

STATE OF MINNESOTA  
SEVENTY-EIGHTH SESSION -- 1993

NINETEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 4, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Peg Chamberlin, Minnesota Food Share, Minneapolis, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlentz	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

A quorum was present.

Wejcman was excused.

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

REPORTS OF CHIEF CLERK

S. F. No. 12 and H. F. No. 6, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Osthoff moved that S. F. No. 12 be substituted for H. F. No. 6 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 45, A bill for an act relating to probate; establishing a durable power of attorney for health care; proposing coding for new law as Minnesota Statutes, chapter 145C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [145B.105] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

- (1) willfully conceals, cancels, defaces, or obliterates a living will of a declarant without the consent of the declarant;
- (2) willfully conceals or withholds personal knowledge of a revocation of a living will;
- (3) falsifies or forges a living will or a revocation of a living will;
- (4) coerces or fraudulently induces another to execute a living will; or
- (5) requires or prohibits the execution of a living will as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the declarant or to the person who would have been a declarant but for the unlawful act.

Sec. 2. [145C.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [AGENT.] "Agent" means an individual age 18 or older who is designated by a principal in a durable power of attorney for health care to make health care decisions on behalf of a principal and has consented to act in that capacity. An agent may also be referred to as "attorney in fact."

Subd. 3. [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.] "Durable power of attorney for health care" means an instrument authorizing an agent to make health care decisions for the principal if the principal is unable, in the judgment of the attending physician, to make or communicate health care decisions.

Subd. 4. [HEALTH CARE.] "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or treat a person's physical or mental condition. Health care includes the provision of nutrition or hydration parenterally or through intubation. "Health care" does not include intrusive mental health treatment as defined in section 253B.03, subdivision 6b, unless the durable power of attorney for health care specifically applies to decisions relating to intrusive mental health treatment.

Subd. 5. [HEALTH CARE DECISION.] "Health care decision" means the consent, refusal of consent, or withdrawal of consent to health care.

Subd. 6. [HEALTH CARE PROVIDER.] "Health care provider" means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care directly or through an arrangement with other health care providers, including health maintenance organizations licensed under chapter 62D.

Subd. 7. [HEALTH CARE FACILITY.] "Health care facility" means a hospital or other entity licensed under sections 144.50 to 144.58, a nursing home licensed to serve adults under section 144A.02, or a home care provider licensed under sections 144A.43 to 144A.49.

Subd. 8. [PRINCIPAL.] "Principal" means an individual age 18 or older who has executed a durable power of attorney for health care.

Sec. 3. [145C.02] [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.]

A durable power of attorney for health care under this chapter authorizes the agent to make health care decisions for the principal, when the principal is unable, in the judgment of the principal's attending physician, to make or communicate health care decisions. The durable power of attorney for health care shall substantially comply with the requirements of section 4. An instrument executed prior to the effective date of this chapter purporting to create a durable power of attorney for health care is valid if the document specifically authorizes the agent to make health care decisions and is executed in compliance with section 4.

Sec. 4. [145C.03] [REQUIREMENTS.]

Subdivision 1. [EXECUTION.] A durable power of attorney for health care must be signed by the principal or, if the principal is physically unable to sign, it may be signed in the principal's name by some other person acting in the principal's presence and by the principal's direction. A durable power of attorney for health care must contain the date of its execution and be witnessed or acknowledged by one of the following methods:

(1) signed by at least two individuals age 18 or older each of whom witnessed either the signing of the instrument by the principal or the principal's acknowledgment of the signature; or

(2) acknowledged by the principal before a notary public who is not the agent.

Subd. 2. [INDIVIDUALS INELIGIBLE TO ACT AS AGENT.] The following individuals are not eligible to act as the agent in a durable power of attorney for health care, unless the individual designated is related to the principal by blood, marriage, registered domestic partnership, or adoption:

(1) a health care provider attending the principal; or

(2) an employee of a health care provider attending the principal.

Subd. 3. [INDIVIDUALS INELIGIBLE TO ACT AS WITNESSES.] The agent designated in the durable power of attorney for health care may not act as a witness for the execution of the durable power of attorney for health care.

At least one witness to the execution of the durable power of attorney for health care may not be a health care provider providing direct care to the principal or an employee of a health care provider providing direct care to the principal on the date of execution.

Sec. 5. [145C.04] [EXECUTED IN ANOTHER STATE.]

A durable power of attorney for health care or similar document executed in another state or jurisdiction in compliance with the law of that state or jurisdiction is valid and enforceable in this state, to the extent the document is consistent with the laws of this state.

Sec. 6. [145C.05] [SUGGESTED FORM.]

Subdivision 1. [CONTENT.] A durable power of attorney for health care executed pursuant to this chapter may, but need not, be in the following form:

"I appoint ..... as my agent (my attorney in fact) to make any health care decision for me when, in the judgment of my attending physician, I am unable to make or communicate a decision myself.

My agent has the power to make any health care decision for me. This power includes the power to give consent, to refuse consent, or to withdraw consent to any care, treatment, service, or procedure to maintain, diagnose, or treat my physical or mental condition, including giving me food or water by artificial means. My agent has the power,

where consistent with the laws of this state, to make a health care decision to withhold or stop health care necessary to keep me alive.

My agent and any alternative agents have consented to act as my agents. My agent and any alternative agents have been notified that they will be nominated as a guardian or conservator for me.

My agent must act consistently with my desires as stated in this document or as otherwise made known by me to my agent.

My agent has the same right as I would have to receive, review, and obtain copies of my medical records and to consent to disclosure of those records."

Subd. 2. [ADDITIONAL PROVISIONS.] The durable power of attorney for health care may include additional provisions consistent with this chapter, including:

(1) the designation of one or more alternative agents to act if the named agent is unable, unavailable, or unwilling to serve;

(2) specific instructions to the agent or any alternative agents;

(3) limitations, if any, on the right of the agent or any alternative agents to receive, review, obtain copies of, and consent to the disclosure of the principal's medical records; and

(4) limitations, if any, on the nomination of the agent as guardian or conservator for purposes of section 525.544.

Sec. 7. [145C.06] [WHEN EFFECTIVE.]

(a) A durable power of attorney for health care is effective:

(1) when it has been executed in accordance with section 4 and received and accepted by the agent; and

(2) the principal is unable, in the determination of the principal's attending physician, to make a health care decision.

(b) If the principal states in the durable power of attorney that the principal does not have an attending physician because the principal in good faith generally selects and depends upon spiritual means or prayer for the treatment or care of disease or remedial care, the principal may designate an individual in the durable power of attorney for health care who may certify in a writing acknowledged before a notary public that the principal is unable to make a health care decision. The requirements of section 4, subdivisions 2 and 3, relating to the eligibility of a health care provider attending the principal or the provider's employee to act as an agent or witness apply to an individual designated under this paragraph.

Sec. 8. [145C.07] [AUTHORITY AND DUTIES OF AGENT.]

Subdivision 1. [AUTHORITY.] The agent has authority to make any particular health care decision only if the principal is unable, in the determination of the attending physician, to make or communicate that health care decision. The agent does not have authority to consent to a voluntary commitment under chapter 253B. The physician or health care provider shall continue to obtain the principal's informed consent to all health care decisions for which the principal is capable of informed consent.

Subd. 2. [AGENT AS GUARDIAN.] Except as otherwise provided in the durable power of attorney for health care, appointment of the agent in a durable power of attorney for health care is nomination of a guardian or conservator of the person for purposes of section 525.544.

Subd. 3. [DUTIES.] In exercising the authority under the durable power of attorney for health care, the agent has a duty to act in accordance with the desires of the principal as expressed in the durable power of attorney for health care, as expressed in a living will under chapter 145B or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or as otherwise made known by the principal to the agent at any time. If the principal's desires are not known or cannot be determined from information known to the agent, the agent has a duty to act in the best interests of the principal taking into account the principal's overall medical condition and prognosis.

Subd. 4. [INCONSISTENCIES AMONG DOCUMENTS.] In the event of inconsistency between the designation of a proxy under chapter 145B or section 253B.03, subdivision 6d, or of an agent under this chapter, the most recent designation takes precedence. In the event of other inconsistencies among documents executed under this chapter or chapter 145B, or under section 253B.03, subdivision 6d, or 525.544, the provisions of the most recently executed document take precedence only to the extent of the inconsistency.

Sec. 9. [145C.08] [AUTHORITY TO REVIEW MEDICAL RECORDS.]

An agent acting pursuant to a durable power of attorney for health care has the same right as the principal to receive, review, and obtain copies of medical records of the principal, and to consent to the disclosure of medical records of the principal, unless the durable power of attorney for health care expressly provides otherwise.

Sec. 10. [145C.10] [DUTIES OF HEALTH CARE PROVIDERS TO PROVIDE LIFE-SUSTAINING HEALTH CARE.]

(a) If the proxy acting under chapter 145B or the agent acting under this chapter directs the provision of health care, nutrition, or hydration which, in reasonable medical judgment, has a significant possibility of sustaining the principal's life, a health care provider must take all reasonable steps to ensure provision of the directed health care, nutrition, or hydration if it has the legal and actual capability of providing it, either itself or through prompt transfer, and if necessary to preserve the principal's life, by emergency transfer, of the principal to a health care provider which itself has that capability. A health care provider unwilling to provide directed health care which it has the legal and actual capability of providing may instead transfer the patient to another health care provider willing to provide the directed health care but must take all reasonable steps to ensure provision of the directed health care until the transfer is effectuated. This paragraph does not apply if a living will under chapter 145B or a durable power of attorney for health care indicates an intention to the contrary.

(b) Nothing in this section alters any legal obligation or lack of legal obligation of a health care provider to provide health care to a patient who refuses, has refused, or is unable to pay for it.

Sec. 11. [145C.11] [REVOCATION OF DURABLE POWER OF ATTORNEY.]

Subdivision 1. [REVOCATION.] The principal may revoke a durable power of attorney for health care at any time by doing any of the following:

(a) canceling, defacing, obliterating, burning, tearing, or otherwise destroying the durable power of attorney for health care instrument or directing another in the presence of the principal to destroy the durable power of attorney for health care instrument;

(b) executing a statement, in writing and dated, expressing the principal's intent to revoke the durable power of attorney for health care;

(c) verbally expressing the principal's intent to revoke the durable power of attorney for health care in the presence of two witnesses who do not have to be present at the same time; or

(d) executing a subsequent durable power of attorney for health care instrument, to the extent the subsequent instrument is inconsistent with any prior instrument.

Subd. 2. [EFFECT OF DISSOLUTION OR ANNULMENT OF MARRIAGE OR TERMINATION OF DOMESTIC PARTNERSHIP ON APPOINTMENT OF AGENT.] Unless the durable power of attorney for health care expressly provides otherwise, the appointment by the principal of the principal's spouse or domestic partner as agent under a durable power of attorney for health care is revoked by the commencement of proceedings for dissolution, annulment, or legal separation or commencement of proceedings for termination of the principal's registered domestic partnership.

Sec. 12. [145C.12] [PRESUMPTIONS.]

The principal is presumed to have capacity to appoint an agent to make health care decisions and to revoke a durable power of attorney for health care. A health care provider or agent may presume that a durable power of attorney for health care is valid absent actual knowledge to the contrary.

It is presumed that an agent, and a health care provider acting pursuant to the direction of an agent, are acting in good faith and in the best interests of the principal, absent clear and convincing evidence to the contrary.

This chapter does not create a presumption concerning the intention of a person who has not executed a durable power of attorney for health care and does not impair or supersede any right or responsibility of a person to consent, refuse to consent, or withdraw consent to health care on behalf of another in the absence of a durable power of attorney for health care.

For purposes of this chapter, acting in good faith means acting consistently with the desires of the principal as expressed in the durable power of attorney for health care, in a living will under chapter 145B, or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or otherwise made known by the principal to the agent. If the principal's desires are not known or are impossible to determine from information known to the agent, acting in good faith means acting in the best interests of the principal, taking into account the principal's overall medical condition and prognosis.

Sec. 13. [145C.13] [IMMUNITIES.]

Subdivision 1. [AGENT.] An agent is not subject to criminal prosecution or civil liability for any health care decision made in good faith pursuant to a durable power of attorney for health care, unless the agent has actual knowledge of the revocation of the durable power of attorney for health care.

Subd. 2. [HEALTH CARE PROVIDER.] (a) A health care provider is not subject to criminal prosecution, civil liability, or professional disciplinary action if the health care provider relies on a health care decision made by the agent and the following requirements are satisfied:

(1) the health care provider believes in good faith that the decision was made by an agent authorized to make the decision and has no actual knowledge that the durable power of attorney for health care has been revoked; and

(2) the health care provider believes in good faith that the decision is consistent with the desires of the principal as expressed in the durable power of attorney for health care or otherwise made known by the principal to the agent.

