for the first time.

Steensma moved that S. F. No. 100 and H. F. No. 159, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1238, A bill for an act relating to the city of Richfield; authorizing the city to advance money to the commissioner of transportation to expedite construction of a frontage road within the

city; authorizing an agreement between the commissioner and the city; authorizing the city to issue bonds and requiring the commissioner to pay interest on the bonds up to a certain amount.

The bill was read for the first time.

Garcia moved that S. F. No. 1238 and H. F. No. 1377, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1340, A bill for an act relating to retirement; judges retirement fund; modifying the procedures for the payment of social security and retirement fund contributions; appropriating money for the payment of retirement fund employer contributions; amending Minnesota Statutes 1990, sections 355.392, subdivisions 2 and 3; and 490.123, subdivision 1.

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

S. F. No. 820, A bill for an act relating to the state agricultural society; providing some building and contracting exceptions; regulating real estate transactions; setting conditions for counties to assist state fair exhibits; amending Minnesota Statutes 1990, sections 37.02; 37.19; and 375.79; repealing Minnesota Statutes 1990, sections 375.80; 375.81; and 375.82.

The bill was read for the first time.

Osthoff moved that S. F. No. 820 and H. F. No. 883, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1402, A bill for an act relating to higher education; authorizing a study of potential uses for the Waseca campus of the University of Minnesota; appropriating money.

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

S. F. No. 109, A bill for an act relating to judicial administration; increasing fees; eliminating fees; decreasing the number of certified copies of marriage licenses prepared; expanding the probate surcharge to informal probate matters; amending Minnesota Statutes 1990, sections 357.021, subdivision 2; 517.101; and 525.5501, subdivision 2.

The bill was read for the first time.

Solberg moved that S. F. No. 109 and H. F. No. 78, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 740, A bill for an act relating to state finance; providing for the uses of imprest funds, the cancellation of warrants, the costs of data searches, the conditions, dollar limits, and uses of bonds, and certain account rules; appropriating money; amending Minnesota Statutes 1990, sections 13.03, subdivision 3; 15.191, subdivision 1; 16A.45, subdivision 1; 16A.641, subdivision 3; 16A.672, subdivision 9; 16A.721, subdivision 1; and 446A.12, subdivision 1.

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

S. F. No. 836, A bill for an act relating to education; appropriating money for construction on the St. Cloud State University campus.

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

S. F. No. 1182, A bill for an act relating to state buildings; requiring the commissioner of finance to prepare a debt capacity forecast covering the next six fiscal years and all types of debt instruments; requiring capital facilities notes; discontinuing sale of infrastructure development bonds, consolidating debt service for infrastructure development bonds in the general fund; requiring consultation with the capitol area architectural and planning board on building projects in the capitol area; requiring the commissioner of administration to review capital budget requests for state buildings; requiring a report; setting the debt service limit for the biennium ending June 30, 1991; appropriating money; amending Minnesota Statutes 1990, sections 16A.11, subdivisions 1 and 3, and by adding subdivisions; 16A.662, subdivisions 2, 4, and 5; and 349A.10, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 16A and 16B.

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

Speaker pro tempore Krueger called Bauerly to the Chair.

The following Conference Committee Report was received:

## CONFERENCE COMMITTEE REPORT ON H. F. NO. 1179

A bill for an act relating to metropolitan government; directing the metropolitan council to conduct a study.

May 9, 1991

The Honorable Robert E. Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

We, the undersigned conferees for H. F. No. 1179, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 1179 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [FULLY DEVELOPED AREA; STUDY.]

The metropolitan council must conduct a study of the development patterns and needs in the council-defined fully developed area. The council must direct its staff to:

(1) examine both the development patterns and the migration patterns in the fully developed area that have occurred in the last 20 years with special attention to household composition;

(2) compare the relative public costs of redevelopment in the fully developed area with the costs of development within the council-defined developing area. This work should include, but is not limited to, transportation and transit, wastewater treatment, public safety services, housing, and education;

(3) examine the changing demographics of the fully developed area and other areas within the metropolitan region, and make projections regarding the economic and social condition of the fully developed area;

(4) examine the anticipated effects of a light rail transit system on the economic and social condition of the fully developed area; and

(5) recommend changes that would encourage the economic and social strengthening of the fully developed area.

In conducting its study, the council must use, along with other information, any available data from the 1990 census. The council must present its findings to the legislature by February 15, 1994. The council must also present interim briefings to the legislature on work in progress at least annually between the effective date of this act and the completion of the study.

Sec. 2. [473.1631] [LEGISLATIVE REVIEW.]

All metropolitan agencies shall file their budgets with the secretary of the senate and the clerk of the house of representatives on January 15 of the first year of each biennium for review by the committees of each body that have jurisdiction over the metropolitan agencies.

Sec. 3. [APPLICATION.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan government; providing for legislative review of metropolitan agency budgets; directing the metropolitan council to conduct a study; proposing coding for new law in Minnesota Statutes, chapter 473."

We request adoption of this report and repassage of the bill.

House Conferees: MYRON W. ORFIELD, EDWINA GARCIA AND PEGGY LEPIK.

Senate Conferees: TED A. MONDALE, JANE B. RANUM AND TERRY D. JOHNSTON.

Orfield moved that the report of the Conference Committee on H. F. No. 1179 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

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

Those who voted in the affirmative were:

Abrams	Frerichs	Knickerbocker	Olson, E.	Smith
Anderson, I.	Garcia	Koppendrayner	Olson, K.	Solberg
Anderson, R. H.	Girard	Krinkie	Omann	Sparby
Battaglia	Goodno	Krueger	Onnen	Stanisus
Bauerly	Greenfield	Lasley	Orenstein	Steensma
Beard	Gruenes	Leppik	Orfield	Sviggum
Begich	Gutknecht	Lieder	Osthoff	Swenson
Bertram	Hanson	Limmer	Ostrom	Thompson
Bettermann	Hartle	Long	Ozment	Tompkins
Bishop	Haskamp	Lourey	Pellow	Trimble
Blatz	Haukoos	Lynch	Pelowski	Tunheim
Bodahl	Hausman	Macklin	Peterson	Uphus
Boo	Heir	Mariani	Pugh	Valento
Brown	Henry	Marsh	Reding	Vellenga
Carlson	Hufnagle	McEachern	Rest	Wagenius
Carruthers	Hugoson	McGuire	Rice	Waltman
Clark	Jacobs	McPherson	Rodosovich	Weaver
Cooper	Janezich	Milbert	Rukavina	Wejzman
Dauner	Jaros	Morrison	Runbeck	Welker
Davids	Jefferson	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	
Frederick	Kinkel	Olsen, S.	Skoglund	

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

### CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Simoneau requested immediate consideration of H. F. Nos. 930 and 543; S. F. No. 269; H. F. Nos. 1387, 761 and 734; S. F. Nos. 510, 526, 525 and 208; H. F. No. 1109 and S. F. No. 783.

H. F. No. 930 was reported to the House.

Trimble moved to amend H. F. No. 930, the second engrossment, as follows:

Page 2, delete lines 3 and 4

Page 2, line 5, delete "(3)" and insert "(2)"

Page 2, after line 6, insert:

"(3) one member of a public post-secondary system, other than the University of Minnesota, who is involved in the area of technology, appointed by the higher education coordinating board,"

The motion prevailed and the amendment was adopted.

H. F. No. 930, A bill for an act relating to economic development; changing the name of the Greater Minnesota Corporation; adding duties; providing for a new structure for the board of directors; amending Minnesota Statutes 1990, sections 116O.03, subdivision 2; 116O.04, subdivision 2; 116O.05, subdivision 2; and 116O.09, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116O; repealing Minnesota Statutes 1990, sections 116J.970; 116J.971; and 116O.03, subdivision 2a.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krinkie

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

H. F. No. 543, A bill for an act relating to human services; providing funding for various pilot projects.

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

The bill was passed and its title agreed to.

S. F. No. 269, A bill for an act relating to liquor; requiring posting of certain signs in licensed premises; amending Minnesota Statutes 1990, section 340A.410, by adding a subdivision.

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 123 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abrams	Anderson, R. H.	Bauerly	Begich	Bettermann
Anderson, I.	Battaglia	Beard	Bertram	Bishop

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

Those who voted in the negative were:

Davids	Goodno	Omann	Svigum
Frerichs	Krinkie	Ostrom	Welker

The bill was passed and its title agreed to.

H. F. No. 1387 was reported to the House.

Anderson, I., moved to amend H. F. No. 1387, the first engrossment, as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1990, section 16B.24, subdivision 6, is amended to read:

Subd. 6. [PROPERTY RENTAL.] (a) [LEASES.] The commissioner shall rent land and other premises when necessary for state purposes. The commissioner may lease land or premises for five years or less, subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use. The commissioner also may lease land or premises for 20 years or less, subject to the 30-day cancellation, if the lessor is a political subdivision or other instrument of state government.

The commissioner may not rent non-state-owned land and buildings or substantial portions of land or buildings within the capitol area as defined in section 15.50 unless the commissioner first consults with the capitol area architectural and planning board. If the commissioner enters into a lease-purchase agreement for build-

ings or substantial portions of buildings within the capitol area, the commissioner shall require that any new construction of non-state-owned buildings conform to design guidelines of the capitol area architectural and planning board. Lands needed by the department of transportation for storage of vehicles or road materials may be rented for five years or less, such leases for terms over two years being subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use. An agency or department head must consult with the chairs of the house appropriations and senate finance committees before entering into any agreement that would cause an agency's rental costs to increase by ten percent or more per square foot or would increase the number of square feet of office space rented by the agency by 25 percent or more in any fiscal year.

(b) [USE VACANT PUBLIC SPACE.] No agency may initiate or renew a lease for space for its own use in a private building unless the commissioner has thoroughly investigated presently vacant space in public buildings, such as closed school buildings, and found that none is available.

(c) [PREFERENCE FOR CERTAIN BUILDINGS.] For needs beyond those which can be accommodated in state-owned buildings, the commissioner shall acquire and utilize space in suitable buildings of historical, architectural, or cultural significance for the purposes of this subdivision unless use of that space is not feasible, prudent and cost effective compared with available alternatives. Buildings are of historical, architectural, or cultural significance if they are listed on the national register of historic places, designated by a state or county historical society, or designated by a municipal preservation commission.

(d) [RECYCLING SPACE.] Leases for space of 30 days or more for 5,000 square feet or more must require that space be provided for recyclable materials."

Renumber the sections in sequence

Correct internal references

Delete the title and insert:

"A bill for an act relating to public administration; permitting certain leases; requiring that legislative hearing rooms and the house and senate chambers be fitted with devices to aid the hearing-impaired; appropriating money; amending Minnesota Statutes 1990, sections 16B.61, by adding a subdivision; and 16B.24, subdivision 6."

The motion prevailed and the amendment was adopted.

H. F. No. 1387, A bill for an act relating to public administration; permitting certain leases; requiring that legislative hearing rooms and the house and senate chambers be fitted with devices to aid the hearing-impaired; appropriating money; amending Minnesota Statutes 1990, sections 16B.61, by adding a subdivision; and 16B.24, subdivision 6.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 761, A bill for an act relating to education; permitting the state board of technical colleges to develop training materials for people who provide services to people with developmental disabilities; creating an advisory task force; requiring a report.

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

The bill was passed and its title agreed to.

H. F. No. 734, A bill for an act relating to transportation; regulating limousine service; adding identification to license plates; requiring the commissioner of transportation to adopt rules relating to limousine permits; appropriating money; amending Minnesota Statutes 1990, sections 168.011, subdivision 35; 168.128, subdivisions 2 and 3; 221.025; and 221.091; proposing coding for new law in Minnesota Statutes, chapter 221.

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 126 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Goodno	Koppendrayner	Svigum
Haukoos	Smith	Welker

The bill was passed and its title agreed to.

S. F. No. 510 was reported to the House.

Olson, K.; Kalis; Uphus; Steensma and Bertram moved to amend S. F. No. 510, the unofficial engrossment, as follows:

Page 6, after line 13, insert:

“Sec. 16. [SURVEY OF MEAT PROCESSORS.]

Subdivision 1. [SURVEY.] The commissioner of agriculture shall conduct a survey of meat handlers to determine the level of interest in establishing a state meat inspection program. The survey must be based on a methodology that will inform survey participants of the costs and other implications of a state meat inspection program meeting federal meat inspection requirements.

Subd. 2. [REPORT.] Not later than February 1, 1992, the commissioner of agriculture shall report to the agriculture committees of the senate and the house of representatives on findings of the survey required in subdivision 1 and any legislative recommendations.

Sec. 17. [APPROPRIATION.]

