

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 11, 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 Pastor George E. Thronson, St. James Evangelical Lutheran Church, Burnsville, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Svigum
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
Bettermann	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	Wejzman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanisus	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

A quorum was present.

Wolf was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Molnau 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 STANDING COMMITTEES

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

H. F. No. 64, A bill for an act relating to labor; regulating employment of children; establishing a child labor curfew; providing penalties; amending Minnesota Statutes 1992, sections 181A.04, by adding a subdivision; and 181A.12, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 12, delete "as"

Page 1, line 13, delete "permitted by" and insert "in the occupations subject to the exclusions in" and delete "3, and 4" and insert "and 3"

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. 65, A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; imposing a waste management fee on discardable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; and 115A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115A and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.122, is amended by adding a subdivision to read:

Subd. 3. [ENVELOPES; LABELS.] A public entity may not purchase or use envelopes that have windows that are covered with a nonrecyclable transparent material or that are made using glues that are not water soluble. A public entity also may not use labels on recyclable envelopes that are not easily removed or that are made using glue that is not water soluble.

Sec. 2. Minnesota Statutes 1992, section 18B.135, is amended by adding a subdivision to read:

Subd. 1a. [REUSABLE PESTICIDE CONTAINERS.] A pesticide that is placed in a container on and after January 1, 1996, for distribution or sale in this state, except a pesticide packaged for household use or a pesticide packaged in paper packaging, in water soluble packaging, or in concentrated tablet form, must be placed in a reusable container. A person who distributes, offers for sale, or sells pesticides shall accept reusable containers for refilling. For the purposes of this subdivision, "reusable container" means a container that is reusable for its original purpose at least five times.

Sec. 3. Minnesota Statutes 1992, section 115A.03, is amended by adding a subdivision to read:

Subd. 22b. [PACKAGING.] "Packaging" means a container and any appurtenant materials that provide a means of transporting, marketing, protecting, or handling a product. Packaging includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, and labels.

Sec. 4. Minnesota Statutes 1992, section 115A.072, subdivision 4, is amended to read:

Subd. 4. [EDUCATION, PROMOTION, AND PROCUREMENT.] The office shall include waste reduction and reuse as an element of its program of public education on waste management required under this section. The waste reduction and reuse education program must include dissemination of information and may include an award program for model waste reduction and reuse efforts. Waste reduction and reuse educational efforts must also include provision of information about and promotion of the model procurement program developed by the commissioner of administration under section 115A.15, subdivision 7, or any other model procurement program that results in significant waste reduction and reuse.

Sec. 5. [115A.561] [RECYCLED CONTENT IN CERTAIN PRODUCTS AND PACKAGING.]

Subdivision 1. [MINIMUM RECYCLED CONTENT.] (a) Newsprint that is distributed for sale to or use by consumers in this state must contain a minimum percentage of postconsumer material of 25 percent by January 1,

1996, and 50 percent by January 1, 2000, unless the newsprint is consumed by a printer who prints less than 10,000 copies each month of all publications printed by that printer on newsprint, in which case, the newsprint must contain a minimum percentage of postconsumer material of 15 percent by January 1, 1996, and 30 percent by January 1, 2000.

(b) Glass packaging that is distributed for sale or use, including sale to or use by consumers of products contained in the glass packaging who reside in this state, must contain a minimum percentage of postconsumer material of 25 percent by January 1, 1996 and 50 percent by January 1, 2000.

(c) A rigid plastic container that is distributed for sale or use, including sale to or use by a consumer of a product contained in the container who resides in this state, must contain a minimum of ten percent postconsumer material by January 1, 1996, and 25 percent by January 1, 2000. For the purposes of this paragraph, "rigid plastic container" means a formed or molded container composed predominantly of plastic resin and having a relatively inflexible finite shape or form intended primarily as a single service container with a capacity of eight ounces or more, but less than five gallons.

(d) Paperboard packaging, excluding corrugated paperboard packaging, that is distributed for sale or use, including sale to or use by a consumer of a product contained in the packaging who resides in this state, must contain a minimum percentage of postconsumer material of 25 percent by January 1, 1996, and 50 percent by January 1, 2000.

Subd. 2. [EXEMPTIONS.] A product or package is exempt from the postconsumer material requirement of subdivision 1 if the product or package cannot comply because of other direct federal or state requirements, including for packaging food, beverages, drugs, medical supplies, medical devices, or cosmetic products under the federal Food, Drug, and Cosmetics Act.

Subd. 3. [EXCLUSIONS.] (a) The manufacturer or packager of a product or package may apply to the commissioner for exclusion from the requirements of subdivision 1 if:

(1) the manufacturer or packager is unable to obtain a sufficient supply of postconsumer material to meet those requirements and cannot reasonably manufacture or use an alternative product or material that does comply; and

(2) the manufacturer, packager, or another person has sought approval by the federal Food and Drug Administration of packaging that does comply, has received a letter of objection or denial of approval from the administration, and the manufacturer or packager has no reasonable access to alternative packaging that does comply.

(b) The commissioner shall develop and distribute, on request, an application form for exclusions allowed under this subdivision. An application must include documentation supporting the grounds for the exclusion and a certification, signed by an officer of the company seeking the exclusion, of the veracity of the information in the application. An exclusion is effective 60 days after the commissioner receives the application unless the commissioner denies the exclusion within that time. A denial must be in writing, mailed within 60 days of receipt of the application, and contain reasons for the denial. The commissioner may deny an application for exclusion only if:

(1) the application or accompanying documentation is insufficient to show grounds for an exclusion; or

(2) other manufacturers or packagers of similar items who are similarly situated to the applicant do comply with the requirements.

(c) An exclusion authorized under paragraph (a), clause (1), expires one year after the date it takes effect and an exclusion authorized under paragraph (a), clause (2), expires three years after the date it takes effect.

Subd. 4. [RECYCLED CONTENT; STUDY AND RECOMMENDATIONS.] (a) The legislative commission on waste management shall, after consultation with the director, commissioner, manufacturers, packagers, recyclers, public and private solid waste managers, environmental groups, and other interested persons, determine and recommend to the legislature minimum standards for postconsumer material content in the following materials:

(1) paper, classified by grade and application;

(2) plastic packaging not governed by subdivision 1, classified by resin type or application or a combination of resin types and applications; and

(3) other packaging materials, classified by constituent materials and applications.

(b) In determining appropriate standards, the commission shall study the effects of minimum recycled content requirements in other states and nations, the extent to which the state has access to products and packaging containing a minimum of 25 percent postconsumer material under existing purchasing constraints, available and developing technologies to produce acceptable materials with postconsumer material content, and direct and indirect costs of postconsumer material content in relation to direct and indirect costs of virgin materials. The commission shall recommend minimum standards sufficient to significantly increase market demand for recyclable materials that are technologically and economically reasonable and prudent.

(c) The commission shall also study the minimum standards established in subdivision 1 that take effect in 2000 and shall recommend either that the standards remain unchanged, be further studied, or be reduced, increased, or repealed as appropriate to each standard.

(d) The commission shall make initial recommendations to the legislature under this subdivision by January 1, 1994, and thereafter at intervals to be determined by the director of the commission as necessary to implement reasonable postconsumer material content standards for products and packaging.