(b) A health care provider who administers health care necessary to keep the principal alive, despite a health care decision of the agent to withhold or withdraw health care, is not subject to criminal prosecution, civil liability, or professional disciplinary action if that health care provider promptly took all reasonable steps to transfer care of the principal to another health care provider willing to comply with the decision of the agent.

Sec. 14. [145C.14] [PROHIBITED PRACTICES.]

Subdivision 1. [HEALTH CARE PROVIDER.] A health care provider, health care service plan, insurer, self-insured employee welfare benefit plan, or nonprofit hospital plan may not condition admission to a facility, or the providing of treatment or insurance, on the requirement that a person execute a durable power of attorney for health care.

Subd. 2. [INSURANCE.] A policy of life insurance is not legally impaired or invalidated in any manner by the withholding or withdrawing of health care pursuant to the direction of an agent appointed pursuant to this chapter.

Sec. 15. [145C.15] [CERTAIN PRACTICES NOT CONDONED.]

Nothing in this chapter may be construed to condone, authorize, or approve mercy killing or euthanasia.

Sec. 16. [145C.16] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

(1) willfully conceals, cancels, defaces, or obliterates a durable power of attorney for health care of a principal without the consent of the principal;

(2) willfully conceals or withholds personal knowledge of a revocation of a durable power of attorney for health care;

(3) falsifies or forges a durable power of attorney for health care or a revocation of the instrument;

(4) coerces or fraudulently induces another to execute a durable power of attorney for health care; or

(5) requires or prohibits the execution of a durable power of attorney for health care as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the principal or to the person who would have been a principal but for the unlawful act.

Sec. 17. [REPEALER.]

Minnesota Statutes 1992, section 145B.10, is repealed.

Sec. 18. [EFFECTIVE DATES.]

Sections 2 to 15 are effective the day following final enactment. Sections 1 and 16 are effective August 1, 1993, and apply to offenses committed on or after that date."

Delete the title and insert:

"A bill for an act relating to health; modifying provisions relating to living wills and establishing a durable power of attorney for health care; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10."

With the recommendation that when so amended, the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 74, A bill for an act relating to local government; authorizing the city of Minneapolis, special school district No. 1, the city library board, and the city park and recreation board to impose residency requirements.

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 129, A bill for an act relating to marriage dissolution; maintenance; permitting delinquent maintenance payments to be withheld from certain tax refunds; amending Minnesota Statutes 1992, section 289A.50, subdivision 5.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 214.101, subdivision 1, is amended to read:

Subdivision 1. [COURT ORDER; HEARING ON SUSPENSION.] If a licensing board receives an order from a court under section 518.551, subdivision 12, dealing with suspension of a license of a person found by the court to be in arrears in child support or maintenance payments, or both, the board shall, within 30 days of receipt of the court

order, provide notice to the licensee and hold a hearing. If the board finds that the person is licensed by the board and evidence of full payment of arrearages found to be due by the court is not presented at the hearing, the board shall suspend the license unless it determines that probation is appropriate under subdivision 2. The only issues to be determined by the board are whether the person named in the court order is a licensee, whether the arrearages have been paid, and whether suspension or probation is appropriate. The board may not consider evidence with respect to the appropriateness of the court order or the ability of the person to comply with the order. The board may not lift the suspension until the licensee files with the board proof showing that the licensee is current in child support payments and maintenance.

Sec. 2. Minnesota Statutes 1992, section 214.101, subdivision 4, is amended to read:

Subd. 4. [VERIFICATION OF PAYMENTS.] Before a board may terminate probation, remove a suspension, issue, or renew a license of a person who has been suspended or placed on probation under this section, it shall contact the court that referred the matter to the board to determine that the applicant is not in arrears for child support or maintenance or both. The board may not issue or renew a license until the applicant proves to the board's satisfaction that the applicant is current in support payments and maintenance."

Page 3, after line 5, insert:

"Sec. 4. Minnesota Statutes 1992, section 518.17, subdivision 3, is amended to read:

Subd. 3. [CUSTODY ORDER.] (a) Upon adjudging the nullity of a marriage, or in a dissolution or separation proceeding, or in a child custody proceeding, the court shall make such further order as it deems just and proper concerning:

(1) the legal custody of the minor children of the parties which shall be sole or joint;

(2) their physical custody and residence; and

(3) their support. In determining custody, the court shall consider the best interests of each child and shall not prefer one parent over the other solely on the basis of the sex of the parent.

(b) The court shall grant ~~the following~~ rights to each of the parties, unless specific findings are made ~~under paragraph (c)~~, and every custody order must include the ~~following notice to the parties~~:

**~~NOTICE IS HEREBY GIVEN TO THE PARTIES:~~**

~~Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.~~

~~Each party shall keep the other party informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent-teacher conferences. The school is not required to hold a separate conference for each party.~~

~~In case of an accident or serious illness of a minor child, each party shall notify the other party of the accident or illness, and the name of the health care provider and the place of treatment.~~

~~Each party has the right to reasonable access and telephone contact with the minor children.~~

(c) required in section 518.68, subdivision 2; but the court may waive all or part of the notice required ~~under paragraph (b)~~ if it finds that it is necessary to protect the welfare of a party or child.

Sec. 5. Minnesota Statutes 1992, section 518.171, subdivision 1, is amended to read:

Subdivision 1. [ORDER.] Every child support order must expressly assign or reserve the responsibility for maintaining medical insurance for the minor children and the division of uninsured medical and dental costs. Unless the obligee has comparable or better group dependent health insurance coverage available at a more reasonable cost,



the court shall order the obligor to name the minor child as beneficiary on any health and dental insurance plan that is available to the obligor on a group basis or through an employer or union. "Health insurance coverage" as used in this section does not include medical assistance provided under chapter 256, 256B, or 256D.

If the court finds that dependent health or dental insurance is not available to the obligor on a group basis or through an employer or union, or that the group insurer is not accessible to the obligee, the court may require the obligor to obtain dependent health or dental insurance, or to be liable for reasonable and necessary medical or dental expenses of the child.

If the court finds that the dependent health or dental insurance required to be obtained by the obligor does not pay all the reasonable and necessary medical or dental expenses of the child, or that the dependent health or dental insurance available to the obligee does not pay all the reasonable and necessary medical or dental expenses of the child, and the court finds that the obligor has the financial ability to contribute to the payment of these medical or dental expenses, the court shall require the obligor to be liable for all or a portion of the medical or dental expenses of the child not covered by the required health or dental plan.

Sec. 6. Minnesota Statutes 1992, section 518.175, subdivision 6, is amended to read:

Subd. 6. [COMPENSATORY VISITATION.] If the court finds that ~~the noncustodial parent~~ a person has been wrongfully deprived of the duly established right to visitation, the court shall order the custodial parent to permit additional visits to compensate for the visitation of which the ~~noncustodial parent~~ person was deprived. Additional visits must be:

- (1) of the same type and duration as the wrongfully denied visit;
- (2) taken within one year after the wrongfully denied visit; and
- (3) at a time acceptable to the ~~noncustodial parent~~ person deprived of visitation.

Sec. 7. Minnesota Statutes 1992, section 518.177, is amended to read:

518.177 [NOTIFICATION REGARDING DEPRIVATION OF PARENTAL RIGHTS LAW.]

Every court order and judgment and decree concerning custody of or visitation with a minor child shall ~~restate the provisions of section 609.26~~ contain the notice set out in section 518.68, subdivision 2.

Sec. 8. Minnesota Statutes 1992, section 518.55, is amended to read:

518.55 [MAINTENANCE OR SUPPORT MONEY.]

Subdivision 1. [CONTENTS OF ORDER.] Every award of maintenance or support money in a judgment of dissolution or legal separation shall clearly designate whether the same is maintenance or support money, or what part of the award is maintenance and what part is support money. An award of payments from future income or earnings of the custodial parent is presumed to be maintenance and an award of payments from the future income or earnings of the noncustodial parent is presumed to be support money, unless otherwise designated by the court. In a judgment of dissolution or legal separation the court may determine, as one of the issues of the case, whether or not either spouse is entitled to an award of maintenance notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of maintenance for determination at a later date.

Subd. 2. [NOTICE OF DOCKETING OF MAINTENANCE JUDGMENT.] Every order for maintenance shall provide for a conspicuous notice that, if the obligor fails to make the maintenance payments, the obligee or a public agency responsible for maintenance enforcement may obtain docketing of a judgment for the unpaid amount under the provisions of section 548.091. ~~The notice shall enumerate the conditions that must be met before the judgment can be docketed~~ comply with section 518.68, subdivision 2.

Subd. 2a. [ENTRY OF CHILD SUPPORT JUDGMENT.] Every order for support shall provide for a conspicuous notice that, ~~if the obligor fails to make a support payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due, and the obligee or a public agency responsible for support enforcement may obtain entry and docketing of the judgment for the unpaid amount under the provisions of section 548.091~~ complying with section 518.68, subdivision 2.

Subd. 3. [NOTICE OF ADDRESS OR RESIDENCE CHANGE.] Every obligor shall notify the obligee and the public authority responsible for collection, if applicable, of a change of address or residence within 60 days of the address or residence change. Every order for support or maintenance must contain a conspicuous notice of the requirements of this subdivision complying with section 518.68, subdivision 2. The court may waive or modify the requirements of this subdivision by order if necessary to protect the obligor from contact by the obligee.

Sec. 9. Minnesota Statutes 1992, section 518.551, subdivision 12, is amended to read:

Subd. 12. [OCCUPATIONAL LICENSE SUSPENSION.] Upon petition of an obligee or public agency responsible for child support enforcement, if the court finds that the obligor is or may be licensed by a licensing board listed in section 214.01 and the obligor is in arrears in court-ordered child support or maintenance payments or both, the court may direct the licensing board to conduct a hearing under section 214.101 concerning suspension of the obligor's license. If the obligor is a licensed attorney, the court may report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the court.

Sec. 10. Minnesota Statutes 1992, section 518.583, is amended to read:

518.583 [NOTICE OF TAX EFFECT ON CAPITAL GAIN ON SALE OF PRINCIPAL RESIDENCE.]

~~If the parties to an action for dissolution own a principal residence, the court must make express findings of fact that the parties who are represented by an attorney have been advised as to the income tax laws respecting the capital gain tax, or that parties who are not represented by an attorney have been notified that income tax laws regarding the capital gain tax may apply to the sale of the residence. This includes, but is not limited to, the exclusion available on the sale of a principal residence for those over a certain age under section 121 of the Internal Revenue Code of 1986, or other applicable law. The order must expressly provide for the use of that exclusion unless the court otherwise orders. All judgment judgments and decrees involving a principal residence must include a the following notice to the parties that income tax laws regarding the capital gain tax may apply to the sale of the residence and that the parties may wish to consult with an attorney concerning the applicable laws. as a finding of fact:~~

"CAPITAL GAIN ON SALE OF PRINCIPAL RESIDENCE

Income tax laws regarding the capital gain tax may apply to the sale of the parties' principal residence and the parties may wish to consult with an attorney concerning the applicable laws. These laws may include, but are not limited to, the exclusion available on the sale of a principal residence for those over a certain age under section 121 of the Internal Revenue Code of 1986, or other applicable law. If the attached order awards title to a principal residence to a party, UNLESS THE ORDER OTHERWISE PROVIDES, use of the capital gains exclusion is awarded to that party."

Sec. 11. Minnesota Statutes 1992, section 518.611, subdivision 2, is amended to read:

Subd. 2. [CONDITIONS OF INCOME WITHHOLDING.] (a) Withholding shall result whenever the obligor fails to make the maintenance or support payments, and the following conditions are met:

- (1) the obligor is at least 30 days in arrears;
- (2) the obligee or the public authority serves written notice of income withholding, showing arrearage, on the obligor at least 15 days before service of the notice of income withholding and a copy of the court's order on the payor of funds;
- (3) within the 15-day period, the obligor fails to move the court to deny withholding on the grounds that an arrearage of at least 30 days does not exist as of the date of the notice of income withholding, or on other grounds limited to mistakes of fact, and, ex parte, to stay service on the payor of funds until the motion to deny withholding is heard;
- (4) the obligee or the public authority serves a copy of the notice of income withholding, a copy of the court's order, and the provisions of this section on the payor of funds; and
- (5) the obligee serves on the public authority a copy of the notice of income withholding, a copy of the court's order, an application, and the fee to use the public authority's collection services.

(b) To pay the arrearage specified in the notice of income withholding, the employer or payor of funds shall withhold from the obligor's income an additional amount equal to 20 percent of the monthly child support or maintenance obligation until the arrearage is paid.

(c) The obligor may, at any time, waive the written notice required by this subdivision.

(d) The obligor may move the court, under section 518.64, to modify the order respecting the amount of maintenance or support.

(e) Every order for support or maintenance shall provide for a conspicuous notice of the provisions of this subdivision that complies with section 518.68, subdivision 2. An order without this notice remains subject to this subdivision.