\$10,000 is appropriated from the general fund to the commissioner of agriculture for the study and report required in section 16.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert: "requiring the commissioner of agriculture to survey certain meat processors to determine interest in a state meat inspection program; requiring a report; appropriating money;"

The motion prevailed and the amendment was adopted.

S. F. No. 510, A bill for an act relating to agriculture; changing the egg law; imposing a penalty; amending Minnesota Statutes 1990, sections 29.21, by adding subdivisions; 29.23; 29.235; 29.26; and 29.27; proposing coding for new law in Minnesota Statutes, chapter 29.

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 126 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Koppendrayner

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

S. F. No. 526, A bill for an act relating to crime; sentencing; clarifying and revising the intensive community supervision program; amending Minnesota Statutes 1990, sections 244.05, subdivision 6; 244.12; 244.13; 244.14; and 244.15.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 525 was reported to the House.

Vellenga and Orenstein moved to amend S. F. No. 525, the unofficial engrossment, as follows:

Page 2, delete lines 11 to 14, and insert:

“means any residential real property consisting of more than four rental units that is owned by a political subdivision or the federal government and leased to persons and families of low or moderate income as defined in section 462A.03, subdivision 10, plus the area

within 300 feet of the property's boundary, or one city block, whichever distance is greater."

Page 6, line 21, after the semicolon, insert: "representatives of racial and ethnic minority communities;"

Page 6, line 21, after "and" insert "other"

The motion prevailed and the amendment was adopted.

Orenstein, Solberg, Vellenga and Marsh moved to amend S. F. No. 525, the unofficial engrossment, as amended, as follows:

Page 4, after line 20, insert:

"Sec. 8. Minnesota Statutes 1990, section 260.015, subdivision 2a, is amended to read:

Subd. 2a. [CHILD IN NEED OF PROTECTION OR SERVICES.] "Child in need of protection or services" means a child who is in need of protection or services because the child:

- (1) is abandoned or without parent, guardian, or custodian;
- (2)(i) has been a victim of physical or sexual abuse, or (ii) resides with or has resided with a victim of domestic child abuse as defined in subdivision 24, (iii) resides with or would reside with a perpetrator of domestic child abuse, or (iv) is a victim of emotional maltreatment as defined in subdivision 5a;
- (3) is without necessary food, clothing, shelter, education, or other required care for the child's physical or mental health or morals because the child's parent, guardian, or custodian is unable or unwilling to provide that care;
- (4) is without the special care made necessary by a physical, mental, or emotional condition because the child's parent, guardian, or custodian is unable or unwilling to provide that care;
- (5) is medically neglected, which includes, but is not limited to, the withholding of medically indicated treatment from a disabled infant with a life-threatening condition. The term "withholding of medically indicated treatment" means the failure to respond to the infant's life-threatening conditions by providing treatment, including appropriate nutrition, hydration, and medication which, in the treating physician's or physicians' reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all conditions, except that the term does not include the failure to

provide treatment other than appropriate nutrition, hydration, or medication to an infant when, in the treating physician's or physicians' reasonable medical judgment:

(i) the infant is chronically and irreversibly comatose;

(ii) the provision of the treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the survival of the infant; or

(iii) the provision of the treatment would be virtually futile in terms of the survival of the infant and the treatment itself under the circumstances would be inhumane;

(6) is one whose parent, guardian, or other custodian for good cause desires to be relieved of the child's care and custody;

(7) has been placed for adoption or care in violation of law;

(8) is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of the child's parent, guardian, or other custodian;

(9) is one whose behavior, condition, or environment is such as to be injurious or dangerous to the child or others. An injurious or dangerous environment may include, but is not limited to, the exposure of a child to criminal activity in the child's home;

(10) has committed a delinquent act before becoming ten years old;

(11) is a runaway;

(12) is an habitual truant; or

(13) is one whose custodial parent's parental rights to another child have been involuntarily terminated within the past five years.

Sec. 9. Minnesota Statutes 1990, section 260.125, subdivision 3, is amended to read:

Subd. 3. [PRIMA FACIE CASE.] A prima facie case that the public safety is not served or that the child is not suitable for treatment shall have been established if the child was at least 16 years of age at the time of the alleged offense and:

(1) is alleged by delinquency petition to have committed an aggravated felony against the person and (a) in committing the offense, the child acted with particular cruelty or disregard for the

life or safety of another; or (b) the offense involved a high degree of sophistication or planning by the juvenile; or (c) the juvenile, at the time of the offense, used, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(2) is alleged by delinquency petition to have committed murder in the first degree; or

(3) is alleged by delinquency petition (a) to have committed the delinquent act of escape from confinement to a state juvenile correctional facility or a local juvenile correctional facility and (b) to have committed an offense as part of, or subsequent to, escape from custody that would be a felony listed in section 609.11, subdivision 9, if committed by an adult; or

(4) has been found by the court, pursuant to an admission in court or after trial, to have committed an offense within the preceding 24 months which would be a felony if committed by an adult, and is alleged by delinquency petition to have committed murder in the second or third degree, manslaughter in the first degree, criminal sexual conduct in the first degree or assault in the first degree; or

(5) has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed manslaughter in the second degree, kidnapping, criminal sexual conduct in the second degree, arson in the first degree, aggravated robbery, or assault in the second degree; or

(6) has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months, one or both of which would be the felony of burglary of a dwelling if committed by an adult, and the child is alleged by the delinquency petition to have committed another burglary of a dwelling. For purposes of this subdivision, "dwelling" means a building which is, in whole or in part, usually occupied by one or more persons living there at night; or

(7) has previously been found by the court, pursuant to an admission in court or after trial, to have committed three offenses, none in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed any felony other than those described in clause (2), (4), or (5); or

(8) is alleged by delinquency petition to have committed an aggravated felony against the person, other than a violation of

section 609.713, in furtherance of criminal activity by an organized gang; or

(9) has previously been found by the court, pursuant to an admission in court or after trial, to have committed an offense which would be a felony if committed by an adult, and is alleged by delinquency petition to have committed a felony-level violation of chapter 152 involving the unlawful sale or possession of a schedule I or II controlled substance, while in a park zone or a school zone as defined in section 152.01, subdivisions 12a and 14a. This clause does not apply to a juvenile alleged to have unlawfully possessed a controlled substance in a private residence located within the school zone or park zone; or

(10) is alleged by delinquency petition to have committed a violation of section 624.713, subdivision 1, clause (a), and has been previously found by the court, pursuant to an admission in court or after trial, to have committed a violation of section 624.713, subdivision 1, clause (a).

For the purposes of this subdivision, "aggravated felony against the person" means a violation of any of the following provisions: section 609.185; 609.19; 609.195; 609.20, subdivision 1 or 2; 609.221; 609.222; 609.223; 609.245; 609.25; 609.342; 609.343; 609.344, subdivision 1, clause (c) or (d); 609.345, subdivision 1, clause (c) or (d); 609.561; 609.582, subdivision 1, clause (b) or (c); or 609.713.

For the purposes of this subdivision, an "organized gang" means an association of five or more persons, with an established hierarchy, formed to encourage members of the association to perpetrate crimes or to provide support to members of the association who do commit crimes."

Page 11, after line 18, insert:

"Sec. 16. Minnesota Statutes 1990, section 609.2231, is amended by adding a subdivision to read:

Subd. 5. [SCHOOL OFFICIAL.] Whoever assaults a school official while the official is engaged in the performance of the official's duties, and inflicts demonstrable bodily harm, is guilty of a gross misdemeanor. As used in this subdivision, "school official" includes teachers, school administrators, and other employees of a public or private school.

Sec. 17. Minnesota Statutes 1990, section 609.66, is amended to read:

609.66 [DANGEROUS WEAPONS.]

Subdivision 1. [MISDEMEANOR AND GROSS MISDEMEANOR CRIMES.] (a) Whoever does any of the following is guilty of a misdemeanor crime and may be sentenced as provided in paragraph (b):

(1) recklessly handles or uses a gun or other dangerous weapon or explosive so as to endanger the safety of another; or

(2) intentionally points a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another; or

(3) manufactures or sells for any unlawful purpose any weapon known as a slungshot or sand club; or

(4) manufactures, transfers, or possesses metal knuckles or a switch blade knife opening automatically; or

(5) possesses any other dangerous article or substance for the purpose of being used unlawfully as a weapon against another; or

(6) outside of a municipality and without the parent's or guardian's consent, furnishes a child under 14 years of age, or as a parent or guardian permits the child to handle or use, outside of the parent's or guardian's presence, a firearm or airgun of any kind, or any ammunition or explosive.

(b) A person convicted under paragraph (a) may be sentenced as follows:

(1) if the act was committed in a public housing zone, as defined in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or

(2) otherwise, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both.

Subd. 1a. [FELONY CRIMES.] (a) Whoever does any of the following is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both as provided in paragraph (b):

(1) sells or has in possession any device designed to silence or muffle the discharge of a firearm; or

(2) in any municipality of this state, furnishes a minor under 18 years of age with a firearm, airgun, ammunition, or explosive

without the written consent of the minor's parent or guardian or of the police department of the municipality; or

(3) intentionally discharges a firearm under circumstances that endanger the safety of another.

(b) A person convicted under paragraph (a) may be sentenced as follows:

(1) if the act was committed in a public housing zone, as defined in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both; or

(2) otherwise, to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

Subd. 1b. [FURNISHING TO MINORS.] Whoever, in any municipality of this state, furnishes a minor under 18 years of age with a firearm, airgun, ammunition, or explosive without the written consent of the minor's parent or guardian or of the police department of the municipality is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 2. [EXCEPTIONS.] Nothing in this section prohibits the possession of the articles mentioned by museums or collectors of art or for other lawful purposes of public exhibition.

Sec. 18. Minnesota Statutes 1990, section 624.712, subdivision 5, is amended to read:

Subd. 5. "Crime of violence" includes murder in the first, second, and third degrees, manslaughter in the first and second degrees, aiding suicide, aiding attempted suicide, felony violations of assault in the first, second, third, and fourth degrees, terroristic threats, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, criminal sexual conduct in the first, second, third, and fourth degrees, felonious theft, arson in the first and second degrees, riot, burglary in the first, second, third, and fourth degrees, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in chapter 609. "Crime of violence" also includes felony violations of chapter 152.

Sec. 19. Minnesota Statutes 1990, section 624.713, subdivision 2, is amended to read:

Subd. 2. A person named in subdivision 1, clause (a) or (b), who possesses a pistol is guilty of a felony. A person named in any other clause of subdivision 1 who possesses a pistol is guilty of a gross misdemeanor.

Sec. 20. [SENTENCING GUIDELINES COMMISSION STUDY.]

The sentencing guidelines commission shall study sentencing practices under Minnesota Statutes, section 152.023, subdivision 2, clause (1). In its study, the commission shall review: (1) the proportionality of the statutory penalties for and severity level ranking of this crime relative to other controlled substance crimes; (2) the characteristics of offenders sentenced for committing this crime relative to other controlled substance offenders; (3) the sentencing practices of the courts with respect to presumptive sentences, sentencing departures, and conditions of stayed sentences for this crime; and (4) the harm to the community resulting from the commission of this crime relative to other controlled substance crimes. The commission may also include any other sentencing policy issues it deems relevant to this study. The commission shall report its findings to the judiciary committees of the house of representatives and senate by February 15, 1992, and shall recommend any changes to the statute or applicable sentencing guidelines it believes are necessary or appropriate."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Marsh and Orenstein moved to amend S. F. No. 525, the unofficial engrossment, as amended, as follows:

In the Orenstein et al amendment, page 5, after line 17, insert:

Page 10, after line 28, insert:

"Sec. 16. Minnesota Statutes 1990, section 609.11, is amended by adding a subdivision to read:

Subd. 5a. [DRUG OFFENSES.] Notwithstanding section 609.035, whenever a defendant is subject to a mandatory minimum term of imprisonment for a felony violation of chapter 152 and is also subject to this section, the minimum term of imprisonment imposed

under this section shall be consecutive to that imposed under chapter 152."