Subd. 5. [ENFORCEMENT; CIVIL AND ADMINISTRATIVE PENALTIES.] (a) A person who violates subdivision 1 is subject to a minimum civil or administrative penalty of \$100 per item that is distributed in the state in violation of that subdivision.

(b) A person who supplies false information in an application or accompanying documentation for an exclusion from the requirements of subdivision 1 is subject to a minimum civil or administrative penalty of \$5,000.

(c) If the commissioner determines that a product or type of packaging subject to an exclusion that has taken effect does not qualify for the exclusion under the criteria in subdivision 3 and that the application and accompanying documentation for the exclusion did not contain false information, the commissioner shall, under section 116.072, order the applicant to comply with the requirements of subdivision 1 at the earliest of the expiration date for the exclusion or one year after issuance of the compliance order and impose an administrative penalty in an amount to be determined by the commissioner. The administrative penalty must be forgiven if the applicant for the exclusion complies with the commissioner's order.

Sec. 6. [116F.10] [CITATION.]

Sections 116F.10 to 116F.20 are the packaging act of 1993.

Sec. 7. [116F.11] [DEFINITIONS.]

Unless otherwise provided the definitions in section 115A.03 apply to chapter 116F.

Sec. 8. [116F.12] [PACKAGING PRACTICES; PREFERENCES; GOALS.]

Packaging forms a substantial portion of solid waste and contributes to environmental degradation and the costs of managing solid waste. It is imperative to reduce the amount and toxicity of packaging that must be managed as solid waste. In order to achieve significant reduction of packaging in solid waste and to assist packagers and others to meet the packaging reduction goal in section 115A.5501, the goal of the state is that items be distributed without any packaging where feasible and, only when necessary to protect health and safety or product integrity, with the minimal amount of packaging possible. The following categories of packaging are listed in order of preference for use by all persons who find it necessary to package items for distribution or use in the state:

(1) minimal packaging that contains no intentionally introduced toxic materials and that is designed to be and actually is reused for its original purpose at least five times;

(2) minimal packaging that contains no intentionally introduced toxic materials and that consists of at least 50 percent postconsumer material as defined in section 115A.03, subdivision 24b;

(3) minimal packaging that contains no intentionally introduced toxic materials, that is recyclable, and is regularly collected through recycling collection programs available to at least 75 percent of the residents of the state;

(4) minimal packaging that does not comply with clauses (1) to (3) because it is required under federal or state law and for which there does not exist a commercially feasible alternative that does comply with clauses (1) to (3);

(5) packaging that contains no intentionally introduced toxic materials but does not comply with clauses (1) to (4); and

(6) all other packaging.

It is the further goal of this chapter that the packaging described in clauses (5) and (6) no longer be in use for any purpose after December 31, 1999.

Sec. 9. [116F.13] [TRANSPORT PACKAGING.]

Subdivision 1. [DEFINITION.] "Transport packaging" means packaging as defined in section 115A.03, subdivision 22b, that is used primarily for transportation of products prior to final sale or delivery, whichever occurs later, of the products to their ultimate consumers. Transport packaging includes, but is not limited to, crates, barrels, boxes, pallets, and packing materials that are or may be removed prior to final sale or delivery of a product to a consumer.

Subd. 2. [PROHIBITION.] Beginning January 1, 1997, a person may not place transport packaging in mixed municipal solid waste, a resource recovery facility other than a recycling facility, or any incineration device, or in or on the land, except transport packaging that is made entirely of renewable resources, excluding nails or fasteners, and that is completely degradable, may be transported to or placed in a composting facility.

Subd. 3. [ENFORCEMENT.] For violation of subdivision 2, the commissioner shall impose an administrative penalty of not less than \$500 for the first violation and \$1,000 for each subsequent violation, unless the violator is a manufacturer of transport packaging or a packager who uses transport packaging, in which case the minimum penalty is \$2,000 for the first violation and \$5,000 for each subsequent violation.

An administrative penalty imposed for a second or subsequent violation of subdivision 2 is not forgivable.

Sec. 10. [116F.14] [DISCARDABLE PACKAGING; WASTE MANAGEMENT FEE.]

Subdivision 1. [PURPOSE.] The state and local government units are no longer able to absorb the continually increasing costs related to management of discardable packaging as solid waste or as source separated recyclable materials. The purpose of this section is to incorporate a portion of these costs in the sale of products packaged with discardable packaging.

Subd. 2. [DEFINITION; DISCARDABLE PACKAGING.] For the purposes of this section:

(1) "Discardable packaging" means packaging that is not transport packaging as defined in section 116F.13, reusable packaging, or in-store packaging applied by a retailer or a customer on the retailer's premises as long as the in-store packaging meets the requirements of section 115A.561; and

(2) "Reusable packaging" means packaging that is designed to be and actually is reused for its original purpose at least five times.

Subd. 3. [WASTE MANAGEMENT FEE.] A person who sells a packaged product to a consumer of the product in this state shall pay a fee for discardable packaging used in conjunction with the product based on the product's smallest unit division. The product's smallest unit division is the smallest amount of product on the packaging for which there appears a uniform pricing code. If no uniform pricing code appears on the packaging for a product, the fee applies to each separate unit of the product that is sold at retail.

Subd. 4. [AMOUNT OF FEE.] (a) The fee is two cents per product unit unless:

(1) the manufacturer or distributor labels the outer layer of packaging for the product to clearly inform the seller and consumer of the contents of the packaging, including the percentage of postconsumer material content in each separate layer of packaging; and

(2) the discardable packaging, as a whole, associated with the product consists of material that contains 50 percent or more postconsumer material and each layer is recyclable.

There is no waste management fee for packaging that meets both criteria in clauses (1) and (2). A manufacturer, distributor, or retailer may label or otherwise indicate on the packaging or in any other manner that the product unit associated with the exempt packaging is exempt from the waste management fee.

(b) For the purpose of this section, "recyclable" means that the material is collected either:

(1) through recycling collection programs available to 75 percent of the state's residents; or

(2) by a collection program established by the manufacturer or distributor of the product that is designed to collect and recycle a minimum of 60 percent of the packaging for the product.

(c) A manufacturer or distributor who requests a local government unit to expand a recycling collection program to include packaging materials used by that manufacturer or distributor shall pay any incremental costs to the local government unit to add the manufacturer's or distributor's packaging to the collection program.

(d) Individually wrapped candies, chewing gum, seasonings and condiments, and utensils, including drinking straws, that have no uniform pricing code on their wrappers are exempt from the fee.

Subd. 5. [COLLECTION AND PAYMENT OF FEE.] (a) A person who is liable under subdivision 1 to pay the fee shall keep records and remit the fee to the department of revenue along with payment of sales and use taxes under chapter 297A. The commissioner of revenue shall provide a form or expand sales and use tax forms to accommodate the payment of the waste management fee for discardable packaging. The commissioner of revenue may enforce payment of the fee under the commissioner's enforcement powers in chapters 270, 289A, and 297A.

(b) A person who is liable for payment of the fee may either collect the fee directly from customers and hold it until payment to the commissioner of revenue or estimate an amount due based on average sales of products subject to the fee during each quarter and pay that amount. If a person chooses to estimate payment, the person shall file an annual return and adjust for overpayment or underpayment based on actual inventory and sales figures.