(f) Absent a court order to the contrary, if an arrearage exists at the time an order for ongoing support or maintenance would otherwise terminate, income withholding shall continue in effect in an amount equal to the former support or maintenance obligation plus an additional amount equal to 20 percent of the monthly child support obligation, until all arrears have been paid in full.

Sec. 12. Minnesota Statutes 1992, section 518.641, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT.] An order for maintenance or child support shall provide for a biennial adjustment in the amount to be paid based on a change in the cost of living. An order that provides for a cost-of-living adjustment shall specify the cost-of-living index to be applied and the date on which the cost-of-living adjustment shall become effective. The court may use the consumer price index for all urban consumers, Minneapolis-St. Paul (CPI-U), the consumer price index for wage earners and clerical, Minneapolis-St. Paul (CPI-W), or another cost-of-living index published by the department of labor which it specifically finds is more appropriate. Cost-of-living increases under this section shall be compounded. The court may also increase the amount by more than the cost-of-living adjustment by agreement of the parties or by making further findings. The adjustment becomes effective on the first of May of the year in which it is made, for cases in which payment is made to the public authority. For cases in which payment is not made to the public authority, application for an adjustment may be made in any month but no application for an adjustment may be made sooner than two years after the date of the dissolution decree. A court may waive the requirement of the cost-of-living clause if it expressly finds that the obligor's occupation or income, or both, does not provide for cost-of-living adjustment or that the order for maintenance or child support has a provision such as a step increase that has the effect of a cost-of-living clause. The court may waive a cost-of-living adjustment in a maintenance order if the parties so agree in writing. The commissioner of human services may promulgate rules for child support adjustments under this section in accordance with the rulemaking provisions of chapter 14. Notice of this statute must comply with section 518.68, subdivision 2.

Sec. 13. [518.68] [REQUIRED NOTICES.]

Subdivision 1. [REQUIREMENT.] Every court order for judgment and decree that provides for child support, spousal maintenance, custody, or visitation must contain certain notices as set out in subdivision 2. The information in the notices must be concisely stated in plain language. The notices must be in clearly legible print, but may not exceed two pages. An order or judgment and decree without the notice remains subject to all statutes.

Subd. 2. [CONTENTS.] The required notices must be substantially as follows:

#### IMPORTANT NOTICE

##### 1. PAYMENTS TO PUBLIC AGENCY

Pursuant to Minnesota Statutes, section 518.551, subdivision 1, payments ordered for maintenance and support must be paid to the public agency responsible for child support enforcement as long as the person entitled to receive the payments is receiving or has applied for public assistance or has applied for support and maintenance collection services. MAIL PAYMENTS TO:

## 2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

A person may be charged with a felony who conceals a minor child or takes, obtains, retains, or fails to return a minor child from or to the child's parent (or person with custodial or visitation rights), pursuant to Minnesota Statutes, section 609.26. A copy of that section is available from any district court clerk.

## 3. RULES OF SUPPORT, MAINTENANCE, VISITATION

(a) Payment of support or spousal maintenance is to be as ordered herein, and the giving of gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

(b) Payment of support must be made as it becomes due, and failure to secure or denial of rights of visitation is NOT an excuse for nonpayment, but the aggrieved party must seek relief through a proper motion filed with the court.

(c) The payment of support or spousal maintenance takes priority over payment of debts and other obligations.

(d) A party who remarries after dissolution and accepts additional obligations of support does so with the full knowledge of his or her prior obligation under this proceeding.

(e) Child support or maintenance is based on annual income, and it is the responsibility of a person with seasonal employment to budget income so that payments are made throughout the year as ordered.

## 4. MEDICAL INSURANCE AND EXPENSES

The person responsible to pay support and his or her employer or union are ordered to provide medical and dental insurance and pay for uncovered expenses under the conditions of Minnesota Statutes, section 518.171, unless otherwise provided in this order or the statute. A copy of this statute is available from any district court clerk.

## 5. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17, SUBDIVISION 3

Unless otherwise provided by the Court:

(a) Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.

(b) Each party shall keep the other informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.

(c) In case of an accident or serious illness of a minor child, each party shall notify the other party of the accident or illness, and the name of the health care provider and the place of treatment.

(d) Each party has the right of reasonable access and telephone contact with the minor children.

## 6. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be withheld from income, without notice to the person obligated to pay, when the conditions of Minnesota Statutes, sections 518.611 and 518.613, have been met. A copy of those sections is available from any district court clerk.

## 7. CHANGE OF ADDRESS OR RESIDENCE

Unless otherwise ordered, the person responsible to make support or maintenance payments shall notify the person entitled to receive the payment and the public authority responsible for collection, if applicable, of a change of address or residence within 60 days of the address or residence change.

## 8. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be adjusted every two years based upon a change in the cost of living (using Department of Labor Consumer Price Index ..... unless otherwise specified in this order) when the conditions of Minnesota Statutes, section 518.641, are met. Cost of living increases are compounded. A copy of Minnesota Statutes, section 518.641, and forms necessary to request or contest a cost of living increase are available from any district court clerk.

## 9. JUDGMENTS FOR UNPAID SUPPORT

If a person fails to make a child support payment, the payment owed becomes a judgment against the person responsible to make the payment by operation of law on or after the date the payment is due, and the person entitled to receive the payment or the public agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the person responsible to make the payment under Minnesota Statutes, section 548.091.

## 10. JUDGMENTS FOR UNPAID MAINTENANCE

A judgment for unpaid spousal maintenance may be entered WITHOUT NOTICE when the conditions of Minnesota Statutes, section 548.091, are met. A copy of that section is available from any district court clerk.

Subd. 3. [COPIES OF LAW AND FORMS.] The district court administrator shall make available at no charge copies of sections 518.17, 518.611, 518.613, 518.641, 548.091, and 609.26, and shall provide forms to request or contest a cost of living increase under section 518.641."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

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

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 134, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 141, A bill for an act relating to insurance; health; modifying eligibility for the private employers insurance program and small employer insurance coverages; amending Minnesota Statutes 1992, sections 43A.317, subdivision 5; and 62L.02, subdivision 26.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services without further recommendation.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 165, A bill for an act relating to commerce; defining the responsibilities of ski area operators and skiers; defining the rights and liabilities between skiers and between a skier and a ski area operator; proposing coding for new law as Minnesota Statutes, chapter 86C.

Reported the same back with the following amendments:

Page 1, line 21, delete "1992" and insert "1993"

Page 2, line 18, before the semicolon insert "or other conditions"

Page 2, line 20, delete "or other objects"

Page 7, line 14, delete "80C.05" and insert "86C.05"

Page 9, line 33, delete "or from another skier's"

Page 11, lines 12, 29, and 32, delete "person" and insert "skier"

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

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 167, A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 181, A bill for an act relating to limited liability companies; clarifying the application of financial institution, workers' compensation, unemployment compensation, taxation, and usury laws; modifying certain powers of, and rules applicable to, limited liability companies and their members and affiliates; amending Minnesota Statutes 1992, sections 48.24, subdivisions 1, 7, and 8; 51A.02, subdivision 43; 176.011, subdivision 10; 176.041, subdivisions 1 and 1a; 268.04, subdivisions 7, 9, and by adding a subdivision; 268.161, subdivision 9; 290.92, subdivision 1; 297A.01, subdivision 2; 302A.011, subdivision 25; 302A.161, subdivision 12; 302A.501, subdivision 1; 302A.521, subdivision 1; 302A.551, subdivision 3; 302A.673, subdivision 1; 319A.02, subdivision 7; 322B.03, subdivision 41, and by adding subdivisions; 322B.115, subdivisions 1 and 2; 322B.20, subdivisions 5, 7, 12, 14, and 21; 322B.30, subdivisions 2 and 3; 322B.306, subdivisions 3 and 4; 322B.31, subdivision 3; 322B.313; 322B.316; 322B.373, subdivision 1; 322B.54, subdivision 3; 322B.693, subdivision 1; 322B.696; 322B.699, subdivision 1; 322B.77, subdivisions 1 and 3; 322B.80, subdivision 1, and by adding a subdivision; 322B.873; 322B.91, subdivision 1; 322B.92; 322B.93; 322B.935, subdivisions 2 and 3; and 334.021.

Reported the same back with the following amendments:

Pages 4 to 6, delete section 6

Page 6, lines 31 and 32, delete the new language

Page 6, line 33, delete "(f)"

Page 7, lines 7, 10, 14, and 15, delete the new language

Pages 7 to 8, delete section 8

Page 8, lines 29 and 30, delete "shall not be exclusive."

Page 8, delete section 10

Page 20, line 27, delete "and"

Page 20, line 30, before the period insert "; and

(20) unanimous consent is required to avoid dissolution (section 322B.80, subdivision 1, clause (5)(B))"

Page 22, after line 32, insert:

"Sec. 32. Minnesota Statutes 1992, section 322B.306, subdivision 1, is amended to read:

Subdivision 1. [MEMBER'S POWER TO TERMINATE MEMBERSHIP.] A member always has the power, though not necessarily the right, to terminate its membership by resigning or retiring at any time. A member's resignation or retirement, whether rightful or wrongful, causes dissolution under section 322B.80, subdivision 1, clause (5), unless dissolution avoidance consent is obtained from the remaining members is avoided under that clause. A member has no power to transfer all or part of the member's membership interest, except as provided in sections 322B.31 and 322B.313."

Page 23, line 3, strike "through dissolution avoidance consent" and insert "under that clause"

Page 23, line 9, strike "through dissolution avoidance"

Page 23, line 10, strike "consent" and insert "under that clause"

Page 25, line 3, strike "OF A COMPLETE MEMBERSHIP INTEREST AND"

Page 25, line 6, strike "MEMBERSHIP INTERESTS" and insert "GOVERNANCE RIGHTS"

Page 25, line 7, strike "A member may assign the member's" and delete "complete"

Page 25, strike lines 8 and 9

Page 25, line 10, strike everything before "A"

Page 27, after line 30, insert:

"Sec. 38. Minnesota Statutes 1992, section 322B.323, subdivision 2, is amended to read:

Subd. 2. [WHEN MEMBERSHIP IS TERMINATED.] If an event referred to in subdivision 1 causes the termination of a member's membership interest and ~~the remaining members give dissolution avoidance consent~~ is avoided under section 322B.80, subdivision 1, clause (5), then:

(1) as provided in section 322B.306, subdivision 3, the terminated member's interest will be considered to be merely that of an assignee of the financial rights owned before the termination of membership; and

(2) the rights to be exercised by the legal representative of the terminated member will be limited accordingly."

Page 37, after line 7, insert:

"Sec. 49. [322B.901] [FOREIGN LIMITED LIABILITY PARTNERSHIPS CONSIDERED FOREIGN LIMITED LIABILITY COMPANIES.]

For the purposes of sections 322B.90 to 322B.955, the term "foreign limited liability company" includes a foreign limited liability partnership organized for profit that is organized under laws other than the laws of this state for a purpose or purposes for which a limited liability company may be organized under this chapter or for which a professional limited liability company may be organized under chapter 319A."

Page 37, line 13, after "state" insert "a certificate of status from the filing office in the jurisdiction in which the foreign limited liability company is organized and"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, delete everything after the first comma

Page 1, line 11, delete everything before the semicolon and insert "subdivision 1a; 268.04, subdivision 9"

Page 1, line 20, after "subdivisions" insert "1," and after the first "3" insert a comma

Page 1, line 21, after "322B.316;" insert "322B.323, subdivision 2;"

Page 1, line 27, before the period insert "; proposing coding for new law in Minnesota Statutes, chapter 322B"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 185, A bill for an act relating to utilities; prohibiting state permits for construction of certain hydropower facilities on the bluffs of the Mississippi river; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 199, A bill for an act relating to insurance; workers' compensation; regulating the state fund mutual insurance company; requiring the workers' compensation reinsurance association to provide funds; amending Minnesota Statutes 1992, sections 176A.02, by adding a subdivision; 176A.11; proposing coding for new law in Minnesota Statutes, chapter 79.

Reported the same back with the following amendments:

Page 1, line 19, before "duty" insert "any"

Page 2, line 11, delete "DIRECTOR" and insert "DIRECTORS"

Page 2, line 19, delete "directorship" and insert "directorships" and delete "becomes" and insert "become"



Page 3, delete line 25, and insert:

"Sections 1, 2, and 3, subdivisions 2 and 3, are repealed March 1, 2009."

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

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 253, A bill for an act relating to elections; providing for a presidential primary by mail; changing the date of the presidential primary; increasing the filing fee for an affidavit of candidacy; changing certain duties and procedures; amending Minnesota Statutes 1992, sections 204B.45, subdivision 3, and by adding a subdivision; 207A.01; 207A.02, subdivision 1a; 207A.03; 207A.04, subdivision 3; 207A.06, subdivision 2; 207A.08; and 207A.09; proposing coding for new law in Minnesota Statutes, chapter 207A; repealing Minnesota Statutes 1992, section 207A.07.