In the Orenstein et al amendment, page 5, after line 26, insert:

"Sec. 18. Minnesota Statutes 1990, section 609.52, subdivision 3, is amended to read:

Subd. 3. [SENTENCE.] Whoever commits theft may be sentenced as follows:

(1) to imprisonment for not more than 20 years or to payment of a fine of not more than \$100,000, or both, if the value of the property or services stolen is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4), (15), or (16); or

(2) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the value of the property or services stolen exceeds \$2,500, or if the property stolen was an article representing a trade secret, an explosive or incendiary device, or a controlled substance listed in schedule I or II pursuant to section 152.02 with the exception of marijuana, or if the property is a firearm; or

(3) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if:

(a) the value of the property or services stolen is more than \$500 but not more than \$2,500; or

(b) the property stolen was a controlled substance listed in schedule III, IV, or V pursuant to section 152.02; or

(c) the value of the property or services stolen is more than \$200 but not more than \$500 and the person has been convicted within the preceding five years for an offense under this section, section 256.98; 268.18, subdivision 3; 609.24; 609.245; 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state in conformity with any of those sections, and the person received a felony or gross misdemeanor sentence for the offense, or a sentence that was stayed under section 609.135 if the offense to which a plea was entered would allow imposition of a felony or gross misdemeanor sentence; or

(d) the value of the property or services stolen is not more than \$500, and any of the following circumstances exist:

(i) the property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(ii) the property is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(iii) the property is taken from a burning building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(iv) the property consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(v) the property is a firearm; or

(vi) the property stolen is a motor vehicle; or

(4) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the property or services stolen is more than \$200 but not more than \$500; or

(5) in all other cases where the value of the property or services stolen is \$200 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3), (4), and (13), the value of the money or property or services received by the defendant in violation of any one or more of the above provisions within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph."

In the Orenstein et al amendment, page 6, after line 14, insert:

"Possession of written evidence of prior consent signed by the minor's parent or guardian is a complete defense to a charge under clause (6)."

In the Orenstein et al amendment, page 6, line 23, after the comma, insert: "including where the act was committed on residential premises within a zone described in clause (1) if the offender was at the time an owner, tenant, or invitee for a lawful purpose with respect to those residential premises."

In the Orenstein et al amendment, page 7, line 14, delete "written" and insert "prior"

In the Orenstein et al amendment, page 7, line 17, after the period insert: "Possession of written evidence of prior consent signed by the

minor's parent or guardian is a complete defense to a charge under this subdivision."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Vellenga and O'Connor moved to amend S. F. No. 525, the unofficial engrossment, as amended, as follows:

Page 8, after line 14, insert:

"Sec. 11. Minnesota Statutes 1990, section 299C.065, is amended to read:

299C.065 [UNDERCOVER BUY FUND; WITNESS ASSISTANCE SERVICES.]

Subdivision 1. The commissioner of public safety shall make grants to local officials for the following purposes:

(1) the cooperative investigation of cross jurisdictional criminal activity relating to the possession and sale of controlled substances;

(2) receiving or selling stolen goods;

(3) participating in gambling activities in violation of section 609.76;

(4) violations of section 609.322, 609.323, or any other state or federal law prohibiting the recruitment, transportation, or use of juveniles for purposes of prostitution; and

(5) witness assistance services in cases involving criminal gang activity in violation of section 5, or domestic assault, as defined in section 611A.0315.

Subd. 2. A county sheriff or the chief administrative officer of a municipal police department may apply to the commissioner of public safety for a grant for any of the purposes described in subdivision 1, on forms and pursuant to procedures developed by the superintendent. The application shall describe the type of intended criminal investigation, an estimate of the amount of money re-

quired, and any other information the superintendent deems necessary.

Subd. 3. A report shall be made to the commissioner at the conclusion of an investigation pursuant to this section stating: (1) the number of persons arrested, (2) the nature of charges filed against them, (3) the nature and value of controlled substances or contraband purchased or seized, (4) the amount of money paid to informants during the investigation, and (5) a separate accounting of the amount of money spent for expenses, other than "buy money", of bureau and local law enforcement personnel during the investigation. The commissioner shall prepare and submit to the legislature by January 1 of each year a report of investigations pursuant to this section.

Subd. 3a. The head of a law enforcement agency that receives a grant under this section for witness assistance services shall file a report with the commissioner at the conclusion of the case detailing the specific purposes for which the money was spent. The commissioner shall prepare and submit to the legislature by January 1 of each year a summary report of witness assistance services provided under this section.

Subd. 4. An application to the commissioner for money is a confidential record. Information within investigative files that identifies or could reasonably be used to ascertain the identity of assisted witnesses, sources, or undercover investigators is a confidential record. A report at the conclusion of an investigation is a public record, except that information in a report pertaining to the identity or location of an assisted witness is private data.

Subd. 5. [FUNDING OF WITNESS ASSISTANCE PROGRAM.] The establishment and funding of witness assistance services is contingent on the availability and receipt of federal funding for this purpose by the commissioner of public safety.

Page 11, after line 18, insert:

"Sec. 15. [609.229] [FELONY COMMITTED FOR BENEFIT OF A GANG.]

Subdivision 1. [DEFINITION.] As used in this section, "criminal gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, that:

(1) has, as one of its primary activities, the commission of one or more of the offenses listed in section 609.11, subdivision 9;

(2) has a common name or common identifying sign or symbol; and

(3) includes members who individually or collectively engage in or have engaged in a pattern of criminal activity.

Subd. 2. [CRIMES; PENALTY.] A person who commits a felony for the benefit of, at the direction of, or in association with a criminal gang, with the intent to promote, further, or assist in criminal conduct by gang members may be sentenced to imprisonment for up to three years longer than the statutory maximum for the underlying felony.

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Macklin, McPherson, Onnen, Goodno, Bettermann, Smith and Limmer moved to amend S. F. No. 525, the unofficial engrossment, as amended, as follows:

In the Vellenga and O'Connor amendment, page 3, delete lines 3 to 20 and insert:

"Sec. 15. [609.229] [CRIME COMMITTED FOR BENEFIT OF A GANG.]

Subdivision 1. [DEFINITION.] As used in this section, "criminal gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, that:

(1) has, as one of its primary activities, the commission of one or more of the offenses listed in section 609.11, subdivision 9;

(2) has a common name or common identifying sign or symbol; and

(3) includes members who individually or collectively engage in or have engaged in a pattern of criminal activity.

Subd. 2. [CRIMES.] A person who commits a crime for the benefit of, at the direction of, or in association with a criminal gang, with the intent to promote, further, or assist in criminal conduct by gang members is guilty of a crime and may be sentenced as provided in subdivision 3.

Subd. 3. [PENALTY.] (a) If the crime committed in violation of subdivision 2 is a felony, the statutory maximum for the crime is three years longer than the statutory maximum for the underlying crime.

(b) If the crime committed in violation of subdivision 2 is a misdemeanor, the person is guilty of a gross misdemeanor.

(c) If the crime committed in violation of subdivision 2 is a gross misdemeanor, the person is guilty of a felony and may be sentenced to a term of imprisonment of not more than one year and a day or to payment of a fine of not more than \$5,000, or both."

A roll call was requested and properly seconded.

The question was taken on the Macklin et al amendment and the roll was called. There were 126 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kahn	Ogren	Orfield
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The motion prevailed and the amendment was adopted.

Dempsey moved to amend S. F. No. 525, the unofficial engrossment, as amended, as follows:

Page 11, after line 18, insert:

"Sec. 14. Minnesota Statutes 1990, section 609.135, subdivision 1a, is amended to read:

Subd. 1a. [FAILURE TO PAY RESTITUTION.] If the court orders payment of restitution as a condition of probation and if the defendant fails to pay the restitution in accordance with the payment schedule or structure established by the court or the probation officer, the defendant's probation officer may, on the officer's own motion or at the request of the victim, ask the court to hold a hearing to determine whether or not the conditions of probation should be changed or probation should be revoked. The defendant's probation officer shall ask for the hearing if the restitution ordered has not been paid prior to 60 days before the term of probation expires. The court shall schedule and hold this hearing and take appropriate action, including action under subdivision 2, paragraph (f), before the defendant's term of probation expires.

Sec. 15. Minnesota Statutes 1990, section 609.135, subdivision 2, is amended to read:

Subd. 2. ~~(1)~~ (a) If the conviction is for a felony the stay shall be for not more than three years or the maximum period for which the sentence of imprisonment might have been imposed, whichever is longer.

~~(2)~~ (b) If the conviction is for a gross misdemeanor the stay shall be for not more than two years.

~~(3)~~ (c) If the conviction is for a misdemeanor under section 169.121, the stay shall be for not more than two years. The court shall provide for unsupervised probation for the second year of the stay unless the court finds that the defendant needs supervised probation for all or part of the second year.

~~(4)~~ (d) If the conviction is for a misdemeanor not specified in ~~clause (3)~~ paragraph (c), the stay shall be for not more than one year.

~~(5)~~ (e) The defendant shall be discharged when the stay expires, unless the stay has been revoked or extended under paragraph (f), or the defendant has already been discharged.

(f) Notwithstanding the maximum periods specified for stays of sentences under paragraphs (a) to (e), a court may extend a defendant's term of probation for up to one year if it finds, at a hearing conducted under subdivision 1a, that:

(1) the defendant has not paid court-ordered restitution in accordance with the payment schedule or structure; and

(2) the defendant is likely to not pay the restitution the defendant owes before the term of probation expires.

This one-year extension of probation for failure to pay restitution may be extended by the court for up to one additional year if the court finds, at another hearing conducted under subdivision 1a, that the defendant still has not paid the court-ordered restitution that the defendant owes."

Page 13, line 3, delete "Section 11 is" and insert "Sections 11, 14, and 15 are"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 525, A bill for an act relating to crimes; expanding the definition of drug free zones to include public housing property; increasing the area affected from within 300 feet to within 1,000 feet of a school or park boundary for purposes of increasing penalties for sale or possession of controlled substances; increasing penalties for sale or possession of methamphetamine ("ice"), amphetamine, and sale of marijuana, within a school zone, park zone, or public housing zone; changing the name and duties of the drug abuse prevention resource council; requiring chemical use assessments of persons convicted of felonies; amending Minnesota Statutes 1990, sections 152.01, subdivisions 12a, 14a, and by adding a subdivision; 152.021, subdivision 1; 152.022, subdivision 1; 152.023, subdivision 2; 152.024, subdivision 1; 152.029; 299A.29, subdivisions 3, 5, and by adding subdivisions; 299A.30; 299A.31, subdivision 1; 299A.32; 299A.34, subdivision 2; 299A.35; 299A.36; and 609.115, by adding a subdivision; repealing Minnesota Statutes 1990, sections 244.095; and 299A.29, subdivisions 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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams  
Anderson, I.

Anderson, R. H.  
Battaglia

Bauerly  
Beard

Begich  
Bertram

Bettermann  
Bishop

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

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

S. F. No. 208 was reported to the House.

Lasley moved to amend S. F. No. 208, as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1990, section 168.10, subdivision 1a, is amended to read:

Subd. 1a. [COLLECTOR'S VEHICLES, PIONEER LICENSE.] Any motor vehicle manufactured prior to 1936 and owned and operated solely as a collector's item shall be listed for taxation and registration as follows: An affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the motor vehicle, year and number of the model, the manufacturer's identification number and that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes. If the registrar is satisfied that the affidavit is true and correct and the owner pays a \$25 tax, the registrar shall list such vehicle for taxation and registration and shall issue number plates.

The number plates so issued shall bear the inscription “Pioneer,” “Minnesota” and the registration number or other combination of characters authorized under section 168.12, subdivision 2a, but no date. The number plates are valid without renewal as long as the

vehicle is in existence and shall be issued for the applicant's use only for such vehicle. The registrar has the power to revoke said plates for failure to comply with this subdivision.

Sec. 2. Minnesota Statutes 1990, section 168.10, subdivision 1b, is amended to read:

Subd. 1b. [COLLECTOR'S VEHICLE, CLASSIC CAR LICENSE.] Any motor vehicle manufactured between and including the years 1925 and 1948, and designated by the registrar of motor vehicles as a classic car because of its fine design, high engineering standards, and superior workmanship, and owned and operated solely as a collector's item shall be listed for taxation and registration as follows: An affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the motor vehicle, year and number of the model, the manufacturer's identification number and that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes. If the registrar is satisfied that the affidavit is true and correct and that the motor vehicle qualifies to be classified as a classic car, and the owner pays a \$25 tax, the registrar shall list such vehicle for taxation and registration and shall issue number plates.

The number plates so issued shall bear the inscription "Classic Car," "Minnesota," and the registration number or other combination of characters authorized under section 168.12, subdivision 2a, but no date. The number plates are valid without renewal as long as the vehicle is in existence and shall be issued for the applicant's use only for such vehicle. The registrar has the power to revoke said plates for failure to comply with this subdivision.