Subd. 6. [DEPOSIT OF REVENUE.] The commissioner of revenue shall separately account for revenues received under this section and shall deposit the revenues in the environmental fund to be used for waste reduction and recycling programs.

Subd. 7. [RECYCLABLE PACKAGING; LIST.] (a) The director of the office of waste management shall distribute, or otherwise make available to the public, a list of packaging materials that are collected for recycling through recycling programs available to 75 percent of the residents of the state and by recycling programs established by manufacturers or distributors that comply with subdivision 4, paragraph (b), clause (2). By October 1 of each year, the director shall revise the list based on the reports received from counties under section 115A.557, subdivision 3 and notices received from manufacturers or distributors under paragraph (b).

(b) A manufacturer or distributor that establishes a collection system designed to collect and recycle 60 percent of the packaging for a product under subdivision 4, before labeling the packaging in a manner to indicate that it is exempt from the waste management fee, shall notify the director, in writing, of the establishment of the collection system and provide sufficient detail about how the collection system will work to ensure the 60 percent collection rate. The director shall include the manufacturer's or distributor's exempt packaging on the list required in paragraph (a). The manufacturer or distributor shall provide a report to the director annually after the initial notification that specifies how many product units were sold in exempt packaging, how many exempt units of packaging were collected during the same year, and where the collected packaging was delivered for recycling. To continue to be included on the list, the manufacturer's or distributor's collection system must have collected a minimum of 30 percent of packaging sold during the first year after notification to the director, 45 percent during the second year, and 60 percent in each year thereafter. If, in two consecutive years, the manufacturer or distributor fails to achieve an average collection rate of 60 percent after the first two years, the director shall notify the commissioner of revenue that the manufacturer's or distributor's packaging is no longer exempt and is subject to the waste management fee beginning for tax payable for the second quarter following notification.

Sec. 11. [116F.16] [REUSABLE BEVERAGE PACKAGING.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Beverage" means a soft drink, soda water, carbonated natural or mineral water, or other nonalcoholic carbonated drink; beer, ale, or other malt drink or a mixed wine or mixed spirit drink or milk.

(c) "Beverage container" means an individual hermetically sealed bottle, can, jar, or milk bottle composed of at least 50 percent glass, metal, or plastic by weight and used to contain beverages in liquid form intended for human consumption and which, when sold, contains one gallon or less of a beverage.

(d) "Beverage distributor" means a person who sells filled beverage containers to retailers in this state.

(e) "Mixed wine drink" means a drink containing eight percent or less alcohol by volume, consisting of (1) wine mixed with nonalcoholic beverages or flavoring or coloring materials, and which may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, or preservatives; or (2) other similar product marketed as a wine cooler.

(f) "Mixed spirit drink" means (1) a drink containing ten percent or less alcohol by volume consisting of distilled spirits mixed with nonalcoholic beverages or flavoring or coloring materials and which may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, or preservatives; or (2) any spirits based beverage, regardless of the percent of alcohol by volume, that is manufactured for sale in a nonrefillable container.

(g) "Reusable beverage container" means a beverage container that is designed to be and actually is reused at least five times for its original purpose by a person who is in the business of placing beverages in containers.

Subd. 2. [REQUIREMENTS.] (a) A retailer that sells beverages shall make minimum shelf space available for reusable beverage containers in the following percentages of the total amount of shelf space available for beverages:

(1) five percent by January 1, 1995;

(2) ten percent by January 1, 1997;

(3) 15 percent by January 1, 1999; and

(4) 20 percent by January 1, 2001, and thereafter.

(b) A beverage distributor that does business in this state shall distribute beverages in reusable containers in sufficient quantity to supply retailers' demand based on paragraph (a).

(c) For those beverages otherwise subject to sales tax, a retailer shall post a notice on the shelf at the space reserved for beverages in reusable containers to clearly inform customers that beverages sold in reusable containers are not subject to sales tax.

Subd. 3. [CLASSIFICATION OF BEVERAGES.] For the purposes of this section, beverages are classified as:

(1) water, including soda water, carbonated water, and mineral water;

(2) carbonated soft drinks, including all nonalcoholic carbonated drinks, except water;

(3) all other soft drinks;

(4) milk;

(5) beer, ale, and other alcoholic malt drinks; and

(6) mixed wine and mixed spirit drinks.

Subd. 4. [MONITORING.] To determine compliance with this section, the commissioner of the agency shall conduct statewide site inspections of a statistically reliable percentage of large, medium, and small retailers of each classification of beverages between January 1 of 1995, 1997, 1999, and 2001 and June 1 of those years. By July 1 of those years, the commissioner shall send notification of the percentage of beverages available for sale in reusable containers for each classification of beverages and for all beverages as one group to the commissioner of revenue, the director of the office of waste management, and the director of the legislative commission on waste management. If all beverage retailers as a group fail to achieve the requirements of subdivision 2 in two consecutive reporting years,

the commissioners of the agency and of revenue and the director of the office shall implement sections 116F.17 to 116F.175, effective for only those classifications of beverages for which compliance was not achieved in both years for beverages sold beginning one year after the second consecutive notification of noncompliance.

Sec. 12. [116F.17] [APPLICATION; EXPIRATION.]

Sections 116F.171 to 116F.175 apply only if the commissioner of the agency notifies the commissioner of revenue and the director of the office of waste management that the requirements of section 116F.16 have not been met. If all the requirements of section 116F.16 have been met as of July 1, 2010, sections 116F.17 to 116F.175 expire July 1, 2011. If at any point sections 116F.171 to 116F.175 are implemented, those sections remain in effect until replaced or repealed by the legislature.

Sec. 13. [116F.171] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section and section 116F.16 apply to sections 116F.171 to 116F.175.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of revenue.

Subd. 3. [CONSUMER.] "Consumer" means a person who buys a filled nonreusable beverage container from a retailer.

Subd. 4. [RETAILER.] "Retailer" means a person who engages in the sale of beverage in or from nonreusable beverage containers to consumers.

Subd. 5. [REVERSE VENDING MACHINE.] "Reverse vending machine" means a mechanical device that accepts one or more types of empty beverage containers and issues a cash refund or redeemable credit slip with a value not less than the containers' redemption value.

Sec. 14. [116F.172] [RECYCLING DEPOSIT AND REFUND.]

Subdivision 1. [DEPOSIT.] The price of a filled nonreusable beverage container sold or offered for off-sale at retail stores and through vending machines must include a refund value of ten cents for a container with a volume of less than one quart and 30 cents for a container with a volume of one quart or more. Containers sold aboard commercial airlines, passenger trains, or passenger buses crossing state borders and containers whose contents are consumed on the premises of the retail store are exempt from the requirements of this subdivision.

Subd. 2. [REFUND PAYMENT REQUIRED.] Each retailer shall accept an empty nonreusable beverage container of the kind, size, and brand sold by the retailer and shall pay the refund value to the person returning the container. Each off-sale retailer shall prominently display on its premises the kinds, sizes, and brand names of nonreusable beverage containers accepted. Each beverage distributor or its designee shall accept from a retailer nonreusable beverage containers of the kind, size, and brand sold by the beverage distributor and shall pay the retailer the refund value specified in subdivision 1 plus a handling allowance of two cents per container upon receipt.