Reported the same back with the following amendments:

Page 5, line 11, reinstate the stricken "under section 201.091"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 292, A bill for an act relating to appropriations; appropriating money to the commissioner of natural resources for betterment of the Sakatah Singing Hills state trail.

Reported the same back with the following amendments:

Page 1, line 7, delete "general" and insert "bond proceeds"

Page 1, after line 10, insert:

"Sec. 2. [BOND SALE.]

To provide the money appropriated in this act from the bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$333,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Amend the title as follows:

Page 1, line 2, delete "appropriations" and insert "capital improvements" and after the semicolon insert "authorizing the sale of bonds;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 341, A bill for an act relating to business corporations; making various technical changes; amending Minnesota Statutes 1992, sections 302A.011, subdivisions 26, 38, 53, and by adding a subdivision; 302A.105; 302A.111, subdivisions 3 and 4; 302A.115, subdivision 1; 302A.117, subdivision 1; 302A.123, subdivision 3; 302A.133; 302A.135, subdivisions 1 and 3; 302A.137; 302A.153; 302A.171, subdivision 2; 302A.231, subdivision 3; 302A.233; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 2; 302A.401, subdivisions 1 and 3; 302A.402, subdivisions 1, 2, and by adding a subdivision; 302A.403, subdivisions 2 and 4; 302A.413, subdivisions 4 and 9; 302A.423, subdivision 2; 302A.435, subdivisions 1 and 3; 302A.437, subdivision 2; 302A.447, subdivisions 2 and 3; 302A.449, subdivision 1; 302A.461, subdivision 4; 302A.463; 302A.471, subdivision 3; 302A.473, subdivisions 4 and 7; 302A.501, subdivision 1; 302A.521, subdivision 6; 302A.551, subdivision 1; 302A.553, subdivision 1; 302A.559, subdivision 1; 302A.613, subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, by adding a subdivision.

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

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 421, A bill for an act relating to state parks; authorizing an addition to Charles A. Lindbergh state park.

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

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 427, A bill for an act relating to taxation; making technical corrections and administrative changes to sales and use taxes, income and franchise taxes, property taxes, and tax administration and enforcement; changing penalties; appropriating money; amending Minnesota Statutes 1992, sections 82B.035, by adding a subdivision; 84.82, subdivision 10; 86B.401, subdivision 12; 270.071, subdivision 2; 270.072, subdivision 2; 271.06, subdivision 1; 271.09, subdivision 3; 272.02, subdivisions 1 and 4; 272.025, subdivision 1; 272.12; 273.03, subdivision 2; 273.061, subdivision 8; 273.124, subdivisions 9 and 13; 273.13, subdivision 25; 273.138, subdivision 5; 273.1398, subdivisions 1, 3, and 5b; 274.13, subdivision 1; 274.18; 275.065, subdivision 5a; 275.07, subdivision 4; 275.28, subdivision 3; 275.295; 277.01, subdivision 2; 277.15; 277.17; 278.01, subdivision 1; 278.02; 278.03; 278.04; 278.08; 278.09; 282.018; 287.21, subdivision 4; 287.22; 289A.08, subdivisions 3, 10, and 15; 289A.09, subdivision 1; 289A.11, subdivisions 1 and 3; 289A.12, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 12, and 14; 289A.18, subdivisions 1 and 4; 289A.20, subdivision 4; 289A.25, subdivisions 1, 2, 5a, 6, 8, 10, and 12; 289A.26, subdivisions 1, 4, and 6; 290A.04, subdivision 2h; 296.14, subdivision 2; 297A.01, subdivision 3; 297B.01, subdivision 5; 297B.03; 347.10; 348.04; 469.175, subdivisions 5 and 6a; 469.177, subdivision 8; and 473H.10, subdivision 3; Laws 1991, chapter 291, article 1, section 65, as amended; Laws 1992, chapter 511, article 2, section 61; proposing coding for new law in Minnesota Statutes, chapters 273; 276; 289A; and 297; repealing Minnesota Statutes 1992, sections 60A.13, subdivision 1a; 273.49; 274.19; 274.20; 277.011; 289A.08, subdivisions 9 and 12; 297A.258; and 348.03.

Reported the same back with the following amendments:

Page 2, line 12, delete "snowmobile is" and insert "applicant provides a receipt, invoice, or other document that shows the snowmobile was"

Page 2, line 28, delete "watercraft is" and insert "applicant provides a receipt, invoice, or other document that shows the watercraft was"

Page 6, line 22, delete the new language

Page 6, delete line 23

Page 19, lines 11 to 15, delete the new language and reinstate the stricken language

Page 19, line 18, strike "A copy of"

Page 19, line 20, strike "copy of the"

Page 19, line 23, after the period insert "The commissioner may by notice and demand require the regulated investment company to file a copy of the return with the commissioner."

Page 26, after line 30, insert:

"Sec. 32. Minnesota Statutes 1992, section 290A.04, subdivision 1, is amended to read:

Subdivision 1. A refund shall be allowed each claimant in the amount that property taxes payable or rent constituting property taxes exceed the percentage of the household income of the claimant specified in subdivision 2 or 2a in the year for which the taxes were levied or in the year in which the rent was paid as specified in subdivision 2 or 2a. If the amount of property taxes payable or rent constituting property taxes is equal to or less than the percentage of the household income of the claimant specified in subdivision 2 or 2a in the year for which the taxes were levied or in the year in which the rent was paid, the claimant shall not be eligible for a state refund pursuant to this section."

Page 29, line 3, delete "cause" and insert "pay the refund out of the state treasury. The refunds are apportioned to the same accounts and funds in the state treasury to which the tax payments were deposited, except no refunds may be apportioned to the general obligation special tax bond debt service account."

An amount sufficient to pay the refunds authorized under this section is appropriated from the respective funds and accounts of the state treasury."

Page 29, delete lines 4 to 6

Page 29, line 19, delete "33, and 35" and insert "32, 34, and 36"

Page 29, line 27, delete "32" and insert "33"

Page 29, line 29, delete "34" and insert "35"

Renumber the sections in article 2

Page 46, line 13, strike "of" and insert "who occupy" and after "property" insert "or by the qualifying relative"

Page 46, strike lines 26 to 35

Page 47, line 2, strike "person" and insert "occupant" and strike the second "listed"

Page 47, line 3, after "application" insert ", and the name and address of each owner who does not occupy the property"

Page 47, line 15, after "owner" insert "who is related to an occupant"

Page 47, line 22, delete "nevertheless"

Page 47, line 33, strike "county" and insert "assessor"

Page 74, after line 10, insert:

"Sec. 24. Minnesota Statutes 1992, section 275.07, subdivision 1, is amended to read:

Subdivision 1. The taxes voted by cities, counties, school districts, and special districts shall be certified by the proper authorities to the county auditor on or before five working days after December 20 in each year. A town must certify the levy adopted by the town board to the county auditor by September 4 15 each year. If the town board

modifies the levy at a special town meeting after September 1<sup>st</sup> 15, the town board must recertify its levy to the county auditor on or before five working days after December 20. The taxes certified shall not be adjusted by the aid received under sections 273.1398, subdivisions 2 and 3, and 477A.013, subdivision 5. If a city, town, county, school district, or special district fails to certify its levy by that date, its levy shall be the amount levied by it for the preceding year."

Page 75, line 13, strike "in equal"

Page 75, line 14, strike everything before the period and insert "at the time distributions are made under section 473H.10"

Page 75, delete section 26

Page 81, line 15, delete "July 1" and insert "May 16"

Page 81, line 22, delete "prior to the first day of July" and insert "before May 16"

Pages 83 to 85, delete section 36

Pages 88 to 91, delete sections 42 and 43

Page 96, line 13, delete "41, 47," and insert "40, 44," and delete "48," and insert "45,"

Page 96, line 14, delete "46" and insert "43"

Page 96, line 16, delete "26," and delete "47," and insert "44,"

Page 96, line 18, delete "24, 25," and insert "24 to 26," and delete "47," and insert "44,"

Page 96, line 20, delete everything after the period

Page 96, delete line 21

Page 96, line 22, delete everything before "Section"

Page 96, line 24, delete "44" and insert "41"

Page 96, line 29, delete everything after the period

Page 96, line 30, delete "thereafter," and delete "45" and insert "42"

Page 96, line 31, delete "47," and insert "44,"

Renumber the sections in article 3

Amend the title as follows:

Page 1, line 16, delete the second "subdivision" and insert "subdivisions 1 and"

Page 1, line 19, delete "282.018;"

Page 1, line 26, delete the first "subdivision" and insert "subdivisions 1 and"

Page 1, line 28, delete "subdivisions 5 and 6a" and insert "subdivision 5"

Page 1, line 29, delete "469.177, subdivision 8;"

Page 1, line 33, delete "276;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 504, A bill for an act relating to housing; changing the property tax classification of certain lease purchase property; providing that a housing and redevelopment authority may make down payment assistance loans; changing minimum amounts for certain contract letting procedures; changing requirements for general obligation revenue bonds; amending Minnesota Statutes 1992, sections 273.13, subdivision 25; 469.012, by adding a subdivision; 469.015, subdivisions 1 and 2; and 469.034, subdivision 2.

Reported the same back with the following amendments:

Page 9, after line 11, insert:

"Sec. 2. Minnesota Statutes 1992, section 469.005, subdivision 1, is amended to read:

Subdivision 1. [COUNTY AND MULTICOUNTY AUTHORITIES.] The area of operation of a county authority shall include all of the county for which it is created, and in case of a multicounty authority, it shall include all of the political subdivisions for which the multicounty authority is created; provided, that a county authority or a multicounty authority shall not undertake any project within the boundaries of any city which has not empowered the authority to function therein as provided in section 469.004 unless a resolution has been adopted by the governing body of the city, and by any authority which has been established in the city, declaring that there is a need for the county or multicounty authority to exercise its powers in the city. A resolution is not required for the operation of a section 8 program or a public housing scattered site project."

Renumber the sections in sequence

Page 12, line 18, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "allowing a county authority to operate certain public housing projects without a city resolution;"

Page 1, line 9, after the semicolon insert "469.005, subdivision 1;"

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

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 522, A bill for an act relating to utilities; clarifying the specificity needed for public service corporation easements; amending Minnesota Statutes 1992, section 300.045.

Reported the same back with the following amendments:

Page 1, line 21, delete "as it" and insert "in relation to the corners of the specific property involved at the points the easement" and delete "involved"

Page 1, line 23, delete the first "of" and insert "that identifies by means of a scale or specific measurements" and delete "specific to the property"

Page 1, line 24, delete "involved" and insert "in relation to the corners of the specific property involved at the points the easement enters and departs from the property"

Page 2, line 3, before the comma insert "by a method identified in clause (1) or (2)"

Page 2, line 4, delete "the" and insert "in a timely manner a"

Page 2, line 5, delete "in a timely manner" and insert "using a method described in clause (1) or (2)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 546, A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest.

Reported the same back with the following amendments:

Page 1, line 11, after "trucks" insert "without approval of the county and township boards of the affected county or counties"

Amend the title as follows:

Page 1, line 3, after "Forest" insert "without county and township board approval"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 596, A bill for an act relating to natural resources; appropriating money for the Minnesota rock, gem, and mineral interpretative center; powers and duties of the commissioner of natural resources.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 45, 74, 134, 181, 185, 253, 341, 421, 427, 522 and 546 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 12 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Garcia, Wejman, Neary, Simoneau and Mahon introduced:

H. F. No. 728, A bill for an act relating to medical assistance and general assistance medical care; increasing reimbursement for certain mental health services.

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

Van Dellen, Pugh, Stanius, Bishop and Milbert introduced:

H. F. No. 729, A bill for an act relating to health; MinnesotaCare; modifying tax itemization provisions; amending Minnesota Statutes 1992, section 295.53, subdivision 3.

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

Anderson, I., and Solberg introduced:

H. F. No. 730, A bill for an act relating to municipal contracts; allowing awards of contracts to certain bidders; amending Minnesota Statutes 1992, section 471.345, by adding a subdivision.

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

Pugh, Goodno, Carruthers and Dorn introduced:

H. F. No. 731, A bill for an act relating to local government; providing procedures and criteria for municipal annexations; providing for the application of city development regulations; amending Minnesota Statutes 1992, sections 414.01, subdivision 14, and by adding a subdivision; 414.031, subdivision 4; 414.0325, subdivisions 1, 1a, and by adding a subdivision; 414.033, subdivisions 2, 2a, 3, 5, and by adding subdivisions; 414.035; 414.061, subdivision 5; 414.07, subdivision 1; 414.09, subdivisions 1 and 2; 462.357, subdivision 1; and 462.358, subdivision 1a.