The following cars built between and including 1925 and 1948 are classic:

A.C.	
Adler	
Alfa Romeo	
Alvis	Speed 20, 25, and 4.3 litre.
Amilcar	
Aston Martin	
Auburn	All 8-cylinder and 12-cylinder models.
Audi	
Austro-Daimler	
Avions Voisin 12	
Bentley	
Blackhawk	
B.M.W.	Models 327, 328, and 335 only.
Brewster	
(Heart-front Ford)	
Bugatti	

Buick	1931 through 1942: series 90 only.
Cadillac	All 1925 through 1935. 1936-1948: Series 67, 70, 72, 75, 80, 85 and 90 only.
Chrysler	1938-1941: 60 special only. 1926 through 1930: Imperial 80. 1931: Imperial 8 Series CG. 1932: Series CG, CH and CL. 1933: Series CL. 1934: Series CW. 1935: Series CW. All Newports and Thunderbolts.
Cord	
Cunningham	
Dagmar	Model 25-70 only.
Daimler	
Delage	
Delahaye	
Doble	
Dorris	
Duesenberg	
du Pont	
Franklin	All models except 1933-34 Olympic Sixes.
Frazer Nash	
Hispano Suiza	
Horch	
Hotchkiss	
Invicta	
Isotta Fraschini	
Jaguar	
Jordan	Speedway Series 'Z' only.
Kissel	1925, 1926 and 1927: Model 8-75. 1928: Model 8-90, and 8-90 White Eagle. 1929: Model 8-126, and 8-90 White Eagle. 1930: Model 8-126. 1931: Model 8-126.
Lagonda	
Lancia	
La Salle	1927 through 1933 only.
Lincoln	All models K, L, KA, and KB. 1941: Model 168H. 1942: Model 268H.
Lincoln Continental	1939 through 1948.
Locomobile	All models 48 and 90. 1927: Model 8-80. 1928: Model 8-80. 1929: Models 8-80 and 8-88.
Marmon	All 16-cylinder models. 1925: Model 74. 1926: Model 74. 1927: Model 75. 1928: Model E75.

	1930: Big 8 model.
	1931: Model 88, and Big 8.
Maybach	
McFarlan	
Mercedes Benz	All models 2.2 litres and up.
Mercer	
M.G.	6-cylinder models only.
Minerva	
Packard	1925 through 1934: All models.
	1935 through 1942: Models 1200, 1201, 1202, 1203, 1204, 1205, 1207, 1208, 1400, 1401, 1402, 1403, 1404, 1405, 1407, 1408, 1500, 1501, 1502, 1506, 1507, 1508, 1603, 1604, 1605, 1607, 1608, 1705, 1707, 1708, 1806, 1807, 1808, 1906, 1907, 1908, 2006, 2007, and 2008 only.
	1946 and 1947: Models 2106 and 2126 only.
Peerless	1926 through 1928: Series 69.
	1930-1931: Custom 8.
	1932: Deluxe Custom 8.
Pierce Arrow	
Railton	
Renault	Grand Sport model only.
Reo	1930-1931: Royale Custom 8, and Series 8-35 and 8-52 Elite 8.
	1933: Royale Custom 8.
Revere	
Roamer	1925: Series 8-88, 6-54e, and 4-75.
	1926: Series 4-75e, and 8-88.
	1927-1928: Series 8-88.
	1929: Series 8-88, and 8-125.
	1930: Series 8-125.
Rohr	
Rolls Royce	
Ruxton	
Salmson	
Squire	
Stearns Knight	
Stevens Duryea	
Steyr	
Stutz	
Sunbeam	
Talbot	
Vauxhall	Series 30-98 only.
Wills Saint Claire	

No commercial vehicles such as hearses, ambulances, or trucks are considered to be classic cars.

Sec. 3. Minnesota Statutes 1990, section 168.10, subdivision 1c, is amended to read:

Subd. 1c. [COLLECTOR'S VEHICLE, COLLECTOR LICENSE.] Any motor vehicle, including any truck, that is at least 20 model years old and manufactured after 1935, or any motor vehicle of a defunct make defined as any car or truck originally licensed as a separate identifiable make as designated by the division of motor vehicles, and owned and operated solely as a collector's vehicle, shall be listed for taxation and registration as follows: An affidavit shall be executed stating the name and address of the person from whom purchased and of the new owner, the make of the motor vehicle, year and number of the model, the manufacturer's identification number and that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes. The owner must also prove that the owner also has one or more vehicles with regular license plates. If the registrar is satisfied that the affidavit is true and correct and the owner pays a \$25 tax, the registrar shall list the vehicle for taxation and registration and shall issue number plates.

The number plates issued shall bear the inscription "Collector," "Minnesota" and the registration number or other combination of characters authorized under section 168.12, subdivision 2a, but no date. The number plates are valid without renewal as long as the vehicle is in existence and shall be issued for the applicant's use only for the vehicle. The registrar has the power to revoke the plates for failure to comply with this subdivision.

Sec. 4. Minnesota Statutes 1990, section 168.10, subdivision 1d, is amended to read:

Subd. 1d. [COLLECTORS VEHICLES, STREET ROD LICENSE.] Any modernized motor vehicle manufactured prior to the year 1949 or designed and manufactured to resemble such vehicle shall be listed for taxation and registration as follows:

An affidavit shall be executed stating the name and address of the person from whom purchased and of the new owner, the make of the motor vehicle, year number of model, and the manufacturer's identification number. The affidavit shall further state that the vehicle is owned and operated solely as a street rod and not for general transportation purposes. The owner must also prove that the owner has one or more vehicles with regular license plates. If the registrar is satisfied that the affidavit is true and correct and the owner pays a \$25 tax, the registrar shall list such vehicle for taxation and registration and shall issue number plates.

The number plates issued shall bear the inscription "Street Rod", "Minnesota" and the registration number or other combination of characters authorized under section 168.12, subdivision 2a, but no date. The number plates are valid without renewal as long as the vehicle is in existence and shall be issued for the applicant's use only for such vehicle. The registrar has the power to revoke such plates for failure to comply with this subdivision.

Sec. 5. Minnesota Statutes 1990, section 168.105, subdivision 3, is amended to read:

Subd. 3. [LICENSE PLATES.] The registrar shall issue number plates of the same size as standard motorcycle license plates and inscribed "collector" and "Minnesota" with the registration number or other combination of characters authorized under section 168.12, subdivision 2a, but without a date. The plates are valid without renewal as long as the classic motorcycle exists and may be issued for the applicant's use only for the classic motorcycle. The registrar may revoke the plates for noncompliance with this subdivision.

Sec. 6. 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. 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 headlights, 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) (2) 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) (3) Number plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, shall be for a seven-year period.

(4) Plates for any vehicle not specified in clauses (1); ~~(2)~~ and (3) to (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. 7. Minnesota Statutes 1990, section 168.12, subdivision 2a, is amended to read:

Subd. 2a. [PERSONALIZED LICENSE PLATES.] Personalized license plates must be issued to an applicant for registration of a passenger automobile, including a passenger automobile registered as a classic car, pioneer car, collector car, or street rod; van; pickup truck; motorcycle, including a classic motorcycle; or self-propelled recreational vehicle, upon compliance with the laws of this state relating to registration of the vehicle and upon payment of a one-time fee of \$100 in addition to the registration tax required by law for the vehicle. The registrar shall designate a replacement fee for personalized license plates that is calculated to cover the cost of replacement. This fee must be paid by the applicant whenever the personalized license plates are required to be replaced by law. In lieu of the numbers assigned as provided in subdivision 1, personalized license plates must have imprinted on them a series of not more than seven numbers and letters in any combination. When an applicant has once obtained personalized plates, the applicant shall have a prior claim for similar personalized plates in the next succeeding year that plates are issued if application is made for them at least 30 days before the first date that registration can be renewed. The commissioner of public safety shall adopt rules in the manner provided by chapter 14, regulating the issuance and transfer of personalized license plates. No words or combination of letters

placed on personalized license plates may be used for commercial advertising, be of an obscene, indecent, or immoral nature, or be of a nature that would offend public morals or decency. The call signals or letters of a radio or television station are not commercial advertising for the purposes of this subdivision.

Notwithstanding the provisions of subdivision 1, personalized license plates issued under this subdivision may be transferred to another motor vehicle owned or jointly owned by the applicant, upon the payment of a fee of \$5, which must be paid into the state treasury and credited to the highway user tax distribution fund. The registrar may by rule provide a form for notification. A personalized license plate issued for a classic car, pioneer car, collector car, street rod, or classic motorcycle may not be transferred to a vehicle not eligible for such a license plate.

Notwithstanding any law to the contrary, if the personalized license plates are lost, stolen, or destroyed, the applicant may apply and shall receive duplicate license plates bearing the same combination of letters and numbers as the former personalized plates upon the payment of the fee required by section 168.29.

Fees from the sale of permanent and duplicate personalized license plates must be paid into the state treasury and credited to the highway user tax distribution fund.

Sec. 8. Minnesota Statutes 1990, section 168.27, subdivision 16, is amended to read:

Subd. 16. [PLATES, DISTINGUISHING NUMBERS.] (a) The registrar shall issue to every motor vehicle dealer, upon a request from the motor vehicle dealer licensed as provided in subdivision 2 or 3, one or more plates displaying a general distinguishing number. This subdivision does not apply to a scrap metal processor, a used vehicle parts dealer, or a vehicle salvage pool. The fee for each of the first four plates is \$75 per calendar year, of which \$60 must be paid to the registrar and the remaining \$15 is payable as motor vehicle excise tax under section 297B.035. For each additional plate, the dealer shall pay the registrar a fee of \$25 and a motor vehicle excise tax of \$15 annually per calendar year. The registrar shall deposit the tax in the state treasury and it shall be credited as provided in section 297B.09. Motor vehicles, new or used, owned by the motor vehicle dealer and bearing the number plate, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state:

(1) by the motor vehicle dealer or dealer's spouse, or any full-time employee of the motor vehicle dealer for either private or business purposes;

(2) by a part-time employee when the use is directly related to a particular business transaction of the dealer;

(3) for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semitrailer, for a period of seven days; or

(4) in a promotional event that lasts no longer than four days in which at least three motor vehicles are involved.

(b) A new or used motor vehicle sold by the motor vehicle dealer and bearing the motor vehicle dealer's number plate may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before the buyer receives number plates pursuant to registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before the buyer receives number plates pursuant to registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 9. Minnesota Statutes 1990, section 168.27, subdivision 17, is amended to read:

Subd. 17. [APPLICATION FOR IN TRANSIT PLATES.] Every licensed dealer in motor vehicles may make application upon a blank provided by the registrar for that purpose for a general distinguishing number for use upon all new or used motor vehicles being transported from the dealer's source of supply, or other place of storage, to the dealer's place of business, or to another place of storage, or from one dealer to another. A general distinguishing number shall be assigned by the registrar to the dealer for that purpose, and the registrar shall then issue to the dealer the number of plates as the dealer may request, upon the payment by the dealer to the registrar of the sum of \$5 per plate per calendar year. The plates shall be known as "in transit" plates. The registrar may issue "in transit" plates, upon the payment of the sum of \$5 to the registrar, to dealers duly licensed in other states or provinces upon information furnished in the manner as the registrar may prescribe, and which satisfies the registrar that persons or companies applying therefor are duly licensed dealers under the laws of the states or provinces.

Sec. 10. Minnesota Statutes 1990, section 169.01, subdivision 75, is amended to read:

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

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

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

(3) is a bus;

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

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

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

Sec. 11. Minnesota Statutes 1990, section 169.01, is amended by adding a subdivision to read:

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

Sec. 12. Minnesota Statutes 1990, section 169.121, subdivision 8, is amended to read:

Subd. 8. [ALCOHOL CHEMICAL USE ASSESSMENT.] When the evidentiary test shows an alcohol concentration of 0.07 or more, that result shall be reported to the commissioner of public safety. The commissioner shall record that fact on the driver's record. When the driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report, the commissioner may require that the driver have ~~an alcohol problem~~ a chemical use assessment meeting the commissioner's requirements. The assessment shall be at the driver's expense. In no event shall the commissioner deny the license of a person who refuses to take the assessment or to undertake treatment, if treatment is indicated by the assessment, for longer than 90 days. If an assessment is made pursuant to this section, the commissioner may waive the assessment required by section 169.126.

Sec. 13. Minnesota Statutes 1990, section 169.123, subdivision 5c, is amended to read:

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

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

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

Sec. 14. Minnesota Statutes 1990, section 169.123, subdivision 8, is amended to read:

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

Sec. 15. Minnesota Statutes 1990, section 171.01, subdivision 22, is amended to read:

Subd. 22. [COMMERCIAL MOTOR VEHICLE.] "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

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

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

(3) is a bus;

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

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

Sec. 16. Minnesota Statutes 1990, section 171.01, is amended by adding a subdivision to read:

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

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

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

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

Sec. 17. Minnesota Statutes 1990, section 171.01, is amended by adding a subdivision to read:

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

Sec. 18. Minnesota Statutes 1990, section 171.02, subdivision 1, is amended to read:

Subdivision 1. No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon any street or highway in this state unless such person has a license valid under the

provisions of this chapter for the type or class of vehicle being driven. No person shall receive a driver's license unless and until the person surrenders to the department all valid driver's licenses in possession issued to the person by any other jurisdiction. All surrendered licenses shall be returned by the department to the issuing department together with information that licensee is now licensed in new jurisdiction. No person shall be permitted to have more than one valid driver's license at any time. No person may receive a driver's license, other than an instruction permit or a limited license, unless the person surrenders to the department any Minnesota identification card issued to the person under section 171.07, subdivision 3.