A retailer may refuse to accept from a consumer, and a beverage distributor or its designee may refuse to accept from a retailer, any nonreusable beverage container that is not properly labeled according to subdivision 3, or is broken, unclean, or not empty. A reverse vending machine may be used to fulfill the requirements of this subdivision.

Subd. 3. [CONTAINER; PACKAGE DESIGN.] Each filled nonreusable beverage container sold or offered for sale in this state by a retailer or distributor must clearly indicate by embossing, stamp, label, or other permanent method of display, the name or abbreviation of this state, the refund value of the container, and the words "Return For Deposit." Each container must also be printed, embossed, stamped, labeled, or otherwise marked with a universal code or similar machine-readable code. Nothing in this subdivision prohibits inclusion of the name on the label of other states that have container deposit laws.

Sec. 15. [116F.173] [REPORTS; PAYMENT OF UNREDEEMED DEPOSITS.]

Subdivision 1. [REPORTS.] Every beverage distributor doing business in this state shall file with the commissioner of revenue a quarterly and annual report, on a form prescribed by the commissioner, specifying the total number of nonreusable beverage containers sold to and redeemed from retailers in the state and the amount of unredeemed

deposits during the reporting period. The unredeemed deposit amount may not be offset by the handling allowance paid to retailers or others.

The quarterly reports are due on or before the 15th day following the end of the calendar quarter. The annual reports must accompany the reports for the fourth calendar quarter and are due on or before January 15 following the end of the calendar year.

Subd. 2. [RECORDS.] The commissioner may by rule require any person subject to subdivision 1 to keep books, papers, documents, and records as the commissioner determines necessary for the enforcement of sections 116F.171 to 116F.175. The commissioner may examine, or have examined, any books, papers, records, or other documents relevant to making a determination, whether they are in the possession of a reporter or another person or corporation. The commissioner may require the attendance of any persons having knowledge or information in the premises, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to a determination, and to administer oaths or affirmations.

Subd. 3. [INFORMATION CONFIDENTIAL.] Neither the commissioner nor any other public official or employee may divulge or otherwise make known in any manner any particulars disclosed in any report required by this section, or any information concerning the affairs of the person making the report acquired from its records, officers, or employees while examining or auditing under the authority of sections 116F.171 to 116F.175, except in connection with a proceeding involving unredeemed deposits due under sections 116F.171 to 116F.175. Nothing in this section prohibits the commissioner from publishing statistics classified in a manner that does not disclose the identity of particular records or reports and their contents. Notwithstanding the provisions of this subdivision, the commissioner may provide the commissioner of the agency with information necessary for implementation and administration of sections 116F.171 to 116F.175.

Subd. 4. [TIME FOR PAYMENT; REFUND.] Unredeemed deposits held during a calendar quarter must be paid to the commissioner on or before the 15th day following the end of the quarter. The payment due for the fourth calendar quarter must be adjusted to reflect any underpayment or overpayment that is shown on the annual report. Any overpayment of unredeemed recycling deposits shown on the annual report must be refunded by the commissioner and may not be entered as a credit against future liabilities unless requested by the person required to pay the unredeemed deposit.

Subd. 5. [ENFORCEMENT.] The penalty, interest, and enforcement provisions under chapters 270, 289A, and 297A apply to the reports and amounts due the commissioner under this section.

Subd. 6. [COORDINATION WITH EXISTING RECYCLING PROGRAMS.] A distributor may contract with a county or the county's designee for collection of containers from retailers and management of returned containers. If a distributor chooses to contract with a county or the county's designee, the distributor must comply with subdivision 1 and must pay the county an amount equal to the deposits the county must return to retailers, the two cents per container handling fee for retailers, and the incremental cost to the county or its designee to collect, transport, store, process, and market the containers, but may retain the amount of the unredeemed deposits left after payment to the county under the contract.

Subd. 7. [DEPOSIT AND USE OF REVENUE.] The commissioner shall deposit revenue received under subdivision 4 in the state treasury and credit it to the general fund. Revenue received under subdivision 4 and revenue derived from taxes imposed on solid waste collection services as described in section 297A.45 must be accounted for separately from other deposits in the state treasury and clearly identified by source. The revenue received under subdivision 4 must be used for the costs of administering sections 116F.171 to 116F.175 and to increase funding for county solid waste reduction and recycling programs. A significant portion of the funds must be distributed under section 115A.557, subdivision 1, to counties with which distributors have not contracted for collection and management of nonrefillable beverage containers.

Sec. 16. [116F.174] [AGENCY AND DIRECTOR AUTHORITY; DUTIES; REPORTS.]

Subdivision 1. [PUBLIC EDUCATION.] The director of the office of waste management may prepare, publish, and issue printed or educational materials necessary for the dissemination of information to the public and the regulated community for effective implementation of sections 116F.171 to 116F.175.

Subd. 2. [INFORMATION GATHERING.] The commissioner of the agency may require any business or local government unit subject to the provisions of sections 116F.171 to 116F.175 to provide information necessary for the preparation of any reports required by this section.

Sec. 17. [116F.175] [PENALTIES; PROCEDURES; RULES.]

Subdivision 1. [CIVIL PENALTY.] In addition to any other penalty imposed by law, a person who violates any provision of section 116F.172 or 116F.173 shall forfeit and pay to the state a penalty, in an amount to be determined by the court, of not more than \$1,000 per day of violation. The penalty may be recovered by a civil action brought by the attorney general in the name of the state.

Subd. 2. [INJUNCTIONS.] The attorney general may bring an action to enjoin any violation of sections 116F.171 to 116F.175 or an action to compel performance of those sections.

Subd. 3. [ADMINISTRATIVE PENALTY.] In lieu of a civil penalty authorized in subdivision 1, the commissioner of the agency may impose an administrative penalty under section 116.072 on any person who violates sections 116F.171 to 116F.175.

Subd. 4. [COSTS; FEES.] In any action under subdivision 1 or 2, the attorney general may also recover costs and attorney fees.

Subd. 5. [RULES.] The agency, director, metropolitan council, and commissioner may adopt emergency and permanent rules to implement sections 116F.171 to 116F.175.

Sec. 18. [116F.20] [ENFORCEMENT.]

The provisions of this chapter may be enforced under section 115.071 or 116.072.

Sec. 19. Minnesota Statutes 1992, section 297A.25, subdivision 2, is amended to read:

Subd. 2. [FOOD PRODUCTS.] The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) are exempt. This exemption does not include the following:

(1) candy and candy products, except when sold for fundraising purposes by a nonprofit organization that provides educational and social activities for young people primarily aged 18 and under;

(2) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one-half gallon or more in size when those beverages or water are sold in nonrefillable containers.

Sec. 20. [WOOD WASTE AND WOOD PRODUCTS RESIDUE; MARKETING PLAN.]