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

McGuire, Skoglund, Pugh, Murphy and Blatz introduced:

H. F. No. 732, A bill for an act relating to law enforcement; exempting law enforcement agencies from the requirements of the criminal offender rehabilitation employment law; amending Minnesota Statutes 1992, section 364.09.

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

Johnson, R.; Reding; Munger; Rukavina and Battaglia introduced:

H. F. No. 733, A bill for an act relating to game and fish; requiring identification of traps; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Sparby, Tunheim, Solberg and Stanius introduced:

H. F. No. 734, A bill for an act relating to natural resources; establishing a youth preference for selecting persons eligible to take antlerless deer; appropriating money; amending Minnesota Statutes 1992, section 97B.305.

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

Johnson, V.; Osthoff; Steensma; Wenzel and Sparby introduced:

H. F. No. 735, A bill for an act relating to traffic regulations; implements of husbandry; defining implements of husbandry; reducing maximum speed limit to 25 miles per hour for implements of husbandry and for towing certain farm trailers; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; making towed implements of husbandry subject to requirements for towing chains; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Wejzman, Clark and Orenstein introduced:

H. F. No. 736, A bill for an act relating to human services; providing for a pilot project for inner city culturally oriented residences for young African American women with children; appropriating money.

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

Cooper and Murphy introduced:

H. F. No. 737, A bill for an act relating to compulsive gambling; providing for a compulsive gambling surtax; establishing a compulsive gambling account; requesting contributions from the Minnesota Indian gaming association for compulsive gambling programs; appropriating money; amending Minnesota Statutes 1992, sections 245.98, by adding a subdivision; 349.212, subdivision 2, and by adding a subdivision.

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

Kelley, Carlson, Tomassoni, Rodosovich and Seagren introduced:

H. F. No. 738, A bill for an act relating to education; directing post-secondary institutions to disseminate data on remedial instruction to school districts; amending Minnesota Statutes 1992, section 13.32, subdivisions 3 and 6.

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

Johnson, A.; Tomassoni; Leppik; Dorn and Jacobs introduced:

H. F. No. 739, A bill for an act relating to education; deleting the provision denying section 125.12 protection to licensed community education instructors; clarifying the meaning of "instruction offered on a noncredit basis" in excepting certain community education instructors from the definition of public employee; amending Minnesota Statutes 1992, sections 125.032, subdivision 2; and 179A.03, subdivision 14.

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



Pelowski and Johnson, V., introduced:

H. F. No. 740, A bill for an act relating to Winona county; authorizing the county to negotiate contracts for solid waste management facilities, programs, and services.

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

Cooper, Lièder, Steensma, Frerichs and Osthoff introduced:

H. F. No. 741, A bill for an act relating to railroads; allowing commissioner of transportation to spend money from rail service improvement account for acquiring or upgrading previously used railcars and locomotives; amending Minnesota Statutes 1992, section 222.50, subdivision 7.

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

Pugh, Milbert, Tompkins, Morrison and Simoneau introduced:

H. F. No. 742, A bill for an act relating to human services; continuing the mental health pilot project in Dakota county; appropriating money.

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

Welle, Long, Kahn, Solberg and Rest introduced:

H. F. No. 743, A bill for an act relating to state departments; establishing the department of management and budget; abolishing the departments of administration, employee relations, finance, and revenue, and the office of strategic and long-range planning; amending Minnesota Statutes 1992, sections 4A.01; 4A.02; 4A.03; 4A.04; 15.01; 15A.081, subdivision 1; 16A.01, subdivision 1; 16A.011, subdivisions 7 and 9; 16A.055, subdivision 1; 16A.123, subdivision 3; 16A.1281; 16A.17, subdivision 8; 16A.275, subdivision 1; 16A.632; 16A.672, subdivision 11; 16A.711, subdivision 5; 16A.712; 16A.85, subdivision 1; 16B.05, subdivision 2; 16B.052; 16B.06, subdivisions 1 and 2; 16B.19, subdivision 2d; 16B.24, subdivision 6a; 16B.28, subdivision 3; 16B.305, subdivision 2; 16B.31, subdivision 6; 16B.37, subdivision 3; 16B.41, subdivision 2; 16B.465, subdivision 4; 16B.48, subdivision 4; 16B.51, subdivision 2; 16B.54, subdivision 2; 16B.55, subdivision 4; 16B.65, subdivision 3; 16B.85, subdivision 2; 43A.045; 43A.05, subdivision 6; 43A.08, subdivision 1; 43A.15, subdivision 13; 43A.18, subdivision 5; 43A.182; 43A.30, subdivisions 1 and 2; 43A.31, subdivision 1; 43A.37, subdivision 1; 270.06; and 270.0681, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 16D; repealing Minnesota Statutes 1992, sections 16A.01, subdivisions 2 and 3; 16B.03; 43A.03, subdivisions 2, 4, and 5; and 270.02.

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

Johnson, R.; Welle; Jefferson; Knickerbocker and Rukavina introduced:

H. F. No. 744, A bill for an act relating to public employment; providing an early retirement incentive for certain public employees; authorizing school districts to levy for certain costs.

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

Hausman and Vellenga introduced:

H. F. No. 745, A bill for an act relating to education; appropriating money and increasing complement for the on-line computer-based library catalog system in state agency libraries.

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

Osthoff introduced:

H. F. No. 746, A bill for an act relating to motor vehicles; requiring vehicle owner to transfer certificate of title upon gaining ownership to motor vehicle; allowing registrar to research records before responding to phone request; amending Minnesota Statutes 1992, sections 168.10, subdivision 1; 168.34; and 168A.30, subdivision 2.

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

Orenstein, Wagenius and Skoglund introduced:

H. F. No. 747, A bill for an act relating to civil actions; providing for stay of a bond required of plaintiffs in certain actions against a public body; amending Minnesota Statutes 1992, section 562.02.

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

Sparby; Tunheim; Lieder; Anderson, I., and Olson, E., introduced:

H. F. No. 748, A bill for an act relating to education; creating a levy for the purchase of computers; amending Minnesota Statutes 1992, section 124.91, by adding a subdivision.

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

Solberg; Battaglia; Tomassoni; Anderson, I., and Rukavina introduced:

H. F. No. 749, A bill for an act relating to taconite iron mining; prescribing procedures for negotiation of the terms for negotiated or extended state taconite leases; amending Minnesota Statutes 1992, sections 93.192; and 93.193.

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

Hasskamp, Wenzel and Kinkel introduced:

H. F. No. 750, A bill for an act relating to taxation; property; creating a commercial seasonal recreational property classification; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

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

Jacobs; Osthoff; Anderson, I.; Ozment and Tunheim introduced:

H. F. No. 751, A bill for an act relating to telecommunications; providing for regulation of telecommunications carriers; limiting discriminatory practices, services, rates, and pricing; providing for investigation, hearings, and appeals regarding telecommunications services; delineating telecommunications practices allowed; providing penalties and remedies; amending Minnesota Statutes 1992, sections 237.01, subdivision 2, and by adding a subdivision; 237.60, subdivision 3; and 237.68, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1992, section 237.59, subdivision 7.

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

Sparby, Battaglia, Tunheim, Sarna and Carlson introduced:

H. F. No. 752, A bill for an act relating to game and fish; prohibiting sale or transportation of commercially netted sauger; amending Minnesota Statutes 1992, section 97C.821.

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

Tunheim, Opatz, Lieder, Reding and Olson, E., introduced:

H. F. No. 753, A bill for an act relating to sales tax; expanding the tax exemption for senior citizens groups to include groups with members less than 55 years of age who are disabled; amending Minnesota Statutes 1992, section 297A.25, subdivision 16.

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

Swenson, Skoglund, Haukoos, Vellenga and Gutknecht introduced:

H. F. No. 754, A bill for an act relating to gambling; establishing a minimum age of 21 years to participate in pari-mutuel betting or lawful gambling or to purchase a ticket in the state lottery; directing the governor to seek renegotiation of certain compacts with Indian tribes; prescribing penalties; amending Minnesota Statutes 1992, sections 240.13, subdivision 8; 240.26, by adding a subdivision; 349.2127, by adding a subdivision; and 349A.12, subdivisions 1 and 2.

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

Dorn, Ostrom, Weaver, Delmont and Pelowski introduced:

H. F. No. 755, A bill for an act relating to crimes; providing penalties for trespassing on school grounds; providing felony penalties for unlawfully possessing a gun or dangerous weapon while trespassing on school grounds; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Ness; Rest; Anderson, I.; Olson, E., and Solberg introduced:

H. F. No. 756, A bill for an act relating to taxation; directing the revisor to restore understandable terminology to property tax rates and values used in the statutes; defining mill and mill rate; directing the same change in uncoded law; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Dorn, Ostrom, Carlson, Swenson and Rodosovich introduced:

H. F. No. 757, A bill for an act relating to higher education; setting the cost of attendance for certain student financial aid; amending Minnesota Statutes 1992, section 136A.121, subdivision 6.

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

Simoneau, Weaver, Van Dellen and Osthoff introduced:

H. F. No. 758, A bill for an act relating to drivers' licenses; increasing fees; requiring more secure cards; amending Minnesota Statutes 1992, section 171.06, subdivision 2.

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

Macklin, Abrams, Vellenga, Lourey and Hasskamp introduced:

H. F. No. 759, A bill for an act relating to game and fish; establishing a combined angling license for a single parent and children under 18 years of age; amending Minnesota Statutes 1992, section 97A.475, subdivision 6.

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

Neary, Stanius, Rukavina and Farrell introduced:

H. F. No. 760, A bill for an act relating to insurance; health; requiring disclosure of dental coverage reimbursement rates; proposing coding for new law in Minnesota Statutes, chapter 72A.

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

Pugh, Abrams, Reding, Kahn and Anderson, I., introduced:

H. F. No. 761, A bill for an act relating to local government; providing for the preparation and review of accounts; providing for duties of the state auditor; providing for the costs of examinations; defining the limits to various types of compensation; providing procedures for the satisfaction of claims; providing procedures for the removal of city managers; limiting certain high risk investments; amending Minnesota Statutes 1992, sections 6.56; 16B.06, subdivision 4; 43A.17, subdivision 9; 340A.602; 375.162, subdivision 2; 375.18, by adding subdivisions; 412.271, subdivision 1, and by adding subdivisions; 412.641, subdivision 1; and 475.66, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 6; 465; and 471.

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

Bishop, Murphy, Welle, Solberg and Osthoff introduced:

H. F. No. 762, A bill for an act relating to local government; establishing county services districts; requiring counties to cooperate in the delivery of services; authorizing boards and advisory committees; proposing coding for new law in Minnesota Statutes, chapter 373.

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

Anderson, I.; Battaglia; Munger and Tunheim introduced:

H. F. No. 763, A bill for an act relating to game and fish; providing a definition and authorizing fish in the defined condition to be brought into the state; providing a penalty; requiring notice; amending Minnesota Statutes 1992, sections 97A.015, by adding a subdivision; and 97A.531.

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

Anderson, I.; Battaglia; Munger; Rukavina and Tunheim introduced:

H. F. No. 764, A bill for an act relating to game and fish; requiring an angling license to transport fish taken in Canada; amending Minnesota Statutes 1992, section 97A.531.

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

Anderson, I.; Battaglia; Munger; Rukavina and Tunheim introduced:

H. F. No. 765, A bill for an act relating to taxation; use tax; requiring operators of convention shows to collect use tax on brochures and printed material; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 297A.

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

Sviggum; Lindner; Olson, M.; Worke and Ness introduced:

H. F. No. 766, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Orenstein introduced:

H. F. No. 767, A bill for an act relating to consumer protection; sales; imposing restrictions on credit evaluations and investigations of buyers; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Jaros introduced:

H. F. No. 768, A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

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

Jaros introduced:

H. F. No. 769, A bill for an act relating to retirement; authorizing purchase of service credit for previously exempt service by certain members of the teachers retirement association.

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

Clark, Rodosovich, Lourey, Garcia and Bettermann introduced:

H. F. No. 770, A bill for an act relating to education; establishing a grant program to promote recruitment and retention initiatives by nursing training programs directed toward persons of color; establishing a grant program for nursing students who are persons of color; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Greenfield, Kahn, Hausman, Jefferson and Sarna introduced:

H. F. No. 771, A bill for an act relating to the city of Minneapolis; permitting the city to license certain liquor sales.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 772, A bill for an act relating to energy; modifying requirements for individual electric metering in multifamily buildings; amending Minnesota Statutes 1992, section 216C.27, subdivision 8.

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

Tunheim; Anderson, I.; Sarna and Carlson introduced:

H. F. No. 773, A bill for an act relating to game and fish; regulating transportation of certain fish caught outside the state; amending Minnesota Statutes 1992, section 97A.551, by adding a subdivision.