Sec. 19. Minnesota Statutes 1990, section 171.02, subdivision 2, is amended to read:

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

(a) Class C; valid for:

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

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

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

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

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

(b) Class CC; valid for:

(1) operating class C vehicles;

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

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

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

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

Sec. 20. Minnesota Statutes 1990, section 171.02, is amended by adding a subdivision to read:

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

Sec. 21. Minnesota Statutes 1990, section 171.03, is amended to read:

#### 171.03 [PERSONS EXEMPT.]

The following persons are exempt from license hereunder:

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

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

(3) a nonresident who is at least 15 years of age and who has in immediate possession a valid driver's license issued to the nonresi-

dent in the home state or country may operate a motor vehicle in this state only as a driver;

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

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

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

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

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

Sec. 22. Minnesota Statutes 1990, section 171.07, subdivision 3, is amended to read:

Subd. 3. Upon payment of the required fee, the department shall issue to every applicant therefor a Minnesota identification card. The department may not issue a Minnesota identification card to a person who has a driver's license, other than an instruction permit or a limited license. The card must bear a distinguishing number assigned to the applicant, a colored photograph or an electronically produced image, the full name, date of birth, residence address, a description of the applicant in the manner as the commissioner deems necessary, and a space upon which the applicant shall write the usual signature and the date of birth of the applicant with pen and ink.

Each Minnesota identification card must be plainly marked "Min-

nesota identification card -- not a driver's license." The fee for a Minnesota identification card issued to a person who is mentally retarded, as defined in section 252A.02, subdivision 2, is 50 cents.

Sec. 23. Minnesota Statutes 1990, section 171.165, subdivision 3, is amended to read:

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

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

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

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

Sec. 24. Minnesota Statutes 1990, section 171.29, subdivision 1, is amended to read:

Subdivision 1. No person whose ~~drivers~~ driver's license has been revoked by reason of conviction, plea of guilty, or forfeiture of bail not vacated, under section 171.17 or 65B.67, or revoked under section 169.123 or 169.172 shall be issued another license unless and until that person shall have successfully passed an examination as required for an initial license.

Sec. 25. Minnesota Statutes 1990, section 171.30, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

If the person's driver's license or permit to drive, or nonresident operating privileges, have been revoked under section 65B.67 or 169.172, the commissioner may only issue a limited license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months.

Sec. 26. Minnesota Statutes 1990, section 297B.035, subdivision 2, is amended to read:

Subd. 2. [ANNUAL TAX FOR DEALER PLATE.] Motor vehicles which satisfy the definitions of subdivision 1, shall be taxed at a

yearly rate of \$15 per dealer plate. This tax shall be paid when dealer plates, tabs, or stickers are purchased and shall be deposited in the state treasury and credited as provided in section 297B.09. This tax shall be in lieu of any other state sales, excise, or use tax.

Sec. 27. [EFFECTIVE DATE.]

Sections 18 and 22 are effective the day following final enactment. Sections 7, 9, 10, and 26 are effective July 1, 1991, for dealer plates, tabs, and stickers bought on and after that date.

Delete the title and insert:

"A bill for an act relating to motor vehicles; allowing personalized license plates for classic, pioneer, collector, and street rod vehicles; providing for seven-year, in transit license plates for motor vehicle dealers; making technical changes in driver's license law; clarifying procedure for review of driver's license revocation or disqualification under implied consent law; defining hazardous materials, commercial motor vehicle, and farm truck; allowing class C driver's license holder to tow when the gross weight of the vehicles is 26,000 pounds or less; restricting exemption for drivers of certain federal vehicles from requirement to possess commercial driver's license; clarifying offenses for which driver may be disqualified from holding commercial driver's license; requiring person whose driver's license has been revoked to pass examination under certain circumstances; permitting qualified driver to obtain limited license following revocation for failure to have vehicle insurance; amending Minnesota Statutes 1990, sections 168.10, subdivisions 1a, 1b, 1c, and 1d; 168.105, subdivision 3; 168.12, subdivisions 1 and 2a; 168.27, subdivisions 16 and 17; 169.01, subdivision 75, and by adding a subdivision; 169.121, subdivision 8; 169.123, subdivisions 5c and 8; 171.01, subdivision 22, and by adding subdivisions; 171.02, subdivisions 1, 2, and by adding a subdivision; 171.03; 171.165, subdivision 3; 171.07, subdivision 3; 171.29, subdivision 1; 171.30, subdivision 1; and 297B.035, subdivision 2."

The motion prevailed and the amendment was adopted.

S. F. No. 208, A bill for an act relating to motor vehicles; providing for seven-year, in transit license plates for motor vehicle dealers; amending Minnesota Statutes 1990, sections 168.12, subdivision 1; 168.27, subdivisions 16 and 17; and 297B.035, subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 1109, A bill for an act relating to economic development; creating Advantage Minnesota, Inc.; requiring a report to the legislature; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 783 was reported to the House.

Dille moved to amend S. F. No. 783, the unofficial engrossment, as follows:

Page 1, line 21, reinstate the stricken language and delete "health"

Page 9, line 34, delete "; INCREASED COMPLEMENT"

Page 9, delete lines 35 to 36

Page 10, line 1, delete everything before "The amount"

Page 10, line 4, delete everything after the second "by" and insert "\$125,000."

Page 10, line 5, delete everything before the period

Page 10, line 6, delete everything after "the"

Page 10, line 7, delete everything before "pollution"

Page 10, line 8, delete "two" and insert "one"

The motion prevailed and the amendment was adopted.

Dille moved to amend S. F. No. 783, the unofficial engrossment, as amended, as follows:

Page 4, line 20, after the period insert "Long-term health care facilities, including nursing homes, boarding care facilities, or intermediate care facilities, with less than 25 licensed beds shall have a fee of \$40."

The motion prevailed and the amendment was adopted.

S. F. No. 783, A bill for an act relating to health; infectious waste control; transferring responsibility for infectious waste from the pollution control agency to the department of health; clarifying that veterinarians are also covered by the act; clarifying requirements for management and generators' plans; allowing certain medical waste to be mixed with other waste under certain conditions; creating a medical waste task force; appropriating money; amending Minnesota Statutes 1990, sections 116.76, subdivision 5; 116.77; 116.78, subdivision 4; 116.79, subdivisions 1, 3, and 4; 116.80, subdivisions 2 and 3; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83; repealing Minnesota Statutes 1990, sections 116.76, subdivision 2; and 116.81, subdivision 2.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Haukoos

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

Long moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

### SPECIAL ORDERS

H. F. No. 540 was reported to the House.

Marsh moved to amend H. F. No. 540, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

“Section 1. [609.663] [DISPLAY OF HANDGUN AMMUNITION.]

It is a petty misdemeanor to display centerfire metallic-case handgun ammunition for sale to the public in a manner that makes the ammunition directly accessible to persons under the age of 18 years, other than employees or agents of the seller, unless the display is under observation of the seller or the seller's employee or agent, or the seller takes reasonable steps to exclude underage persons from the immediate vicinity of the display. Ammunition displayed in an enclosed display case or behind a counter is not directly accessible. This section does not apply to ammunition suitable for big game hunting.”

Delete the title and insert:

“A bill for an act relating to crimes; regulating the display of handgun ammunition; proposing coding for new law in Minnesota Statutes, chapter 609.”

The motion prevailed and the amendment was adopted.

H. F. No. 540, A bill for an act relating to crimes; regulating the display of handgun ammunition; proposing coding for new law in Minnesota Statutes, chapter 609.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abrams	Frederick	Kelso	Ogren	Segal
Anderson, I.	Frerichs	Kinkel	Olsen, S.	Simoneau
Anderson, R. H.	Garcia	Knickerbocker	Olson, E.	Skoglund
Battaglia	Girard	Koppendrayor	Olson, K.	Smith
Bauerly	Goodno	Krueger	Omann	Solberg
Beard	Greenfield	Lasley	Onnen	Sparby
Begich	Gruenes	Leppik	Orenstein	Stanius
Bertram	Gutknecht	Lieder	Orfield	Steensma
Bettermann	Hanson	Limmer	Osthoff	Sviggum
Bishop	Hartle	Long	Ostrom	Swenson
Blatz	Hasskamp	Lourey	Ozment	Thompson
Bodahl	Haukoos	Lynch	Pellow	Tompkins
Boo	Hausman	Macklin	Pelowski	Trimble
Brown	Heir	Mariani	Peterson	Tunheim
Carlson	Henry	Marsh	Pugh	Uphus
Carruthers	Hugoson	McEachern	Reding	Valento
Clark	Jacobs	McGuire	Rest	Vellenga
Cooper	Janezich	McPherson	Rice	Wagenius
Dauner	Jaros	Milbert	Rodosovich	Waltman
Davids	Jefferson	Morrison	Rukavina	Weaver
Dawkins	Jennings	Munger	Runbeck	Wejcmán
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	

Those who voted in the negative were:

Hufnagle      Krinkie      Welker

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

S. F. No. 950 was reported to the House.

Wejcmán moved to amend S. F. No. 950, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 504.181, subdivision 1, is amended to read:

Subdivision 1. [~~COVENANT NOT TO SELL DRUGS OR ALLOW DRUG SALES~~ DRUGS.] In every lease or license of residential premises, whether in writing or parol, the lessee or licensee covenants that:

(1) the lessee or licensee will not unlawfully allow controlled substances in the those premises; and

(2) the common area; and curtilage will not be used by the lessee or licensee or others acting under his or her control to manufacture, sell, give away, barter, deliver, exchange, distribute, or possess with intent to manufacture, sell, give away, barter, deliver, exchange, or distribute a controlled substance in violation of chapter 152.

The covenant is not violated when a person other than the lessee or licensee possesses or allows controlled substances in the premises, common area, or curtilage, unless the tenant knew or had reason to know of that activity.

Sec. 2. Minnesota Statutes 1990, section 566.09, is amended to read:

**566.09 [JUDGMENT; FINE; EXECUTION.]**

Subdivision 1. [GENERAL.] If the court or jury finds for the plaintiff, the court shall immediately enter judgment that the plaintiff have restitution of the premises and tax the costs for the plaintiff. The court shall issue execution in favor of the plaintiff for the costs and also immediately issue a writ of restitution. Upon a showing by the defendant that immediate restitution of the premises would work a substantial hardship upon the defendant or the defendant's family, the court shall stay the writ of restitution for a reasonable period, not to exceed seven days. If the court or jury finds for the defendant, the court shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor.

Subd. 2. [REAL PROPERTY; SEIZURES.] Notwithstanding subdivision 1, if the court or jury finds for the plaintiff in an action brought under section 566.02 as required by section 609.5317, subdivision 1, the court shall immediately enter judgment that the plaintiff shall have restitution of the premises and tax the costs for the plaintiff. the court shall issue execution in favor of the plaintiff for the costs and also shall immediately issue a writ of restitution. The court shall not stay the writ of restitution. If the court or jury finds for the defendant, the court shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor.

Sec. 3. Minnesota Statutes 1990, section 609.33, is amended by adding a subdivision to read:

Subd. 6. [PRETRIAL RELEASE.] When a person is charged under this section with owning or leasing a disorderly house, the court may require as a condition of pretrial release that the defendant

bring an unlawful detainer action against a lessee who has violated the covenant not to allow drugs established by section 504.181.

Sec. 4. Minnesota Statutes 1990, section 609.5317, subdivision 4, is amended to read:

Subd. 4. [LIMITATIONS.] This section shall not apply if the retail value of the ~~contraband or~~ controlled substance is less than the amount specified in section 609.5311, subdivision 3, paragraph (b) \$100, but this section does not subject real property to forfeiture under section 609.5311 unless the retail value of the controlled substance is: (1) \$1,000 or more; or (2) there have been two previous controlled substance seizures involving the same tenant.

Sec. 5. Minnesota Statutes 1990, section 617.80, subdivision 8, is amended to read:

Subd. 8. [INTERESTED PARTY.] "Interested party" for purposes of sections 617.80 to 617.87 means any known lessee, or tenant, or occupant of a building or affected portion of a building and any known agent of an owner, lessee, or tenant, or occupant.