By January 1, 1995, the director of the office of waste management, in consultation with wood products manufacturers, users of transport packaging made of wood or wood products, consumers including reusers and recyclers of wood waste and wood products residue, the commissioners of the departments of trade and economic development, public service, and natural resources, the Minnesota technical assistance program, the University of Minnesota extension service, and other interested persons, shall develop a statewide wood waste and wood products residue marketing plan. The plan must:

(1) identify generators of wood waste and wood products residue;

(2) identify existing and potential markets for wood waste and wood products residue;

(3) provide guidelines for the collection, transportation, storage, processing, and reuse or recycling of wood waste and wood products residue; and

(4) recommend to the legislative commission on waste management any legislation necessary to encourage development of greater capacity in the state to reuse and recycle wood waste and wood products residue to ensure that those items are managed to maximize their environmental and economic benefits to society.

The director shall develop the marketing plan in light of the prohibition on placing transport packaging made of wood or wood products in solid waste or in a solid waste facility other than a composting facility under Minnesota Statutes, section 116F.13, that takes effect January 1, 1997. The director may include in the marketing plan a recommendation to adjust that prohibition if necessary to implement a sound marketing system for wood waste and wood products residue.

Sec. 21. [REPEALER.]

Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08, are repealed.

Sec. 22. [APPROPRIATIONS.]

Subdivision 1. \$..... is appropriated from the general fund to the agencies and for the purposes indicated, to be available for the fiscal year ending June 30 in the years indicated. The unencumbered balance remaining in the first year does not cancel but is available for the second year.

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Subd. 2. [OFFICE OF WASTE MANAGEMENT.]

(a) For public education and promotion of reduction of solid waste under Minnesota Statutes, section 115A.55;

(b) For solid waste reduction technical and financial assistance to solid waste generators under Minnesota Statutes, section 115A.55;

(c) For distribution to counties for solid waste reduction and recycling under Minnesota Statutes, section 115A.557;

The amount appropriated in clause (c) is in addition to the basic amount appropriated for county waste reduction and recycling under Minnesota Statutes, section 115A.557, and must be distributed equally to counties that have met two of the following criteria in the previous calendar year:

(1) entered into a formal agreement with at least one other county for cooperative waste reduction and recyclable materials marketing programs;

(2) implemented a comprehensive household hazardous waste collection, education, and exchange program;

(3) achieved a recycling rate in excess of the goals established under Minnesota Statutes, section 115A.551; and

(4) implemented a comprehensive solid waste reduction program.

Except for a county that operates its own recycling collection and marketing program, at least 75 percent of the money distributed under this paragraph must be directly transferred to other local government units within the county to be used for waste reduction and collection and marketing of recyclable materials.

Money distributed to the counties or to other local government units under this paragraph may be used only for the purposes enumerated in Minnesota Statutes, section 115A.557, subdivision 2.

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(d) For development of the wood waste and wood products residue marketing plan required under section 20.

Subd. 3. [POLLUTION CONTROL AGENCY.]

(a) For solid waste composition studies required under Minnesota Statutes, section 115A.5501, subdivision 2;

(b) For payment to the metropolitan council for solid waste composition studies required under Minnesota Statutes, section 115A.5501, subdivision 2;

(c) For enforcement of Minnesota Statutes, sections 115A.561 and 116F.13;

(d) For administration and enforcement of Minnesota Statutes, section 116F.14;

(e) For enforcement of solid waste restrictions and requirements in Minnesota Statutes, chapter 115A.

Subd. 4. [DEPARTMENT OF REVENUE.] For administration and enforcement of Minnesota Statutes, section 116F.14.

Subd. 5. [LEGISLATIVE COMMISSION ON WASTE MANAGEMENT.] For the study on recycled content required under Minnesota Statutes, section 115A.561, subdivision 4.

Sec. 23. [EFFECTIVE DATE.]

Section 1 is effective for envelopes and labels purchased after August 1, 1993.

Section 10, subdivisions 1 to 3 and 5 to 7, are effective January 1, 1994. Section 10, subdivision 4, is effective January 1, 1996. Between January 1, 1994, and January 1, 1996, the amount of the waste management fee on discardable packaging is one cent for each discardable package, as determined under section 10, subdivision 3."

Delete the title and insert:

"A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; imposing a waste management fee on discardable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; requiring a wood waste and wood products residue marketing plan; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; 115A.03, by adding a subdivision; 115A.072, subdivision 4; and 297A.25, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 115A; and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08."

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

The report was adopted.

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

H. F. No. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits

for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding a subdivision; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 10A.01, is amended by adding a subdivision to read:

Subd. 9a. [ELECTION CYCLE.] "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office, except that "election cycle" for a special election means the period from the date the special election writ is issued to 60 days after the special election is held.

Sec. 2. Minnesota Statutes 1992, section 10A.01, subdivision 10b, is amended to read:

Subd. 10b. [INDEPENDENT EXPENDITURE.] "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate, which expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent. An independent expenditure is not a contribution to that candidate.

Expenditures for communications, including nonpartisan registration and get-out-the-vote campaigns, by an association with its members and their families or by a corporation with its stockholders and executive or administrative personnel and their families are independent expenditures.

Sec. 3. Minnesota Statutes 1992, section 10A.01, subdivision 10c, is amended to read:

Subd. 10c. [NONCAMPAIGN DISBURSEMENT.] "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for ~~any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.~~

~~Noncampaign disbursement includes~~ any of the following purposes:

- (a) payment for accounting and legal services;
- (b) return of a contribution to the source;
- (c) repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) return of money from the state elections campaign fund;
- (e) payment for food, beverages, entertainment, and facility rental for a fundraising event;

(f) services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to 60 days after adjournment sine die of the legislature in the election year for the office held;

(g) a donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision; and

(h) payment for food and beverages provided to campaign volunteers while they are engaged in campaign activities;

(i) expenses of caucus leadership activities; and

(j) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

Sec. 4. Minnesota Statutes 1992, section 10A.14, subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The name and address of any supporting association of a political fund;

(c) The name and address of the chair, the treasurer, and any deputy treasurers;

(d) A listing of all depositories or safety deposit boxes used;

(e) A statement as to whether the committee is a principal campaign committee as authorized by section 10A.19, subdivision 1; and

(f) For political parties only, a list of categories of substate units as defined in section 10A.27, subdivision 4.

Sec. 5. Minnesota Statutes 1992, section 10A.15, is amended by adding a subdivision to read:

Subd. 3c. [RELATED COMMITTEES.] An individual, association, political committee, or political fund, referred to in this subdivision as a "parent," may establish, finance, maintain, or directly control a political committee or political fund, referred to in this subdivision as its "subsidiary." If the parent is an association, the association must designate a political committee or political fund to serve as the parent for reporting purposes. If a parent establishes, finances, maintains, or directly controls a subsidiary under this subdivision, the subsidiary must report its contribution to a candidate or principal campaign committee as attributable to the parent, and the contribution is counted toward the contribution limits in section 10A.27 of the parent as well as of the subsidiary.

Sec. 6. Minnesota Statutes 1992, section 10A.15, is amended by adding a subdivision to read:

Subd. 5. [POLITICAL COMMITTEE OR POLITICAL FUND REGISTRATION NUMBER ON CHECKS.] A contribution made to a candidate by a political committee or political fund must show the name of the political committee or fund and the number under which it is registered with the board.