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

Tunheim, Sarna and Carlson introduced:

H. F. No. 774, A bill for an act relating to game and fish; prohibiting sale of certain fish with size limits; amending Minnesota Statutes 1992, section 97C.391, by adding a subdivision.

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

Stanius; Munger; Johnson, V.; Holsten and Workman introduced:

H. F. No. 775, A bill for an act relating to commercial fishing; requiring gill nets to be biodegradable; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

Stanius, Munger, Battaglia and Holsten introduced:

H. F. No. 776, A bill for an act relating to natural resources; establishment of aquatic management areas to protect donated wetlands; amending Minnesota Statutes 1992, section 86A.05, subdivision 14.

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

Rukavina, Beard, Farrell, Skoglund and Leppik introduced:

H. F. No. 777, A bill for an act relating to consumers; requiring certain disclosures when consumer reports are used for employment purposes; providing for access to consumer reports; amending Minnesota Statutes 1992, section 13C.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13C; repealing Minnesota Statutes 1992, section 13C.01, subdivision 2.

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

Kinkel; Solberg; Brown, C., and Bettermann introduced:

H. F. No. 778, A bill for an act relating to health; MinnesotaCare; modifying membership requirements for regional coordinating boards; eliminating their repeal; amending Minnesota Statutes 1992, section 62J.09, subdivision 2; repealing Minnesota Statutes 1992, section 62J.09, subdivision 8.

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

Dorn introduced:

H. F. No. 779, A bill for an act relating to retirement; teachers retirement association; authorizing the recomputation of a certain period certain annuity option.

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

Haukoos, Kelso, Osthoff, Swenson and Lieder introduced:

H. F. No. 780, A bill for an act relating to motor carriers; limiting certain actions brought to collect motor carrier charges; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Lasley introduced:

H. F. No. 781, A bill for an act relating to wastewater treatment; forgiving the portion of a loan to the city of Cambridge from the water pollution control revolving fund that is attributable to preservation of a designated scenic river.

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

Knickerbocker and Smith introduced:

H. F. No. 782, A bill for an act relating to waters; requiring identification and inspection of watercraft operated in zebra mussel infested waters; authorizing fines for violations; proposing coding for new law in Minnesota Statutes, chapter 86B.

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

Haukoos introduced:

H. F. No. 783, A bill for an act relating to the city of Albert Lea; actuarial assumptions for the Albert Lea fire department relief association.

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

Sparby, Lasley and Abrams introduced:

H. F. No. 784, A bill for an act relating to elections; changing the time and date of the precinct caucuses; amending Minnesota Statutes 1992, section 202A.14, subdivision 1.

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

Kahn; Johnson, R.; Reding; Sarna and Knickerbocker introduced:

H. F. No. 785, A bill for an act relating to retirement; survivor benefits payable by the Minneapolis police relief association; amending Laws 1992, chapter 471, article 1, section 10, subdivision 1.

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

Cooper, Lourey, Bettermann and Klinzing introduced:

H. F. No. 786, A bill for an act relating to health; modifying loan forgiveness programs for health care professionals; establishing a grant program for nurse practitioner education; establishing nurse practitioner promotion teams; appropriating money; amending Minnesota Statutes 1992, sections 136A.1355, subdivision 3; 136A.1356, subdivision 4; 136A.1357; and Laws 1990, chapter 591, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapter 136A.

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

Svigum; Olson, E.; Dauner; Waltman and Wenzel introduced:

H. F. No. 787, A bill for an act relating to trespass; authorizing prohibition of trespass by marking boundaries by blaze marks on trees; amending Minnesota Statutes 1992, section 97B.001, subdivision 4.

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

Wejcman, Morrison, Mariari, Pauly and Lasley introduced:

H. F. No. 788, A bill for an act relating to transportation; establishing Minnesota paratransit commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Anderson, R.; Long; Simoneau and Klinzing introduced:

H. F. No. 789, A bill for an act relating to health; increasing funding for the nutritional supplement program known as WIC to expand services; appropriating money.

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

Peterson, Kalis, Cooper, Girard and Long introduced:

H. F. No. 790, A bill for an act relating to oxygenated gasoline; specifying minimum oxygen content; amending Minnesota Statutes 1992, section 239.791, subdivisions 1 and 2.

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

Evans, Haukoos, Farrell, Rest and McCollum introduced:

H. F. No. 791, A bill for an act relating to commerce; authorizing local units of government to license the retail sale of tobacco; requiring a county to license the retail sale of tobacco under certain conditions; providing for mandatory suspension of licenses for sales to minors; amending Minnesota Statutes 1992, sections 461.12; 461.13; and 461.15; proposing coding for new law in Minnesota Statutes, chapter 461.

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

Solberg, Lourey and Anderson, I., introduced:

H. F. No. 792, A bill for an act relating to motor fuels; exempting rerefined waste motor oil from motor fuel excise tax; amending Minnesota Statutes 1992, section 296.03.

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

Pelowski, Dorn, Kinkel, Gruenes and Bergson introduced:

H. F. No. 793, A bill for an act relating to education; providing for consumer protection for SELF student loan recipients; proposing coding for new law in Minnesota Statutes, chapter 136A.

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



Anderson, R.; Nelson and Krueger introduced:

H. F. No. 794, A bill for an act relating to veterans; providing for establishment of a veterans home in Fergus Falls; proposing coding for new law in Minnesota Statutes, chapter 198.

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

Jennings, Abrams and Bauerly introduced:

H. F. No. 795, A bill for an act relating to insurance; no-fault auto; excluding certain vehicles from the right of indemnity granted by the no-fault act; amending Minnesota Statutes 1992, section 65B.53, subdivision 1.

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

Stanius, Holsten and Swenson introduced:

H. F. No. 796, A bill for an act relating to waste management; requiring recycling of fluorescent lamps in state buildings; amending Minnesota Statutes 1992, section 16B.24, by adding a subdivision.

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

Bishop, Carruthers, Blatz, Murphy and Skoglund introduced:

H. F. No. 797, A bill for an act relating to courts; juvenile courts; requiring reasonable efforts by a parent, guardian, or custodian in various circumstances; amending Minnesota Statutes 1992, sections 260.171, subdivision 1; 260.172, subdivision 1; and 260.221, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 260.

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

Delmont, Dawkins, Jefferson, Wejcman and Carruthers introduced:

H. F. No. 798, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01, subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

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

Onnen, Dehler, Ness, Hugoson and Koppendrayner introduced:

H. F. No. 799, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

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

Greiling; Carlson; Seagren; Johnson, A., and Kelley introduced:

H. F. No. 800, A bill for an act relating to education; increasing the general education formula allowance; increasing training and experience revenue; increasing the portion of referendum revenue subject to equalization; increasing special education aid and revenue; increasing the capital expenditure equipment allowance; phasing out supplemental

revenue; amending Minnesota Statutes 1992, sections 124.244, subdivision 1; 124.32, subdivision 1b; 124.321, subdivisions 1 and 2; 124A.03, subdivisions 1e, 1f, and 1i, and by adding subdivisions; 124A.04, subdivision 2; 124A.22, subdivisions 2, 4, 8a, 8b, and 9, and by adding subdivisions.

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

Mariani, Osthoff and Rhodes introduced:

H. F. No. 801, A bill for an act relating to traffic regulations; requiring operating procedures for hand-held traffic radar; amending Minnesota Statutes 1992, section 169.14, by adding a subdivision.

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

Lasley introduced:

H. F. No. 802, A bill for an act relating to traffic regulations; providing for the traffic offense of failure to maintain control of a vehicle; providing penalty; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Jennings; Garcia; Simoneau; Anderson, R., and Stanius introduced:

H. F. No. 803, A bill for an act relating to medical assistance; increasing reimbursement rates for special transportation; appropriating money; amending Minnesota Statutes 1992, section 256B.0625, subdivision 17.

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

Cooper, Girard, Tunheim, Krueger and Haukoos introduced:

H. F. No. 804, A bill for an act relating to health; providing an exception to the contested case hearing process required for changing the service area of an ambulance service; amending Minnesota Statutes 1992, section 144.802, by adding a subdivision.

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

Huntley, Munger, Murphy and Jaros introduced:

H. F. No. 805, A bill for an act relating to the environment; providing for the disposal of ash from incinerators operated by the Western Lake Superior Sanitary District; amending Minnesota Statutes 1992, section 458D.07, subdivision 3.

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

Rodosovich, Solberg, Kahn, Carruthers and Waltman introduced:

H. F. No. 806, A bill for an act relating to commerce; prohibiting smoking in designated nonsmoking hotel rooms; allowing reimbursement to innkeepers for actual costs resulting from violation; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 327.

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

Kahn, Rice, Reding, Sarna and Johnson, R., introduced:

H. F. No. 807, A bill for an act relating to retirement; the Minneapolis fire department relief association; setting service pension rates; repealing Laws 1971, chapter 542.

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

Koppendrayner, Weaver and Carruthers introduced:

H. F. No. 808, A bill for an act relating to traffic regulations; requiring courts to furnish transcripts of prior impaired driving convictions without charge at request of prosecuting attorney; amending Minnesota Statutes 1992, section 169.121, subdivision 3.

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

Frerichs introduced:

H. F. No. 809, A bill for an act relating to human services; directing use of money collected as rent for property at regional treatment centers and state nursing home facilities; providing for the relocation of regional treatment center and nursing home residents; requiring evaluations of the regional treatment center system capacity; regulating compensation paid to residents; designating nursing home beds at regional treatment centers; clarifying that state regional centers may operate as multipurpose regional centers; clarifying financing for development of state-operated, community-based programs; making changes consistent with the closing of Moose Lake regional treatment center and Faribault regional center and the establishment of the Minnesota psychopathic personality treatment center; amending Minnesota Statutes 1992, sections 246.0135; 246.02, subdivision 2; 246.151, subdivision 1; 251.011, subdivision 4a; 252.025, subdivisions 1 and 4; 252.035; 252.50, subdivision 2; 253.015; 254.05; and 462A.03, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 245.

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

Jaros introduced:

H. F. No. 810, A bill for an act relating to taxation; providing that the motor vehicle registrar may divulge information contained in motor vehicle purchaser's certificates to local officials administering a local sales or use tax; amending Minnesota Statutes 1992, section 297B.12.

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

Jaros introduced:

H. F. No. 811, A bill for an act relating to the city of Duluth; authorizing the Duluth housing and redevelopment authority to levy a property tax under general law; providing that a certain tax be listed on tax statements as a port authority levy; amending Minnesota Statutes 1992, sections 469.033, subdivision 6; and 469.053, by adding a subdivision.

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

Rodosovich introduced:

H. F. No. 812, A bill for an act relating to the city of Faribault; providing for the civil service status of certain officers.

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

Hasskamp introduced:

H. F. No. 813, A bill for an act relating to game and fish; seasons for taking deer by muzzle-loading firearms; amending Minnesota Statutes 1992, section 97B.311.

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

Sviggum and Ness introduced:

H. F. No. 814, A bill for an act relating to retirement; teacher retirement plans; state deferred compensation program; recodifying state deferred compensation program; providing state deferred compensation program coverage for extracurricular teaching activity compensation; amending Minnesota Statutes 1992, sections 352.031, subdivision 2; 353D.12, subdivision 4; 354.05, by adding subdivisions; 354.07, by adding a subdivision; 354.42, subdivisions 2, 3, 5, and by adding a subdivision; 354.44, subdivision 6; 354.46, subdivision 1; 354A.011, by adding subdivisions; 354A.021, by adding a subdivision; 354A.12, subdivisions 1, 1a, 2, 2a, and by adding a subdivision; 354A.31, subdivision 4; 356.24, subdivision 1, and by adding a subdivision; and 518.54, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 125; and 352E; repealing Minnesota Statutes 1992, sections 352.96; and 352.97.

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

Osthoff introduced:

H. F. No. 815, A bill for an act relating to transportation; exempting public bodies from regulations on all-terrain vehicles; allowing commissioner of transportation to transfer certain real property acquired for highway purposes to former owner through negotiated settlement; providing for bridge inspection frequency and reports; delaying required revision of state transportation plan; authorizing expenditure of rail service maintenance account money for maintenance of rail lines and rights-of-way in the rail bank; providing funding sources for rail bank maintenance account; authorizing sale of certain tax-forfeited land that borders public water in New Scandia township in Washington county, and an exchange of that land for land located in Stillwater township in Washington county between the state of Minnesota and the United States Department of Interior, National Park Service; repealing identification display requirements for highway advertising signs; amending Minnesota Statutes 1992, sections 84.92, subdivision 6; 165.03; 174.03, subdivision 1a; 222.50, subdivision 7; 222.63, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, section 173.14; and Minnesota Rules, part 8810.1300, subpart 6.