Sec. 6. Minnesota Statutes 1990, section 617.81, subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING A NUISANCE.] (a) For purposes of sections 617.80 to 617.87 a public nuisance exists upon proof of three or more misdemeanor convictions or two or more convictions, of which at least one is a gross misdemeanor or felony, within the previous two years for:

(1) acts of prostitution or prostitution-related offenses committed within the building;

(2) acts of gambling or gambling-related offenses committed within the building;

(3) keeping or permitting a disorderly house within the building;

(4) unlawful sale or possession of controlled substances committed within the building;

(5) unlicensed sales of alcoholic beverages committed within the building in violation of section 340A.401; ~~or~~

(6) unlawful sales or gifts of alcoholic beverages by an unlicensed person committed within the building in violation of section 340A.503, subdivision 2, clause (1); or

(7) unlawful use or possession of a firearm in violation of section 609.66, subdivision 1a, 609.67, or 624.713, committed within the building.

(b) A second or subsequent conviction under paragraph (a) may be used to prove the existence of a nuisance if the conduct on which the second or subsequent conviction is based occurred within two years following the first conviction, regardless of the date of the conviction for the second or subsequent offense.

Sec. 7. Minnesota Statutes 1990, section 617.81, is amended by adding a subdivision to read:

Subd. 2a. [SEIZURES AND ARRESTS CONSTITUTING A NUISANCE.] For purposes of sections 617.80 to 617.87, a public nuisance exists upon proof of three qualifying events that occurred on different days within the previous two months. For purposes of this section, "qualifying event" means a lawful seizure of controlled substances within the building or a lawful arrest within the building for the possession or sale of controlled substances within the building or on the building's curtilage.

Sec. 8. Minnesota Statutes 1990, section 617.81, subdivision 3, is amended to read:

Subd. 3. [NOTICE.] Notice of a conviction described in subdivision 2, or of a qualifying event described in subdivision 2a, must be mailed by the court administrator to the owner of the building where the offense was committed and all other interested parties and must be filed with the county recorder's office. This notice is considered sufficient to inform all interested parties that the building or a portion of it is being used for purposes constituting a public nuisance."

Delete the title and insert:

"A bill for an act relating to public safety; requiring tenants to covenant not to allow any controlled substances on rental property; allowing the closing of an alleged disorderly house during pretrial release of owner; lowering the threshold amount of seized controlled substance necessary to warrant unlawful detainer action; providing that certain weapons offenses and controlled substance seizures and arrests may form the basis for a nuisance action; amending Minnesota Statutes 1990, sections 504.181, subdivision 1; 566.09; 609.33, by adding a subdivision; 609.5317, subdivision 4; 617.80, subdivision 8; and 617.81, subdivisions 2 and 3, and by adding a subdivision."

The motion prevailed and the amendment was adopted.

Wejcman, Skoglund and Dawkins moved to amend S. F. No. 950, as amended, as follows:

Page 1, line 29, after "of" insert "any criminal provision of"

Page 2, line 2, delete "tenant" and insert "lessee or licensee"

Page 2, line 12, after the period, insert "Except in actions brought under section 566.02 as required by section 609.5317, subdivision 1,"

Page 2, delete lines 19 to 30, and insert:

"Subd. 2. [REAL PROPERTY; SEIZURES.] If the court enters judgment for the plaintiff in an action brought under section 566.02 as required by section 609.5317, subdivision 1, the court may not stay issuance of the writ of restitution unless the court makes written findings specifying the extraordinary or exigent circumstances that warrant staying the writ for a reasonable period, not to exceed seven days."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 950, A bill for an act relating to public safety; requiring tenants to covenant not to allow any controlled substances on rental property; allowing the closing of an alleged disorderly house during pretrial release of owner; lowering the threshold amount of seized controlled substance necessary to warrant unlawful detainer action; providing that certain weapons offenses and controlled substance seizures and arrests may form the basis for a nuisance action; amending Minnesota Statutes 1990, sections 504.181, subdivision 1; 609.33, by adding a subdivision; 609.5317, subdivision 4; 617.80, subdivision 8; and 617.81, subdivisions 2 and 3, and by adding a subdivision.

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

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

S. F. No. 962 was reported to the House.

Murphy moved that S. F. No. 962 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 1289, A bill for an act relating to state lands; prohibiting sale of state lands administered by the department of natural resources to any employee of the department; proposing coding for new law in Minnesota Statutes, chapter 92.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 474 was reported to the House.

Bauerly moved that H. F. No. 474 be continued on Special Orders.  
The motion prevailed.

S. F. No. 1034 was reported to the House.

Segal moved to amend S. F. No. 1034, as follows:

Page 1, line 18, delete "\$50,000" and insert "\$25,000"

The motion prevailed and the amendment was adopted.

Blatz moved to amend S. F. No. 1034, as amended, as follows:

In the Segal amendment, page 1, line 2, delete "\$25,000" and insert "\$10,000"

The motion prevailed and the amendment was adopted.

Welker moved to amend S. F. No. 1034, as amended, as follows:

Page 2, line 17, delete "\$50,000" and insert "\$10,000"

The motion prevailed and the amendment was adopted.

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

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

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

S. F. No. 764 was reported to the House.

Osthoff moved to amend S. F. No. 764, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [184B.01] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. [AMUSEMENT RIDE.] "Amusement ride" means a mechanical device that carries or conveys passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement.

"Amusement ride" does not include:

(1) a coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator; or

(2) nonmechanized playground equipment, including but not limited to swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, playground slides, trampolines, and physical fitness devices.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of labor and industry.

Subd. 4. [OPERATOR.] "Operator" means a person, or an agent of a person, who owns or controls or has the duty to control the operation of an amusement ride.

## Sec. 2. [184B.02] [INSURANCE REQUIREMENTS.]

An operator must have an insurance policy in force written by an insurance company authorized to do business in this state, in an amount of not less than \$1,000,000 per occurrence, insuring the operator against liability for injury to persons arising out of the use of an amusement ride.

## Sec. 3. [184B.03] [INSPECTION.]

An amusement ride must be inspected at least once annually by an insurer or a person with whom the insurer has contracted. If an inspection reveals that an amusement ride does not meet the insurer's underwriting standards, the insurer must notify the operator. An operator must not operate an amusement ride until the ride passes an insurer's inspection for all items related to safe operation of the amusement ride.

The inspection required under this section must include testing consistent with current American Society for Testing and Material standards and specifications for amusement rides and devices. The inspection required by this section is in addition to any other inspection required or permitted by law.

## Sec. 4. [184B.04] [FILING.]

An operator must file with each sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public:

(1) a certificate stating that the insurance required by section 2 is in effect; and

(2) an affidavit attesting that the inspection required by section 3 has been performed.

Sec. 5. [184B.05] [COMMISSIONER INFORMATION REQUESTS.]

The commissioner may request from the sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public, whether or not the person is the operator, information concerning whether the insurance required by section 2 is in effect on the amusement ride, and whether the inspection required by section 3 has occurred. The person to whom the information request is made must respond to the commissioner within 15 days after the request is made.

Sec. 6. [184B.06] [CIVIL PENALTY.]

A person that violates sections 1 to 5 is subject to a fine of up to \$2,000 for each day the violation exists. A county attorney in a county in which an amusement ride is operated in violation of this chapter may enforce this section by action in district court.

Sec. 7. [184B.07] [INJUNCTIONS.]

A county attorney in a county in which an amusement ride is operated or, on request of the commissioner, the attorney general, may obtain an injunction or other equitable relief against an actual or threatened violation of this chapter."

The motion prevailed and the amendment was adopted.

S. F. No. 764, A bill for an act relating to public safety; regulating amusement rides; requiring insurance and inspections; providing penalties; proposing coding for new law as Minnesota Statutes, chapter 184B.

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 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 765 was reported to the House.

Lynch moved that S. F. No. 765 be temporarily laid over on Special Orders. The motion prevailed.

H. F. No. 1088, A bill for an act relating to economic development; establishing the regional seed capital program; amending Minnesota Statutes 1990, section 469.101, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 1160.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1164, A bill for an act relating to local government; permitting the city of Biwabik and the town of White to establish a joint east range economic development authority.

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

The bill was passed and its title agreed to.

The Speaker called *Johnson, A.*, to the Chair.

S. F. No. 520 was reported to the House.

Dawkins moved to amend S. F. No. 520, as follows:

Page 4, line 8, delete "February" and insert "December"

Page 4, line 35, delete "1992" and insert "1993"

The motion prevailed and the amendment was adopted.

Vellenga, Pugh, Scheid, Solberg and Dempsey moved to amend S. F. No. 520, as amended, as follows:

Page 4, line 3, before the period insert "before July 1, 1993"

Page 4, delete lines 34 and 35

The motion prevailed and the amendment was adopted.

S. F. No. 520, A bill for an act relating to legal services; requesting the supreme court to study the feasibility of adopting rules governing the delivery of legal services by specialized legal assistants; amending Minnesota Statutes 1990, section 481.02, subdivision 3.

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 116 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Boo	Dorn	Hasskamp	Johnson, A.
Anderson, R. H.	Brown	Erhardt	Haukoos	Johnson, R.
Battaglia	Carlson	Farrell	Hausman	Johnson, V.
Bauerly	Carruthers	Frerichs	Heir	Kahn
Beard	Clark	Garcia	Henry	Kalis
Begich	Cooper	Goodno	Jacobs	Kelso
Bertram	Dauner	Greenfield	Janezich	Kinkel
Bettermann	Davids	Gruenes	Jaros	Koppendrayner
Bishop	Dawkins	Hanson	Jefferson	Krinkie
Bodahl	Dille	Hartle	Jennings	Krueger

Lasley	Munger	Ostrom	Seaberg	Uphus
Leppik	Murphy	Ozment	Segal	Valento
Lieder	Nelson, K.	Pelowski	Simoneau	Vellenga
Limmer	Nelson, S.	Peterson	Skoglund	Wagenius
Long	Newinski	Pugh	Smith	Waltman
Lourey	O'Connor	Reding	Solberg	Wejzman
Macklin	Ogren	Rest	Sparby	Welle
Mariani	Olson, E.	Rice	Stanis	Wenzel
Marsh	Olson, K.	Rodosovich	Steensma	Winter
McEachern	Omann	Rukavina	Swenson	Spk. Vanasek
McGuire	Onnen	Runbeck	Thompson	
McPherson	Orenstein	Sarna	Tompkins	
Milbert	Orfield	Scheid	Trimble	
Morrison	Osthoff	Schreiber	Tunheim	

Those who voted in the negative were:

Abrams	Girard	Knickerbocker	Schafer
Blatz	Gutknecht	Lynch	Svigggum
Dempsey	Hufnagle	Olsen, S.	Weaver
Frederick	Hugoson	Pellow	Welker

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

S. F. No. 588 was reported to the House.

Solberg, Munger and Battaglia moved to amend S. F. No. 588, as follows:

Page 2, line 12, delete "gross"

Page 2, after line 21, insert:

"Sec. 3. [TIMBER PERMIT; SUBSTITUTION OF NON-OLD GROWTH TIMBER.]

Notwithstanding Minnesota Statutes, sections 90.031, subdivision 4; 90.101; 90.14; and 90.151, if any timber permit sold at public auction prior to December 31, 1990, included timber that would be a candidate for old growth status under the department of natural resources old growth guidelines dated December 28, 1990, the commissioner, with the consent of the permittee, is hereby authorized to cancel, in whole or in part, or modify such timber permit and substitute, for the timber which has been withdrawn from the timber permit, an equivalent volume of other non-old growth timber at appraised value from areas not designated for cutting on the original timber appraisal report or from other state lands. The commissioner shall adjust the amount of the advance payment and bond on a pro rata basis."

Page 2, line 24, after the period insert:

"Section 3 is effective the day after final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1295 was reported to the House.

Orenstein moved to amend S. F. No. 1295, as follows:

Delete everything after the enacting clause and insert:

**"Section 1. [RAMSEY COUNTY LOCAL GOVERNMENT SERVICES STUDY.]**

A Ramsey county local government services study commission is established to study cooperation between local governments and the possible sharing and consolidation of services, structures, and functions. The commission shall explore cooperative ventures which would be mutually beneficial to the communities involved, review and recommend ways to eliminate overlap and duplication, design programs that would improve services and reduce costs, and develop a systematic process for cooperating, restructuring, sharing, or consolidating. The commission shall report on the advantages and disadvantages of sharing, cooperating, restructuring, or consolidating, with attention to:

- (a) citizen participation in government;
- (b) efficiency and effectiveness of the provision of public service;
- (c) taxation and other public finance matters;
- (d) public employees;
- (e) structure of government;
- (f) possible public economies;
- (g) the historic identity of the community;
- (h) economic development;
- (i) social development;
- (j) environment; and
- (k) other significant factors.

The commission shall report and make recommendations to the local government units in Ramsey county before December 15, 1991. The elected councils and boards of the local government units affected by any recommendation shall indicate, by resolution, their response to the commission's recommendations before January 15, 1992. The commission's recommendations and the local government

units' responses shall be presented to the members of the Ramsey county legislative delegation and to the legislature before February 1, 1992. The commission may not adopt any recommendation without a 60 percent affirmative vote of the commission members voting on the issue.