Sec. 7. Minnesota Statutes 1992, section 10A.19, subdivision 1, is amended to read:

Subdivision 1. No candidate shall accept contributions from any source, other than self, in aggregate in excess of \$100 or any money from the state elections campaign fund unless the candidate designates and causes to be formed a single principal campaign committee. A candidate may not authorize, designate, or cause to be formed any other political committee bearing the candidate's name or title or otherwise operating under the direct or indirect control of the candidate except:

(1) a candidate may be involved in the direct or indirect control of a party unit as defined in section 10A.275, subdivision 3; or

(2) a candidate may form a separate political committee, bearing the candidate's name or otherwise operating under the direct or indirect control of the candidate for the sole purpose of seeking an elected office other than one presently held by the candidate.

A political committee bearing a candidate's name or title or otherwise operating under the direct or indirect control of the candidate and not authorized by this subdivision, may not accept contributions after the effective date of this section, and must be dissolved by June 30, 1994.

Sec. 8. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 6b. [NOTICE OF INTENDED INDEPENDENT EXPENDITURE.] An individual, political committee, or political fund that intends to make an independent expenditure in excess of \$100 during the 30 days immediately preceding an election shall file with the board and with all candidates in the affected race and the chairs of their principal campaign committees a notice of the intent to make the expenditure. The notice must contain the information with respect to the expenditure that is required to be reported under subdivision 3, clause (g). Each new expenditure requires a new notice.

Sec. 9. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 14. [REPORTS BY SOLICITORS.] An individual, association, political committee, or political fund, other than a candidate or the members of a candidate's principal campaign committee, that directly solicits and receives from others contributions to candidates, political parties, or a caucus of the members of a political party in a house of the legislature, that aggregate more than \$10,000 in an election cycle must file with the board a report disclosing the amount of each contribution, the names of the contributors, and to whom the contributions were given. The report must be filed with the board by January 31 and July 31 of each nonelection year and by January 31, July 31, and September 30 of each election year. The report must cover the accumulated contributions made or received during that election cycle.

Sec. 10. Minnesota Statutes 1992, section 10A.25, subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

- (a) for governor and lieutenant governor, running together, \$1,626,691;
- (b) for attorney general, \$271,116;
- (c) for secretary of state, state treasurer, and state auditor, separately, \$135,559;
- (d) for state senator, \$40,669;
- (e) for state representative, \$20,335.

The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory included a population that is now more than one-third of the population in the territory of the office being sought.

Sec. 11. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 11. [CARRYFORWARD.] After all campaign expenses are paid or accounted for, excess contributions up to 50 percent of the candidate's expenditure limit for that election may be carried forward and used for noncampaign disbursements. The candidate must distribute the remainder of any public subsidy to:

- (1) the state treasury for credit to the general fund under section 10A.324; or
- (2) a political party or the state elections campaign fund.

Sec. 12. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 12. [INDEPENDENT EXPENDITURES IN OPPOSITION.] The expenditure limits imposed by this section are increased by the sum of independent expenditures made in opposition to the candidate or on behalf of a candidate's major political party opponents. Upon receipt of an expenditure report or notice required by section 10A.20, subdivision 6b, the board shall notify the candidate of the increase in the expenditure limit. Within 30 days of providing this notice, the board shall pay the candidate an additional public subsidy equal to the amount of the independent expenditure.

Sec. 13. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 13. [UNUSED POSTAGE CARRIED FORWARD.] Postage that is purchased but not used during an election cycle must be carried forward and counted as an expenditure if greater than \$100 during the election cycle during which it is used.

Sec. 14. Minnesota Statutes 1992, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTION LIMITS.] Except as provided in subdivisions 2 and 6, no candidate shall permit the candidate's principal campaign committee to accept contributions from any individual, political committee, or political fund in excess of the following:

(a) to candidates for governor and lieutenant governor running together, ~~\$20,000~~ \$6,000 in an election year cycle for the office sought ~~and \$3,000 in other years;~~

(b) to a candidate for attorney general, ~~\$10,000~~ \$2,000 in an election year cycle for the office sought ~~and \$2,000 in other years;~~

(c) to a candidate for the office of secretary of state, state treasurer or state auditor, ~~\$5,000~~ \$1,000 in an election year cycle for the office sought ~~and \$1,000 in other years;~~

(d) to a candidate for state senator, ~~\$1,500~~ \$1,000 in an election year cycle for the office sought ~~and one-third of that amount in other years; and~~

(e) to a candidate for state representative, ~~\$750~~ \$500 in an election year cycle for the office sought ~~and one-third of that amount in the other year.~~

The dollar amounts in this subdivision must be adjusted for each election cycle as provided in this paragraph. By February 1 of the first year of the election cycle, the executive director of the board shall determine the percentage change in the consumer price index from January 1 of the first year of the preceding election cycle to December 31 of the year preceding the date the determination is made. The dollar amounts in this subdivision used for the preceding election cycle must be multiplied by the percentage change in the consumer price index. The product of the calculation must be added to each dollar amount in this subdivision to produce the dollar limitations in effect for the next election cycle. The product must be rounded up to the next highest \$25 increment. The index used must be the revised consumer price index for all urban consumers of the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor with 1982 as a base year. The calculation required by this subdivision must be made for election cycles beginning on and after January 1, 1995.

Sec. 15. Minnesota Statutes 1992, section 10A.27, subdivision 2, is amended to read:

Subd. 2. No candidate shall permit the candidate's principal campaign committee to accept contributions from any political party units in aggregate in excess of ~~five~~ ten times the amount that may be contributed to that candidate by ~~a political committee~~ as set forth in subdivision 1.

Sec. 16. Minnesota Statutes 1992, section 10A.27, subdivision 9, is amended to read:

Subd. 9. A candidate or the treasurer of a candidate's principal campaign committee shall not accept in any calendar year aggregate contributions in an amount greater than the maximum amount allowed under subdivision 1 ~~a transfer or contribution~~ from another candidate's principal campaign committee or any other committee bearing the contributing candidate's name or title or otherwise authorized by the contributing candidate, unless the contributing candidate's principal campaign committee is being dissolved. A candidate's principal campaign

committee shall not make a transfer or contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved. For purposes of this subdivision, "candidate" includes a person who seeks nomination or election to a local office in this state. A candidate may not accept a transfer or contribution from or make a transfer or contribution to a committee associated with a person who seeks nomination or election to the office of president, senator, or representative in congress of the United States.

Sec. 17. Minnesota Statutes 1992, section 10A.27, is amended by adding a subdivision to read:

Subd. 10. [CONTRIBUTIONS FROM CERTAIN TYPES OF CONTRIBUTORS.] A candidate shall not permit the candidate's principal campaign committee to accept a contribution from a political committee, a political fund, a lobbyist, or an individual who contributes more than half the amount an individual may contribute, if the contribution will cause the aggregate contributions from those types of contributors to exceed ten times the amount an individual may contribute to the candidate.

Sec. 18. Minnesota Statutes 1992, section 10A.27, is amended by adding a subdivision to read:

Subd. 11. [CONTRIBUTIONS TO OTHER POLITICAL COMMITTEES OR FUNDS.] The treasurer of a political committee or fund, other than a candidate's principal campaign committee or a political party unit as defined in section 10A.275, shall not permit the political committee or fund to accept contributions in an amount more than \$200 a year.