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

Delmont, Evans, Dawkins, Murphy and Rhodes introduced:

H. F. No. 816, A bill for an act relating to criminal procedure; venue of actions against minors for illegal consumption of liquor; amending Minnesota Statutes 1992, section 340A.503, subdivision 1.

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

Mahon introduced:

H. F. No. 817, A bill for an act relating to retirement; authorizing certain retirees of the public employees retirement association to change annuity options.

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

Orenstein, Abrams, Carlson, Vellenga and Goodno introduced:

H. F. No. 818, A bill for an act relating to health; permitting minors to give consent for a hepatitis B vaccination; establishing procedures and programs relating to tuberculosis; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Johnson, R.; Kahn; Knickerbocker; Carruthers and Simoneau introduced:

H. F. No. 819, A bill for an act relating to public employment; permitting interest arbitration on retired public employee group insurance coverage for units of essential employees; amending Minnesota Statutes 1992, section 179A.16, subdivision 9.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 820, A bill for an act relating to energy; eliminating the district heating loan program; repealing Minnesota Statutes 1992, section 216C.36; and Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 821, A bill for an act relating to energy conservation; transferring authority for the energy conservation loan program from the public facilities authority to the department of public service; removing the commissioner of public service from the Minnesota public facilities authority; amending Minnesota Statutes 1992, sections 216C.37, subdivision 1; 446A.03, subdivision 1; and 446A.10, subdivision 2.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 822, A bill for an act relating to energy; updating the municipal energy conservation loan program; amending Minnesota Statutes 1992, sections 216C.37, subdivision 1; and 446A.10, subdivision 2.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 823, A bill for an act relating to public safety; abolishing expiration date for pipeline safety advisory council; amending Minnesota Statutes 1992, section 299J.06, subdivision 4.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 824, A bill for an act relating to public safety; modifying excavation; modifying the notice requirement; amending Minnesota Statutes 1992, sections 116I.07, subdivision 2; and 216D.01, subdivision 5.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 825, A bill for an act relating to alcoholic beverages; changing definitions of licensed premises, nonintoxicating malt liquor, restaurant, and wine; authorizing an investigation fee on denied licenses; prohibiting manufacturers from dealing directly with retailers; disqualifying felons from licensing; revising authority for suspensions and civil penalties; making rule violations and false or incomplete statements in license applications misdemeanors; authorizing seizure and disposal of illegally possessed alcoholic beverages; providing instructions to the revisor; amending Minnesota Statutes 1992, sections 340A.101, subdivisions 15, 19, 25, and 29; 340A.301, subdivision 3; 340A.302, subdivision 3; 340A.308; 340A.402; 340A.703; 340A.904, subdivision 1; and 340A.907; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1992, section 340A.903.

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

Simoneau, Sviggum, Lourey and Erhardt introduced:

H. F. No. 826, A bill for an act relating to insurance; workers' compensation; regulating the minimum deposit requirements for self-insurers; amending Minnesota Statutes 1992, section 79A.04, subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Olson, K., introduced:

H. F. No. 827, A bill for an act relating to highways; designating route as Wally Nelson Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

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

Orenstein introduced:

H. F. No. 828, A bill for an act relating to health; utilization review of health care; providing for chiropractic review; amending Minnesota Statutes 1992, section 62M.09, by adding a subdivision.

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

Clark, Sarna, Orenstein, Luther and Vellenga introduced:

H. F. No. 829, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01, subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

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

McCollum, Hausman, Munger, Skoglund and Johnson, A., introduced:

H. F. No. 830, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01,

subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 831, A bill for an act relating to energy; changing dates that energy conservation improvement contributions are due; providing that contributions be based on utility's total retail revenues instead of gross operating revenues; easing restrictions on spending money from energy and conservation account; amending Minnesota Statutes 1992, section 216B.241, subdivisions 1a, 1b, and 2a.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 832, A bill for an act relating to utilities; eliminating advance forecast reporting requirements for public electric utilities submitting advance forecasts in an integrated resource plan; amending Minnesota Statutes 1992, sections 116C.54; and 216C.17, subdivision 3.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 833, A bill for an act relating to utilities; exempting wind-powered and solar-powered generating plants from certificate of need process; amending Minnesota Statutes 1992, section 216B.2421, subdivision 2.

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

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 834, A bill for an act relating to energy; abolishing certain duties of commissioner of public service relating to energy; amending Minnesota Statutes 1992, sections 216B.241, subdivision 2a; 216C.02, subdivision 1; and 216C.11.

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

Luther, Bergson, Carruthers, Carlson and Rest introduced:

H. F. No. 835, A bill for an act relating to economic development; providing for concentrated area action plans; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116j.

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

Stanisus; Munger; Johnson, V.; Battaglia and Jennings introduced:

H. F. No. 836, A bill for an act relating to game and fish; sale of licenses through subagents; amending Minnesota Statutes 1992, section 97A.485, subdivision 4.

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

Stanius; Munger; Johnson, V.; Girard and Workman introduced:

H. F. No. 837, A bill for an act relating to natural resources; providing for the protection and stewardship of state wildlife areas; authorizing spending to acquire public land; authorizing the issuance of state bonds; appropriating money.

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

Davids introduced:

H. F. No. 838, A bill for an act relating to workers' compensation; regulating charges for medical treatment and supplies; amending Minnesota Statutes 1992, section 176.136, subdivision 1b.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Winter, Steensma, Kelso, Bauerly and Olson, K., introduced:

H. F. No. 839, A bill for an act relating to education; authorizing an exemption to the general education revenue reduction for independent school district No. 504, Slayton.

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

Kinkel, Solberg, Opatz, Stanius and Hasskamp introduced:

H. F. No. 840, A bill for an act relating to game and fish; setting preferences for antlerless deer drawings; amending Minnesota Statutes 1992, section 97B.305.

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

Peterson, Winter, Trimble, Cooper and Johnson, V., introduced:

H. F. No. 841, A bill for an act relating to agriculture; providing for regulation of agricultural aboveground storage tanks by the department of agriculture; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Stanius, Workman and Johnson, V., introduced:

H. F. No. 842, A bill for an act relating to game and fish; conditions of moose license issuance; amending Minnesota Statutes 1992, section 97B.501.

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

Stanius introduced:

H. F. No. 843, A bill for an act relating to taxation; imposing a sales tax on game fish sold at retail; dedicating revenue; amending Minnesota Statutes 1992, sections 297A.25, subdivision 2; and 297A.44, subdivision 1.

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



McCollum and Mariani introduced:

H. F. No. 844, A bill for an act relating to employment; regulating employee invention agreements; amending Minnesota Statutes 1992, section 181.78, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Weaver, Blatz and Farrell introduced:

H. F. No. 845, A bill for an act relating to crimes; establishing a criminal justice system task force to review the Minnesota criminal code and penalties, review bias crime penalties, and review sentencing under the sentencing guidelines.

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

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

S. F. No. 40.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 40, A bill for an act relating to probate; establishing a durable power of attorney for health care; establishing duties of health care providers for the provision of life-sustaining health care; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10.

The bill was read for the first time.

Bishop moved that S. F. No. 40 and H. F. No. 45, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### CONSENT CALENDAR

H. F. No. 86, A bill for an act relating to state government; extending expiration date of governor's residence council; providing for four additional public members; amending Minnesota Statutes 1992, section 16B.27, subdivision 3.

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

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

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanis	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 174, A bill for an act relating to occupations and professions; requiring manufactured home installers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivision 4, and by adding subdivisions; and 327.31, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 326.

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 2 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Holsten	Krueger	Neary	Reding	Tompkins
Anderson, I.	Davids	Hugoson	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dawkins	Huntley	Lieder	Ness	Rhodes	Tunheim
Asch	Dehler	Jacobs	Limmer	Olson, E.	Rice	Van Dellen
Battaglia	Delmont	Jaros	Lindner	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jefferson	Lourey	Olson, M.	Rukavina	Vickerman
Beard	Dorn	Jennings	Luther	Onnen	Sarna	Wagenius
Bergson	Erhardt	Johnson, A.	Lynch	Opatz	Seagren	Waltman
Bertram	Evans	Johnson, R.	Macklin	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, V.	Mahon	Orfield	Simoneau	Welle
Bishop	Frerichs	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Blatz	Garcia	Kalis	McCollum	Ostrom	Smith	Winter
Brown, C.	Girard	Kelley	McGuire	Ozment	Solberg	Wolf
Brown, K.	Greenfield	Kelso	Milbert	Pauly	Sparby	Worke
Carlson	Greiling	Kinkel	Molnau	Pawlenty	Stanis	Workman
Carruthers	Gutknecht	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Clark	Hasskamp	Knickerbocker	Mosel	Perlt	Sviggum	
Commers	Haukoos	Koppendrayner	Munger	Peterson	Swenson	
Cooper	Hausman	Krinkie	Murphy	Pugh	Tomassoni	

Those who voted in the negative were:

Goodno                      Gruenes

The bill was passed and its title agreed to.

H. F. No. 237, A bill for an act relating to counties; providing procedures for the combination of the offices of auditor and treasurer; amending Minnesota Statutes 1992, section 375A.10, subdivision 5.

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 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Peterson	Tomassoni
Anderson, I.	Davids	Hausman	Krinkie	Munger	Pugh	Tompkins
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Reding	Trimble
Asch	Dehler	Hugoson	Lasley	Neary	Rest	Tunheim
Battaglia	Delmont	Huntley	Leppik	Nelson	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rice	Vellenga
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Wagenius
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Waltman
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Seagren	Weaver
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Smith	Winter
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Solberg	Wolf
Carlson	Greenfield	Kelley	McCollum	Ozment	Sparby	Worke
Carruthers	Greiling	Kelso	McGuire	Pauly	Stanius	Workman
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Sviggum	
Cooper	Hasskamp	Knickerbocker	Morrison	Perlt	Swenson	

Those who voted in the negative were:

Onnen

The bill was passed and its title agreed to.

## CALENDAR

S. F. No. 48, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

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

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

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, K.	Commers	Dawkins	Dorn
Anderson, I.	Bauerly	Bettermann	Carlson	Cooper	Dehler	Erhardt
Anderson, R.	Beard	Bishop	Carruthers	Dauner	Delmont	Evans
Asch	Bergson	Blatz	Clark	Davids	Dempsey	Farrell

Frerichs	Jaros	Krueger	Molnau	Osthoff	Sarna	Tunheim
Garcia	Jefferson	Lasley	Morrison	Ostrom	Seagren	Van Dellen
Girard	Jennings	Leppik	Mosel	Ozment	Sekhon	Vellenga
Goodno	Johnson, A.	Lieder	Munger	Pauly	Simoneau	Vickerman
Greenfield	Johnson, R.	Limmer	Murphy	Pawlenty	Skoglund	Wagenius
Greiling	Johnson, V.	Lindner	Neary	Pelowski	Smith	Waltman
Gruenes	Kahn	Lourey	Nelson	Perlt	Solberg	Weaver
Gutknecht	Kalis	Luther	Ness	Peterson	Sparby	Welle
Hasskamp	Kelley	Lynch	Olson, E.	Pugh	Stanius	Wenzel
Haukoos	Kelso	Macklin	Olson, K.	Reding	Steensma	Winter
Hausman	Kinkel	Mahon	Olson, M.	Rest	Sviggum	Wolf
Holsten	Klinzing	Mariani	Ornen	Rhodes	Swenson	Worke
Hugoson	Knickerbocker	McCollum	Opatz	Rice	Tomassoni	Workman
Huntley	Koppendrayner	McGuire	Orenstein	Rodosovich	Tompkins	Spk. Long
Jacobs	Krinkie	Milbert	Orfield	Rukavina	Trimble	

The bill was passed and its title agreed to.

S. F. No. 119, A bill for an act relating to health; modifying requirements for the nursing assistant competency evaluation program; amending Minnesota Statutes 1992, section 144A.61, subdivision 3a.

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

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

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum
Anderson, I.	Dauids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettarmann	Farrell	Johnson, A.	Luther	Ornen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Marlani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, 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 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanis	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 201, A bill for an act relating to elections; permitting cities to use mail ballots in city, county, and state elections; amending Minnesota Statutes 1992, section 204B.45, subdivision 1.