The commission may examine consolidation, cooperation, restructuring, or sharing of any services, groups of services, or local government structures as the commission determines except that specific examination and recommendation shall be made in regard to:

- (1) the city and county health departments;
- (2) city and county attorney's functions as they relate to criminal law;
- (3) city and county libraries;
- (4) public works; and
- (5) police and sheriff communications, crime lab and investigative functions.

The commission shall be 25 residents of, or persons whose principal place of business is located in, Ramsey county selected as follows:

- (1) two members of the county board who reside in the city of St. Paul, selected by the county board;
- (2) two members of the county board who reside in the county but not in the city of St. Paul, selected by the county board;
- (3) three members selected by the St. Paul city council from among the mayor and city council members;
- (4) three members selected jointly by the city councils and town boards of the cities and towns in the county, other than St. Paul, from among their mayors and members;
- (5) one member of the school board of independent school district No. 625, selected by the board;
- (6) one member of the school boards of other school districts operating in Ramsey county selected jointly by the board members of the several districts;
- (7) six members of the public who are not public employees and do not hold public office, selected by the members of the legislature who

represent the city of St. Paul and the members serving under clauses (1), (3), and (5);

(8) six members of the public who are not public employees and do not hold public office, selected by the members of the legislature who represent Ramsey county outside the city of St. Paul and the members serving under clauses (2), (4), and (6); and

(9) a chair selected by the other members of the commission who is not an elected official or public employee and who is not one of the above members of the commission.

The commission shall be assisted by a staff committee whose members shall consist of the city managers and chief of staff from the communities within Ramsey county, the Ramsey county executive director, and professional staff of these governmental units. This committee shall provide technical assistance to the commission. The committee may request the assistance of any other public or private agency or entity.

Members of the commission and the committee shall serve without compensation other than expenses that would be reimbursed to them by the units of government which they represent. The commission may accept gifts, grants, or donations from public and private entities to assist with the costs of its work. A gift, grant, or donation is not subject to Minnesota Statutes, chapter 10A, or other law or rule regulating lobbying expenses.

Sec. 2. [EFFECTIVE DATE.]

This act takes effect the day after final enactment."

The motion prevailed and the amendment was adopted.

McGuire, Runbeck, Krinkie and Valento moved to amend S. F. No. 1295, as amended, as follows:

Page 2, line 10, after "recommendation" insert ", and the Ramsey county league of local governments and the Ramsey county charter commission,"

Page 2, line 13, delete "the local government units" and insert "any"

Page 4, after line 2, insert:

"Sec. 2. [COOPERATION.]

The commission must solicit the input and recommendations of the Ramsey county league of local governments and the Ramsey county charter commission. By September 1, 1991, the commission must receive any recommendations from the league or charter commission. In its final report, the commission must state its conclusions with respect to the recommendations of the league and the charter commission."

Renumber the sections in sequence

The motion prevailed and the amendment was adopted.

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

The bill was read for the 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 113 yeas and 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Gutknecht	Nelson, S.	Stanius
Anderson, R. H.	Haukoos	Ozment	Swenson
Davids	Krinkie	Pellow	Tompkins
Frerichs	Macklin	Schreiber	Welker

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

S. F. No. 765 which was temporarily laid over earlier today was again reported to the House.

Lasley moved to amend S. F. No. 765, as follows:

Pages 7 and 8, delete section 6, and insert:

"Sec. 6. Minnesota Statutes 1990, section 169.346, subdivision 2, is amended to read:

Subd. 2. [SIGNS; PARKING SPACES TO BE FREE OF OBSTRUCTIONS.] (a) Parking spaces reserved for physically disabled persons must be designated and identified by the posting of signs incorporating the international symbol of access in white on blue and indicating that the violators are subject to a fine of up to \$200. These parking space is spaces are reserved for disabled persons with vehicles displaying the required certificate, license plates, or insignia; and indicating that violators are subject to a fine of up to \$200. Signs sold after August 1, 1991, must conform to the requirements in this paragraph. For purposes of this subdivision, until August 1, 1998, a parking space that is clearly identified as reserved for physically disabled persons by a permanently posted sign that was erected before August 1, 1991, and that does not meet all design standards, is considered designated and reserved for physically disabled persons. A sign posted for the purpose of this section must be visible from inside a vehicle parked in the space, be kept clear of snow or other obstructions which block its visibility, and be nonmovable or only movable by authorized persons.

(b) The owner or manager of the property on which the designated parking space is located shall ensure that the space is kept free of obstruction. If the owner or manager allows the space to be blocked by snow, merchandise, or similar obstructions for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of a misdemeanor and subject to a fine of up to \$500."

ReNUMBER the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 765, A bill for an act relating to transportation; clarifying

parking provisions for physically disabled persons; authorizing special license plates for motorcycles; authorizing tinted windshields for medical reasons; abolishing requirement to impound vehicle registration certificates; making technical changes; amending Minnesota Statutes 1990, sections 168.021, subdivision 1; 168.041; 169.123, subdivision 5b; 169.345, subdivision 1; 169.346, subdivisions 1 and 2; 169.71, subdivision 4; 169.795; and 171.29, subdivision 3.

The bill was read for the 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 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Garcia	Knickerbocker	Olson, E.	Smith
Anderson, I.	Girard	Koppendraye	Olson, K.	Solberg
Anderson, R. H.	Goodno	Krunkie	Omman	Sparby
Battaglia	Greenfield	Krueger	Onnen	Stanis
Bauerly	Gruenes	Lasley	Orenstein	Steensma
Beard	Gutknecht	Leppik	Orfield	Sviggum
Begich	Hanson	Lieder	Osthoff	Swenson
Bertram	Hartle	Limmer	Ostrom	Thompson
Bettermann	Hasskamp	Long	Ozment	Tompkins
Bishop	Haukoos	Lourey	Pellow	Trimble
Blatz	Hausman	Lynch	Pelowski	Tunheim
Bodahl	Heir	Macklin	Peterson	Uphus
Boo	Henry	Mariani	Pugh	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	Wejman
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	
Farrell	Kalis	O'Connor	Segal	
Frederick	Kelso	Ogren	Simoneau	
Frerichs	Kinkel	Olsen, S.	Skoglund	

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

The Speaker resumed the Chair.

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.

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. 416, A bill for an act relating to crimes; child abduction; requiring certain convicted sex and kidnapping offenders to report a current address to probation officer following release from prison; requiring the publication of missing children bulletins; requiring training concerning the investigation of missing children cases; providing law enforcement officers access to medical and dental records of missing children; extending DNA analysis requirements to persons sentenced as patterned sex offenders; appropriating money; amending Minnesota Statutes 1990, sections 13.82, by adding subdivisions; 299C.52, subdivisions 1, 3, and 6; and 609.3461; proposing coding for new law in Minnesota Statutes, chapters 243 and 299C.

Reported the same back with the following amendments:

Page 7, delete section 11

Re-number the remaining section

Amend the title as follows:

Page 1, line 11, 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. 593, A bill for an act relating to crimes; driving while intoxicated; authorizing counties to create pilot programs to provide intensive probation for repeat violators of the driving while intoxicated laws; increasing the chemical dependency assessment charge for repeat violators of the driving while intoxicated laws; appropriating money; amending Minnesota Statutes 1990, section 169.121, subdivision 5a.

Reported the same back with the following amendments:

Page 3, line 18, delete “\$.....” and insert “\$50,000”

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. 812, A bill for an act relating to state administration; regulating conditions of certain contracts, purchases, sales, and appropriations; clarifying insurance alternatives; setting conditions for certain land sales; appropriating money; amending Minnesota Statutes 1990, sections 16B.19, subdivision 5; 16B.48, subdivision 2; 16B.51, subdivision 3; 16B.85, subdivision 1; 94.10, subdivision 1; and 116J.63, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Page 1, line 22, delete “is appropriated to the” and insert “shall be deposited in a dedicated account in the general fund for the purpose of providing energy conservation projects as proposed to the commissioner.”

Page 1, delete lines 23 and 24

Page 3, line 32, delete “who, if possible, is a resident” and insert “selected by the commissioner”

Page 3, line 33, strike everything before the period

With the recommendation that when so amended the bill pass.

The report was adopted.

Simoneau from the Committee on Appropriations to which was referred:

H. F. No. 1320, A bill for an act relating to gaming; providing for a committee to negotiate tribal-state compacts regulating certain gaming on Indian lands, and to make recommendations to the governor; repealing expired provisions of law relating to negotiating tribal-state compacts; amending Minnesota Statutes 1990, section 3.9221, subdivision 2; repealing Minnesota Statutes 1990, section 3.9221, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 13, reinstate the stricken language

Page 1, line 14, reinstate "the governor's designated representatives shall" and delete "may"

Page 1, line 24, after "governor" insert ", or designee of the governor,"

Page 2, line 10, reinstate the stricken language and delete "committee"

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. 1502, A bill for an act relating to the secretary of state; requiring that certain information be provided without a fee; amending Minnesota Statutes 1990, section 336.9-411.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 336.9-411, is amended to read:

## 336.9-411 [COMPUTERIZED FILING SYSTEM.]

(a) The secretary of state shall develop and implement a statewide computerized filing system to accumulate and disseminate information relative to lien statements, financing statements, state and federal tax lien notices, and other uniform commercial code documents. The computerized filing system must allow information to be entered and retrieved from the computerized filing system by county recorders.

(b) County recorders shall enter information relative to lien statements, financing statements, state and federal tax lien notices, and other uniform commercial code documents filed in their offices into a central data base maintained by the secretary of state. The information must be entered under the rules of the secretary of state.

(c) The secretary of state may allow private parties to have electronic-view-only access to the computerized filing system and to other computerized records maintained by the secretary of state on a fee basis, except that visual access to electronic display terminals at the public counters at the secretary of state's office will be without charge and available during public counter hours. If the computerized filing system allows a form of electronic access to information regarding the obligations of debtors, the access must be available 24 hours a day, every day of the year.

(d) The secretary of state shall adopt rules to implement the computerized filing system. The secretary of state may adopt permanent and emergency rules. The rules must:

(1) allow filings to be made at the offices of all county recorders and the secretary of state's office as required by section 336.9-401;

(2) establish a central data base for all information relating to liens and security interests that are filed at the offices of county recorders and the secretary of state;

(3) provide procedures for entering data into a central data base;

(4) allow the offices of all county recorders and the secretary of state's office to add, modify, and delete information in the central data base as required by the uniform commercial code;

(5) allow the offices of all county recorders and the secretary of state's office to have access to the central data base for review and search capabilities;

(6) allow the offices of all county recorders to have electronic-view-

only access to the computerized business information records on file with the secretary of state;

(7) require the secretary of state to maintain the central data base;

(8) provide security and protection of all information in the central data base and monitor the central data base to ensure that unauthorized entry is not allowed;

(9) require standardized information for entry into the central data base;

(10) prescribe an identification procedure for debtors and secured parties that will enhance lien and financing statement searches; and

(11) prescribe a procedure for phasing-in or converting from the existing filing system to a computerized filing system."

Delete the title and insert:

"A bill for an act relating to the secretary of state; requiring that certain information be provided without a fee; amending Minnesota Statutes 1990, section 336.9-411."

With the recommendation that when so amended the bill pass.

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 1697, A bill for an act relating to public administration; providing for an expenditure budget for taxes every two years; providing access to certain records classified under tax statutes; providing for display of a portrait of a governor in the capitol building; amending Minnesota Statutes 1990, sections 138.17, subdivision 1a; and 270.67, subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 2, after line 32, insert:

"Sec. 5. [VALIDATION OF INDEPENDENT SCHOOL DISTRICT NO. 625 BONDS.]

Subdivision 1. [VALUATION.] The sale of general obligation school bonds under the authority of Laws 1990, chapter 604, article

8, section 10, by independent school district No. 625 pursuant to resolution adopted by two-thirds majority vote of all the members of its board of directors on April 16, 1991, is validated.

Subd. 2. [EFFECTIVE DATE.] This section is effective the day after the governing body of independent school district No. 625 complies with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 6. [STILLWATER; PROMISSORY NOTES; REASSESSMENT; AGREEMENT.]