Sec. 19. Minnesota Statutes 1992, section 10A.31, subdivision 5, is amended to read:

Subd. 5. In each calendar year the money in the general account shall be allocated to candidates as follows:

- (1) 21 percent for the offices of governor and lieutenant governor together;
- (2) 3.6 percent for the office of attorney general;
- (3) 1.8 percent each for the offices of secretary of state, state auditor, and state treasurer;
- (4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative;
- (5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative.

In each calendar year the money in each party account shall be allocated as follows:

- (1) 14 percent for the offices of governor and lieutenant governor together;
- (2) 2.4 percent for the office of attorney general;
- (3) 1.2 percent each for the offices of secretary of state, state auditor, and state treasurer;
- (4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative;
- (5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative;
- (6) ten percent for the state committee of a political party; money allocated to each state committee under this clause must be deposited in a separate account and must be spent for only those items enumerated in section 10A.275; money allocated to a state committee under this clause must be paid to the committee by the state treasurer as notified by the state ethical practices board as it is received in the account on a monthly basis, with payment on the 15th day of the calendar month following the month in which the returns were processed by the department of revenue, provided that these distributions would be equal to 90 percent of the amount of money indicated in the department of revenue's weekly unedited reports of income tax returns and property tax refund returns processed in the month, as notified by the department of revenue to the state ethical practices board. The amounts paid to each state committee are subject to biennial adjustment and settlement at the time of each certification required of the

commissioner of revenue under subdivisions 7 and 10. If the total amount of payments received by a state committee for the period reflected on a certification by the department of revenue is different from the amount that should have been received during the period according to the certification, each subsequent monthly payment must be increased or decreased to the fullest extent possible until the amount of the overpayment is recovered or the underpayment is distributed.

~~To assure that moneys will be returned to the counties from which they were collected, and to assure that the distribution of those moneys rationally relates to the support for particular parties or for particular candidates within legislative districts, money from the party accounts for legislative candidates shall be distributed as follows:~~

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive an equal share of money from the candidate's party account set aside for candidates of the state senate or state house of representatives, whichever applies, ~~according to the following formula:~~

~~For each county within the candidate's district the candidate's share of the dollars allocated in that county to the candidate's party account and set aside for that office shall be:~~

~~(a) The sum of the votes cast in the last general election in that part of the county in the candidate's district for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by~~

~~(b) The sum of the votes cast in that county in the last general election for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by~~

~~(c) The amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.~~

~~The sum of all the county shares calculated in the formula above is the candidate's share of the candidate's party account.~~

~~In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.~~

~~For any party under whose name no candidate's name appeared on the ballot in each voting precinct in the state in the last general election, amounts in the party's account shall be allocated based on (a) the number of people voting in the last general election in that part of the county in the candidate's district, divided by (b) the number of the people voting in that county in the last general election, multiplied by (c) the amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.~~

~~In a year in which the first election after a legislative reapportionment is held, "the candidate's district" means the newly drawn district, and voting data from the last general election will be applied to the area encompassing the newly drawn district notwithstanding that the area was in a different district in the last general election.~~

~~If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts in the county.~~

Money from a party account not distributed to candidates for state senator and representative in any election year shall be returned to the general fund of the state. Money from a party account not distributed to candidates for other offices in an election year shall be returned to the party account for reallocation to candidates as provided in clauses (1) to (6) in the following year. Money from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided in this subdivision.

Sec. 20. Minnesota Statutes 1992, section 10A.31, subdivision 6, is amended to read:

Subd. 6. Within As soon as notified by the board of the winners of the primary election, but in any event no later than two weeks after certification by the state canvassing board of the results of the primary, the state treasurer shall

distribute the available funds in each party account, as certified by the commissioner of revenue on September 15, according to the allocations in subdivision 5, to the candidates of that party who have signed the agreement as provided in section 10A.322, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivision 5 and who are opposed in the general election.

Sec. 21. Minnesota Statutes 1992, section 10A.31, subdivision 8, is amended to read:

Subd. 8. ~~Within~~ As soon as the board is reasonably certain who has won the primary election, but in any event no later than one week after certification by the state canvassing board of the results of the primary, the board shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount the candidate is to receive from the available funds in the candidate's party account.

Sec. 22. Minnesota Statutes 1992, section 10A.31, is amended by adding a subdivision to read:

Subd. 12. [UNOPPOSED CANDIDATE NOT ELIGIBLE.] A candidate who is unopposed in both the primary election and the general election is not eligible to receive a public subsidy from the state election campaign fund. The subsidy from the party account the candidate would otherwise have been eligible to receive must be paid to the candidate's political party to be used for multicandidate expenditures as defined in section 10A.275. The subsidy from the general account the candidate would otherwise have been eligible to receive must be returned to the general fund.

Sec. 23. [10A.312] [PUBLIC MATCHING SUBSIDY.]

Subdivision 1. [ELIGIBILITY.] (a) In addition to the subsidy payable from the state elections campaign fund, the board shall pay a public matching subsidy to a candidate who:

- (1) is seeking an office for which voluntary spending limits are specified in section 10A.25;
- (2) has designated a principal campaign committee;
- (3) has signed and filed with the board an agreement to limit campaign expenditures as provided in section 10A.322 and is abiding by the agreement;
- (4) has received contributions that exceed the threshold established by paragraph (b); and
- (5) has submitted to the board the affidavits required by subdivision 3.

(b) The candidate must have received, since the July 1 immediately preceding the election year, at least the following amounts:

- (1) candidates for governor and lieutenant governor running together, \$25,000 in the aggregate from not fewer than 500 persons eligible to vote in this state;
- (2) candidates for attorney general, \$10,000 in the aggregate from not fewer than 200 persons eligible to vote in this state;
- (3) candidates for secretary of state, state treasurer, and state auditor, separately, \$4,000 in the aggregate from not fewer than 80 persons eligible to vote in this state;
- (4) candidates for the senate, \$2,000 in the aggregate from not fewer than 40 persons eligible to vote in their district; and
- (5) candidates for the house of representatives, \$1,000 in the aggregate from not fewer than 20 persons eligible to vote in their district.

A candidate for a legislative seat in a district in which there is no city over 10,000 in population need only raise one-half the amount specified in clause (4) for a senate seat or clause (5) for a house seat.

Subd. 2. [AMOUNT.] The public matching subsidy must be paid in an amount that will match the first \$50 of each contribution received from a person eligible to vote in this state, for statewide candidates, or in the district, for legislative candidates, up to a total of 40 percent of the candidate's expenditure limit.

Subd. 3. [AFFIDAVITS.] (a) The candidate shall file with the board at least 30 days before a payment date specified in subdivision 4 an affidavit stating the total amount of contributions that have been received from persons eligible to vote in this state or in their district, as appropriate, and the total amount of those contributions received disregarding the portion of any contribution in excess of \$50.

(b) The candidate may submit additional affidavits by the deadlines in subdivision 4 stating contributions received and not included in a previous affidavit.

(c) The board shall notify the state treasurer at least 15 days before the payment dates specified in subdivision 4 of the amount of public matching subsidy due each candidate.