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 128 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Holsten	Lasley	Nelson	Rhodes	Tunheim
Anderson, I.	Davids	Hugoson	Leppik	Ness	Rice	Van Dellen
Anderson, R.	Dawkins	Huntley	Lieder	Olson, E.	Rodosovich	Vellenga
Asch	Dehler	Jacobs	Lindner	Olson, K.	Rukavina	Vickerman
Battaglia	Delmont	Jaros	Lourey	Onnen	Sarna	Wagenius
Bauerly	Dempsey	Jefferson	Luther	Opatz	Seagren	Waltman
Beard	Dorn	Jennings	Lynch	Orenstein	Sekhon	Weaver
Bergson	Erhardt	Johnson, A.	Macklin	Orfield	Simoneau	Welle
Bertram	Evans	Johnson, R.	Mahon	Osthoff	Skoglund	Wenzel
Bettermann	Farrell	Johnson, V.	Mariani	Ostrom	Smith	Winter
Bishop	Garcia	Kahn	McCollum	Ozment	Solberg	Wolf
Blatz	Girard	Kalis	McGuire	Pauly	Sparby	Worke
Brown, C.	Greenfield	Kelley	Milbert	Pawlenty	Stanis	Workman
Brown, K.	Greiling	Kelso	Molnau	Pelowski	Steensma	Spk. Long
Carlson	Gruenes	Klinzing	Morrison	Perlt	Sviggum	
Carruthers	Gutknecht	Knickerbocker	Mosel	Peterson	Swenson	
Clark	Hasskamp	Koppendraye	Munger	Pugh	Tomassoni	
Commers	Haukoos	Krinkie	Murphy	Reding	Tompkins	
Cooper	Hausman	Krueger	Neary	Rest	Trimble	

Those who voted in the negative were:

Frerichs	Goodno	Kinkel	Limmer	Olson, M.
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The bill was passed and its title agreed to.

H. F. No. 227, A bill for an act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

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

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

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanis	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 254, A bill for an act relating to public bodies; providing for the place of residence of members; amending Minnesota Statutes 1992, section 375.025, subdivision 4.

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

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

Those who voted in the affirmative were:

Abrams	Clark	Goodno	Johnson, R.	Lindner	Nelson	Peterson
Anderson, I.	Commers	Greenfield	Johnson, V.	Lourey	Ness	Pugh
Anderson, R.	Cooper	Greiling	Kahn	Luther	Olson, E.	Reding
Asch	Dauner	Gruenes	Kalis	Lynch	Olson, K.	Rest
Battaglia	Davids	Gutknecht	Kelley	Macklin	Olson, M.	Rhodes
Bauerly	Dawkins	Hasskamp	Kelso	Mahon	Onnen	Rice
Beard	Dehler	Haukoos	Kinkel	Mariani	Opatz	Rodosovich
Bergson	Delmont	Hausman	Klinzing	McCollum	Orenstein	Rukavina
Bertram	Dempsey	Holsten	Knickerbocker	McGuire	Orfield	Sarna
Bettermann	Dorn	Hugoson	Koppendrayner	Milbert	Osthoff	Seagren
Bishop	Erhardt	Huntley	Krinkie	Molnau	Ostrom	Sekhon
Blatz	Evans	Jacobs	Krueger	Morrison	Ozment	Simoneau
Brown, C.	Farrell	Jaros	Lasley	Mosel	Pauly	Skoglund
Brown, K.	Frerichs	Jefferson	Leppik	Munger	Pawlenty	Smith
Carlson	Garcia	Jennings	Lieder	Murphy	Pelowski	Solberg
Carruthers	Girard	Johnson, A.	Limmer	Neary	Perlt	Sparby

Stanisus	Swenson	Trimble	Vellenga	Waltman	Wenzel	Worke
Steensma	Tomassoni	Tunheim	Vickerman	Weaver	Winter	Workman
Sviggum	Tompkins	Van Dellen	Wagenius	Welle	Wolf	Spk. Long

The bill was passed and its title agreed to.

Bauerly was excused at 3:50 p.m.

## GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

### REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 29, 31 and 159 were recommended to pass.

H. F. Nos. 296 and 132 were recommended for progress.

H. F. No. 243 was recommended for progress until Thursday, March 11, 1993.

H. F. No. 168, the first engrossment, which it recommended to pass with the following amendment offered by Krueger:

Page 1, line 7, delete "16B.168" and insert "15.75"

Amend the title as follows:

Page 1, line 5, delete "16B" and insert "15"

On the motion of Welle the report of the Committee of the Whole was adopted.

### ROLL CALLS AND OTHER ACTIONS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll calls were taken in the Committee of the Whole:

Leppik and Abrams moved to amend H. F. No. 31, the first engrossment, as follows:

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 1992, section 298.22, is amended by adding a subdivision to read:

Subd. 2a. [GENDER BALANCE.] If in any year the membership of the iron range resources and rehabilitation board is not gender balanced as required in section 15.0597, subdivision 5a, the governor may appoint the number of members necessary to achieve gender balance."

Renumber the sections in sequence

Correct internal references accordingly

Amend the title accordingly

#### POINT OF ORDER

Solberg raised a point of order pursuant to rule 3.09 that the Leppik and Abrams amendment was not in order. The Chair ruled the point of order not well taken and the amendment in order.

Solberg offered an amendment to the Leppik and Abrams amendment to H. F. No. 31, the first engrossment.

#### POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.09 that the amendment to the amendment was not in order. The Chair ruled the point of order well taken and the amendment to the amendment out of order.

The question recurred on the Leppik and Abrams amendment and the roll was called. There were 40 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Hugoson	Leppik	Olson, M.	Rhodes	Vickerman
Commers	Greiling	Jennings	Limmer	Onnen	Smith	Weaver
Dehler	Gruenes	Kelso	Lindner	Osthoff	Sviggum	Wolf
Erhardt	Gutknecht	Knickerbocker	Macklin	Ozment	Swenson	Workman
Frerichs	Haukoos	Koppendrayner	Molnau	Pauly	Van Dellen	
Girard	Holsten	Krinkie	Morrison	Pawlenty	Vellenga	

Those who voted in the negative were:

Anderson, I.	Carruthers	Hasskamp	Klinzing	Munger	Rest	Trimble
Anderson, R.	Clark	Hausman	Krueger	Neary	Rice	Tunheim
Asch	Cooper	Huntley	Lasley	Ness	Rukavina	Wagenius
Battaglia	Dauner	Jacobs	Lieder	Olson, E.	Seagren	Waltman
Bauerly	Dauids	Jaros	Lourey	Olson, K.	Sekhon	Welle
Beard	Dawkins	Jefferson	Luther	Opatz	Simoneau	Wenzel
Bergson	Delmont	Johnson, A.	Lynch	Orenstein	Skoglund	Winter
Bertram	Dempsey	Johnson, R.	Mahon	Orfield	Solberg	Worke
Bettermann	Dorn	Johnson, V.	Mariani	Ostrom	Sparby	Spk. Long
Bishop	Evans	Kahn	McCollum	Pelowski	Stanius	
Blatz	Farrell	Kalis	McGuire	Peterson	Steensma	
Brown, K.	Garcia	Kelley	Milbert	Pugh	Tomassoni	
Carlson	Greenfield	Kinkel	Mosel	Reding	Tompkins	

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

Krinkie moved to amend H. F. No. 31, the first engrossment, as follows:

Page 1, line 8, delete "an agency" and insert "all agencies, considered together,"

Page 1, line 14, delete the colon and insert "one-half the membership, or, if the members of all agencies considered together is an odd number, one-half the membership plus one."



Page 1, delete lines 15 to 18

Page 2, delete section 2

Page 2, line 20, delete "gender and"

Page 2, line 22, delete "Sections 2 and 3 are" and insert "Section 2 is"

Page 2, line 25, delete "2."

Page 2, line 26, delete "3" and insert "2"

Renumber the sections in sequence

Amend the title accordingly

The question was taken on the Krinkie amendment and the roll was called. There were 39 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Hugoson	Molnau	Ostrom	Steensma	Wolf
Anderson, I.	Girard	Johnson, V.	Nelson	Pawlenty	Sviggum	Worke
Commers	Gruenes	Koppendraye	Olson, E.	Pelowski	Swenson	Workman
Dehler	Gutknecht	Krinkie	Olson, M.	Smith	Van Dellen	
Dempsey	Haukoos	Limmer	Onnen	Solberg	Vickerman	
Dorn	Holsten	Lindner	Osthoff	Stanis	Weaver	

Those who voted in the negative were:

Anderson, R.	Clark	Hausman	Klinzing	Milbert	Perlt	Tomassoni
Asch	Cooper	Huntley	Krueger	Morrison	Peterson	Tompkins
Battaglia	Dauner	Jacobs	Lasley	Mosel	Pugh	Trimble
Beard	Davids	Jaros	Leppik	Munger	Reding	Turheim
Bergson	Dawkins	Jefferson	Lieder	Murphy	Rest	Vellenga
Bertram	Delmont	Jennings	Lourey	Neary	Rhodes	Wagenius
Bettermann	Evans	Johnson, A.	Luther	Ness	Rice	Waltman
Bishop	Farrell	Johnson, R.	Lynch	Olson, K.	Rukavina	Welle
Blatz	Garcia	Kahn	Macklin	Opatz	Seagren	Wenzel
Brown, C.	Goodno	Kalis	Mahon	Orenstein	Sekhon	Winter
Brown, K.	Greenfield	Kelley	Mariani	Orfield	Simoneau	Spk. Long
Carlson	Greiling	Kelso	McCollum	Ozment	Skoglund	
Carruthers	Hasskamp	Kinkel	McGuire	Pauly	Sparby	

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

Weaver offered an amendment to H. F. No. 31, the first engrossment.

#### POINT OF ORDER

Trimble raised a point of order pursuant to rule 3.09 that the Weaver amendment was not in order. The Chair ruled the point of order well taken and the amendment out of order.

The question was taken on the motion to recommend passage of H. F. No. 31, the first engrossment, and the roll was called. There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Hasskamp	Kinkel	Munger	Reding	Steensma
Anderson, I.	Cooper	Hausman	Krueger	Murphy	Rest	Tomassoni
Asch	Dawkins	Jacobs	Lasley	Neary	Rhodes	Trimble
Battaglia	Delmont	Jefferson	Leppik	Olson, K.	Rice	Tunheim
Beard	Erhardt	Jennings	Lourey	Opatz	Rukavina	Vellenga
Bergson	Evans	Johnson, A.	Luther	Orenstein	Sekhon	Wagenius
Bertram	Farrell	Johnson, R.	Mahon	Orfield	Simoneau	Welle
Brown, C.	Garcia	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	McCollum	Perlt	Solberg	Spk. Long
Carlson	Greenfield	Kelley	McGuire	Peterson	Sparby	
Carruthers	Greiling	Kelso	Milbert	Pugh	Stanius	

Those who voted in the negative were:

Anderson, R.	Dempsey	Hugoson	Lieder	Nelson	Pawlenty	Van Dellen
Bettermann	Dorn	Huntley	Limmer	Ness	Pelowski	Vickerman
Bishop	Frerichs	Jaros	Lindner	Olson, E.	Rodosovich	Waltman
Blatz	Girard	Johnson, V.	Lynch	Olson, M.	Seagren	Weaver
Commers	Gruenes	Klinzing	Macklin	Ornen	Smith	Winter
Dauner	Gutknecht	Knickerbocker	Molnau	Ostrom	Swiggum	Wolf
Davids	Haukoos	Koppendrayner	Morrison	Ozment	Swenson	Worke
Dehler	Holsten	Krinkie	Mosel	Pauly	Tompkins	Workman

The motion prevailed.

## MOTIONS AND RESOLUTIONS

Cooper moved that the name of Girard be added as an author on H. F. No. 50. The motion prevailed.

Bettermann moved that the name of Seagren be added as an author on H. F. No. 53. The motion prevailed.

Wejcman moved that the name of Swenson be added as an author on H. F. No. 216. The motion prevailed.

Peterson moved that the name of Waltman be added as an author on H. F. No. 277. The motion prevailed.

Brown, C., moved that the name of Pelowski be stricken and the name of Jefferson be added as an author on H. F. No. 404. The motion prevailed.

Dorn moved that the name of Solberg be added as an author on H. F. No. 519. The motion prevailed.

Wejcman moved that the name of Clark be added as an author on H. F. No. 659. The motion prevailed.

Greiling moved that the name of Lasley be added as an author on H. F. No. 666. The motion prevailed.

Krueger moved that the name of Anderson, I., be added as an author on H. F. No. 693. The motion prevailed.

Anderson, I., moved that the name of Solberg be added as an author on H. F. No. 720. The motion prevailed.

Pelowski moved that the name of Frerichs be added as an author on H. F. No. 722. The motion prevailed.

Lourey moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, February 25, 1993, when the vote was taken on the final passage of H. F. No. 79." The motion prevailed.

Rest moved that H. F. No. 427, now on Technical General Orders, be re-referred to the Committee on Ways and Means. The motion prevailed.

Tunheim moved that H. F. No. 634 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture. The motion prevailed.

Lasley moved that H. F. No. 253, now on Technical General Orders, be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance. The motion prevailed.

Trimble moved that H. F. No. 704 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Pursuant to House Rule 1.15, Solberg moved that H. F. No. 167 be recalled from the Committee on Ways and Means, be given its second reading and be advanced to General Orders. The motion prevailed.

## SECOND READING OF HOUSE BILLS

H. F. No. 167 was read for the second time.

## ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 8, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 8, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