Subdivision 1. [NOTES.] The city of Stillwater may issue and sell general obligation promissory notes to finance the payment of ad valorem taxes due and payable in 1991 and prior years, and all interest and penalties due with respect to them, on all or part of the following described real estate: Outlots M, N, O, P, V and X, OAK GLEN; Lots 1-8 inclusive, Lots 13-16 inclusive, Lots 21, 28, 29, 32 and 33, Lots 35-39 inclusive, and Lots 42, 43, 45 and 46, Block 1, OAK GLEN; Lots 7 and 12, Block 4, OAK GLEN; Lots 8 and 11, Block 5, OAK GLEN; Lots 1, 24, 26, 27, 29, 31, 34 and 36, Block 1, OAK GLEN 6TH ADDITION; and Lot 3, Block 4, and Lots 1 and 2, Block 5, OAK GLEN TOWNHOUSE PLAT NO. 1; Washington County, Minnesota. The notes shall be issued, sold, and secured as provided by Minnesota Statutes, chapter 475, except that they may be authorized by resolution adopted by a four-fifths vote of the city council without an election, and they may be sold at public or private sale. The portion of the special assessments levied pursuant to subdivision 2 representing taxes, interest, and penalties may be pledged to the payment of the notes.

Subd. 2. [REASSESSMENT.] The city may also undertake to reassess the cost of its local improvement No. 184 with respect to all lots for which, on the date of reassessment, special assessments previously levied for local improvement No. 184 have not been paid in full; and, at the same time, to specially assess on the lots all delinquent taxes, interest, and penalties paid by the city with respect to them. Specifically, the amount to be reassessed or assessed on each lot or parcel may include: (a) the principal amount of all such special assessments then unpaid; (b) all interest accrued on the principal amount; and (c) all ad valorem taxes, interest, and penalties paid by the city pursuant to subdivisions 1 and 3 with respect to the lot or parcel. Except as provided in this section, the special assessments shall be levied and administered and otherwise subject to Minnesota Statutes, chapter 429. Upon certification of the assessment roll to the county auditor pursuant to Minnesota Statutes, section 429.061, together with a duplicate original of the agreement entered into with respect to them pursuant to subdivision 3, and payment of all ad valorem taxes due and payable in 1991 and prior years and all interest and penalties due with respect to them with respect to any lot or parcel described in the assessment roll, all special assessments, ad valorem taxes, interest, and penal-

ties due or past due on the lot or parcel shall be deemed no longer delinquent, all tax sales previously held with respect to the lot or parcel shall be deemed null and void and no longer of any effect, and all public records relating to it shall be changed accordingly. All taxes, interest, and penalties so paid shall be distributed immediately to the local government units entitled to them by law. Special assessments levied pursuant to this section shall constitute a first and prior lien on the lots or parcels on which they are levied.

Subd. 3. [AGREEMENT AMONG CITY, OWNER, MORTGAGEES.] The city shall, before issuing any promissory notes or conducting any reassessment or assessment pursuant to subdivisions 1 and 2, enter into an agreement with the owner and all persons owning mortgages on the property with respect to which the reassessment or assessment is to be made, as determined by county records. The agreement shall:

(a) authorize the reassessment and assessment by the city and the terms of it;

(b) provide that the amount reassessed or assessed shall constitute a first and prior lien on the property in question to the extent and with the same effect as other assessments levied pursuant to Minnesota Statutes, chapter 429;

(c) waive all rights of the property owner and mortgagees to published or mailed notice of the proposed reassessment or assessment and any hearing on it;

(d) waive all rights of the property owner and mortgagees to contest or appeal from the reassessment or assessment on procedural grounds or lack of or inadequate special benefit; and

(e) cover other matters as the city deems appropriate.

Subd. 4. [APPLICATION; EFFECTIVE DATE.] This section applies to the city of Stillwater and is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "relating to public administration;" and insert "relating to state and local government; permitting the city of Stillwater in Washington county to reassess certain property and incur debt; validating certain bonds for independent school district No. 625;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

H. F. No. 1698, A bill for an act relating to taxation; income; providing a working family credit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

The report was adopted.

Ogren from the Committee on Taxes to which was referred:

S. F. No. 1112, A bill for an act relating to energy; providing incentives for renewable energy sources of utility power; amending Minnesota Statutes 1990, sections 216B.164, subdivision 4; and 272.02, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 216B.164, subdivision 4, is amended to read:

Subd. 4. [PURCHASES; WHEELING.] (a) Except as otherwise provided in paragraph (c), this subdivision shall apply to all qualifying facilities having 40 kilowatt capacity or more as well as qualifying facilities as defined in subdivision 3 which elect to be governed by its provisions.

(b) The utility to which the qualifying facility is interconnected shall purchase all energy and capacity made available by the qualifying facility. The qualifying facility shall be paid the utility's full avoided capacity and energy costs as negotiated by the parties or set by the commission including the value of environmental costs avoided by the qualifying facility considered appropriate by the commission. To the extent possible, the commission shall quantify and value all environmental costs associated with each method of electricity generation.

(c) For all qualifying facilities having 30 kilowatt capacity or more, the utility shall, at the qualifying facility's or the utility's

request, provide wheeling or exchange agreements wherever practicable to sell the qualifying facility's output to any other Minnesota utility having generation expansion anticipated or planned for the ensuing ten years. The commission shall establish the methods and procedures to insure that except for reasonable wheeling charges and line losses, the qualifying facility receives the full avoided energy and capacity costs of the utility ultimately receiving the output.

(d) The commission shall set rates for electricity generated by renewable energy.

Sec. 2. Minnesota Statutes 1990, section 272.02, subdivision 1, is amended to read:

Subdivision 1. All property described in this section to the extent herein limited shall be exempt from taxation:

- (1) all public burying grounds;
- (2) all public schoolhouses;
- (3) all public hospitals;
- (4) all academies, colleges, and universities, and all seminaries of learning;
- (5) all churches, church property, and houses of worship;
- (6) institutions of purely public charity except parcels of property containing structures and the structures described in section 273.13, subdivision 25, paragraph (c), clauses (1), (2), and (3), or paragraph (d);
- (7) all public property exclusively used for any public purpose;
- (8) except for the taxable personal property enumerated below, all personal property and the property described in section 272.03, subdivision 1, paragraphs (c) and (d), shall be exempt.

The following personal property shall be taxable:

(a) personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, crude oil, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures;

(b) railroad docks and wharves which are part of the operating property of a railroad company as defined in section 270.80;

(c) personal property defined in section 272.03, subdivision 2, clause (3);

(d) leasehold or other personal property interests which are taxed pursuant to section 272.01, subdivision 2; 273.124, subdivision 7; or 273.19, subdivision 1; or any other law providing the property is taxable as if the lessee or user were the fee owner;

(e) manufactured homes and sectional structures; and

(f) flight property as defined in section 270.071.

(9) Personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used, and real property which is used primarily for abatement and control of air, water, or land pollution as part of an agricultural operation or as part of an electric generation system. For purposes of this clause, personal property includes ponderous machinery and equipment used in a business or production activity that at common law is considered real property.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. The equipment or device shall meet standards, rules, or criteria prescribed by the Minnesota pollution control agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota pollution control agency shall upon request of the commissioner furnish information or advice to the commissioner. On determining that property qualifies for exemption, the commissioner shall issue an order exempting the property from taxation. The equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota pollution control agency remains in effect.

(10) Wetlands. For purposes of this subdivision, "wetlands" means (1) land described in section 103G.005, subdivision 18, or (2) land which is mostly under water, produces little if any income, and has no use except for wildlife or water conservation purposes, provided it is preserved in its natural condition and drainage of it would be legal, feasible, and economically practical for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. "Wetlands" shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. "Wetlands" shall not include woody swamps containing shrubs or trees, wet meadows, meandered water, streams, rivers, and floodplains or river bottoms. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.

(11) Native prairie. The commissioner of the department of natural resources shall determine lands in the state which are native prairie and shall notify the county assessor of each county in which the lands are located. Pasture land used for livestock grazing purposes shall not be considered native prairie for the purposes of this clause. Upon receipt of an application for the exemption provided in this clause for lands for which the assessor has no determination from the commissioner of natural resources, the assessor shall refer the application to the commissioner of natural resources who shall determine within 30 days whether the land is native prairie and notify the county assessor of the decision. Exemption of native prairie pursuant to this clause shall not grant the public any additional or greater right of access to the native prairie or diminish any right of ownership to it.

(12) Property used in a continuous program to provide emergency shelter for victims of domestic abuse, provided the organization that owns and sponsors the shelter is exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1986, notwithstanding the fact that the sponsoring organization receives funding under section 8 of the United States Housing Act of 1937, as amended.

(13) If approved by the governing body of the municipality in which the property is located, property not exceeding one acre which is owned and operated by any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation, and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders; provided the property is used primarily as a clubhouse, meeting facility, or recreational facility by the group or association and the property is not used for residential purposes on either a temporary or permanent basis.

(14) To the extent provided by section 295.44, real and personal property used or to be used primarily for the production of hydroelectric or hydromechanical power on a site owned by the state or a local governmental unit which is developed and operated pursuant to the provisions of section 103G.535.

(15) If approved by the governing body of the municipality in which the property is located, and if construction is commenced after June 30, 1983:

(a) a "direct satellite broadcasting facility" operated by a corporation licensed by the federal communications commission to provide direct satellite broadcasting services using direct broadcast satellites operating in the 12-ghz. band; and

(b) a "fixed satellite regional or national program service facility"

operated by a corporation licensed by the federal communications commission to provide fixed satellite-transmitted regularly scheduled broadcasting services using satellites operating in the 6-ghz. band.

An exemption provided by clause (15) shall apply for a period not to exceed five years. When the facility no longer qualifies for exemption, it shall be placed on the assessment rolls as provided in subdivision 4. Before approving a tax exemption pursuant to this paragraph, the governing body of the municipality shall provide an opportunity to the members of the county board of commissioners of the county in which the facility is proposed to be located and the members of the school board of the school district in which the facility is proposed to be located to meet with the governing body. The governing body shall present to the members of those boards its estimate of the fiscal impact of the proposed property tax exemption. The tax exemption shall not be approved by the governing body until the county board of commissioners has presented its written comment on the proposal to the governing body or 30 days has passed from the date of the transmittal by the governing body to the board of the information on the fiscal impact, whichever occurs first.

(16) Real and personal property owned and operated by a private, nonprofit corporation exempt from federal income taxation pursuant to United States Code, title 26, section 501(c)(3), primarily used in the generation and distribution of hot water for heating buildings and structures.

(17) Notwithstanding section 273.19, state lands that are leased from the department of natural resources under section 92.46.

(18) Electric power distribution lines and their attachments and appurtenances, that are used primarily for supplying electricity to farmers at retail.

(19) Transitional housing facilities. "Transitional housing facility" means a facility that meets the following requirements. (i) It provides temporary housing to parents and children who are receiving AFDC or parents of children who are temporarily in foster care. (ii) It has the purpose of reuniting families and enabling parents to obtain self-sufficiency, advance their education, get job training, or become employed in jobs that provide a living wage. (iii) It provides support services such as child care, work readiness training, and career development counseling; and a self-sufficiency program with periodic monitoring of each resident's progress in completing the program's goals. (iv) It provides services to a resident of the facility for at least six months but no longer than three years, except residents enrolled in an educational or vocational institution or job training program. These residents may receive services during the time they are enrolled but in no event longer than four years. (v) It is sponsored by an organization that has received a grant under

either section 256.7365 for the biennium ending June 30, 1989, or section 462A.07, subdivision 15, for the biennium ending June 30, 1991, for the purposes of providing the services in items (i) to (iv). (vi) It is sponsored by an organization that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1987. This exemption applies notwithstanding the fact that the sponsoring organization receives financing by a direct federal loan or federally insured loan or a loan made by the Minnesota housing finance agency under the provisions of either Title II of the National Housing Act or the Minnesota housing finance agency law of 1971 or rules promulgated by the agency pursuant to it, and notwithstanding the fact that the sponsoring organization receives funding under Section 8 of the United States Housing Act of 1937, as amended.

(20) Wind energy conversion systems, as defined in section 216C.06, subdivision 12, installed after January 1, 1991, and used as an electric power source.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective for taxes payable in 1992 and afterward."

Delete the title and insert:

"A bill for an act relating to energy; providing incentives for renewable energy sources of utility power; amending Minnesota Statutes 1990, sections 216B.164, subdivision 4; and 272.02, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 416, 593, 812, 1320, 1502, 1697 and 1698 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 1112 was read for the second time.

**MOTIONS AND RESOLUTIONS**

Lasley moved that the name of Swenson be added as an author on H. F. No. 655. The motion prevailed.

Krinkie moved that his name be stricken as an author on H. F. No. 909. The motion prevailed.

Ozment moved that H. F. No. 1532 be returned to its author. The motion prevailed.

**ANNOUNCEMENTS BY THE SPEAKER**

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 551:

Hanson, Macklin, Seaberg, Solberg and Vellenga.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1197:

Bauerly, Farrell and Gruenes.

**ADJOURNMENT**

Long moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, May 16, 1991. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, May 16, 1991.

EDWARD A. BURDICK, Chief Clerk, House of Representatives