Subd. 4. [PAYMENT DATES.] The board shall pay the public matching subsidy by January 1, April 1, July 1, and October 1 of the election year, and by January 1 of the year following the election, to candidates who have met the requirements of subdivision 1.

Sec. 24. Minnesota Statutes 1992, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy ~~from the state elections campaign fund~~, a candidate shall sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25 and 10A.324.

(b) Before the first day of filing for office, the board shall forward agreement forms to all filing officers. The board shall also provide agreement forms to candidates on request at any time. The candidate may sign an agreement and submit it to the filing officer on the day of filing an affidavit of candidacy or petition to appear on the ballot, in which case the filing officer shall without delay forward signed agreements to the board. Alternatively, the candidate may submit the agreement directly to the board at any time before September 1 preceding the general election. An agreement may not be ~~signed or rescinded~~ filed after that date. An agreement once filed may not be rescinded.

(c) The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

(d) Notwithstanding any provisions of this section, when a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement at any time before the deadline for submission of a signed agreement under section 10A.315.

Sec. 25. Minnesota Statutes 1992, section 10A.322, subdivision 2, is amended to read:

Subd. 2. [HOW LONG AGREEMENT IS EFFECTIVE.] The agreement, insofar as it relates to the expenditure limits in section 10A.25, as adjusted by section 10A.255, remains effective for candidates until the dissolution of the principal campaign committee of the candidate or ~~the day filings open for the next succeeding election to the office held or sought at the time of the agreement end of the election cycle during which the agreement was filed~~, whichever occurs first.

Sec. 26. Minnesota Statutes 1992, section 10A.324, subdivision 1, is amended to read:

Subdivision 1. [WHEN RETURN REQUIRED.] A candidate shall return all or a portion of the public subsidy received from the state elections campaign fund under the circumstances in paragraph (a); or (b); ~~or~~ (c).

(a) To the extent that the amount of public subsidy received by the candidate exceeds the expenditure limits for the office held or sought, as provided in section 10A.25 and as adjusted by section 10A.255, the treasurer of the candidate's principal campaign committee shall return the excess to the board.

(b) To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee shall return an amount equal to the difference to the board.

~~(c) Except for an amount equal to 25 percent of the expenditure limits set forth in section 10A.25, but not exceeding \$15,000, any amount by which the aggregate contributions and approved expenditures agreed to exceed the difference between: (1) the amount which legally may be expended by or for the candidate; and (2) the amount the candidate~~

~~receives from the state elections campaign fund must be returned to the state treasurer, deposited in the state treasury, and credited to the general fund.~~

Sec. 27. Minnesota Statutes 1992, section 10A.324, subdivision 3, is amended to read:

Subd. 3. [HOW RETURN DETERMINED.] Whether or not a candidate is required under subdivision 1 to return all or a portion of the public subsidy received from the state elections campaign fund must be determined from the report required to be filed with the board by that candidate by January 31 of the year following an election. For purposes of this section, a transfer from ~~one a principal campaign committee to another principal campaign committee or to a political party unit as defined in section 10A.275~~ is considered to be a noncampaign disbursement. The cost of postage that was not used during an election cycle is not considered an expenditure during the election cycle in which it was purchased, for purposes of determining the amount to be returned. Any amount required to be returned must be submitted in the form of a check or money order and must accompany the report filed with the board. The board shall forward the check or money order to the state treasurer for deposit in the general fund. The amount returned must not exceed the amount of public subsidy received by the candidate from the state elections campaign fund.

Sec. 28. [211A.12] [CONTRIBUTION LIMIT.]

A person shall not contribute to a candidate for political subdivision office more than \$1,000 in an election cycle. "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office.

Sec. 29. Minnesota Statutes 1992, section 211B.15, is amended to read:

211B.15 [CORPORATE ~~OR LIMITED LIABILITY~~ POLITICAL CONTRIBUTIONS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them:

(b) "corporation" means:

(1) a corporation organized for profit that does business in ~~Minnesota~~ this state;

(2) a nonprofit corporation that carries out activities in this state;

(c) ~~"limited liability company" means~~ (3) a limited liability company formed under chapter 322B, or under similar laws of another state, that does business in ~~Minnesota~~ this state; and

(4) a partnership that does business in this state.

Subd. 2. [PROHIBITED CONTRIBUTIONS.] A corporation ~~or limited liability company~~ may not make a contribution or offer or agree to make a contribution, directly or indirectly, of any money, property, free service of its officers ~~or employees, or members~~, or thing of monetary value to a major political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 3. [INDEPENDENT EXPENDITURES.] A corporation ~~or limited liability company~~ may not make an independent expenditure or offer or agree to make an independent expenditure to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "independent expenditure" means an expenditure that is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 4. [BALLOT QUESTION.] A corporation ~~or limited liability company~~ may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. A corporation ~~or limited liability company~~ may

not make a contribution to a candidate for nomination, election, or appointment to a political office or to a committee organized wholly or partly to promote or defeat a candidate.

Subd. 5. [NEWS MEDIA.] This section does not prohibit publication or broadcasting of news items or editorial comments by the news media.

Subd. 6. [PENALTY FOR INDIVIDUALS.] An officer, manager, stockholder, member, partner, agent, employee, attorney, or other representative of a corporation ~~or limited liability company~~ acting in behalf of the corporation ~~or limited liability company~~ who violates this section may be fined not more than \$20,000 or be imprisoned for not more than five years, or both.

Subd. 7. [PENALTY FOR CORPORATIONS ~~OR LIMITED LIABILITY COMPANIES~~.] A corporation ~~or limited liability company~~ convicted of violating this section is subject to a fine not greater than \$40,000. A convicted domestic corporation ~~or limited liability company~~ may be dissolved as well as fined. If a foreign or nonresident corporation ~~or limited liability company~~ is convicted, in addition to being fined, its right to do business in this state may be declared forfeited.

Subd. 8. [PERMITTED ACTIVITY; POLITICAL PARTY.] It is not a violation of this section for a political party, as defined in section 200.02, subdivision 7, to form a nonprofit corporation for the sole purpose of holding real property to be used exclusively as the party's headquarters.

Subd. 9. [MEDIA PROJECTS.] It is not a violation of this section for a corporation ~~or limited liability company~~ to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote if the projects are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 10. [MEETING FACILITIES.] It is not a violation of this section for a corporation ~~or limited liability company~~ to provide meeting facilities to a committee, political party, or candidate on a nondiscriminatory and nonpreferential basis.

Subd. 11. [MESSAGES ON PREMISES.] It is not a violation of this section for a corporation ~~or limited liability company~~ selling products or services to the public to post on its public premises messages that promote participation in precinct caucuses, voter registration, or elections if the messages are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 12. [REPORTS REQUIRED.] The total amount of an expenditure or contribution for any one project permitted by subdivisions 9 and 11 that is more than \$200, together with the date, purpose, and the names and addresses of the persons receiving the contribution or expenditures, must be reported to the secretary of state. The reports must be filed on forms provided by the secretary of state on the dates required for committees under section 211A.02. Failure to file is a misdemeanor.

Subd. 13. [AIDING VIOLATION; PENALTY.] An individual who aids, abets, or advises a violation of this section is guilty of a gross misdemeanor.

Subd. 14. [PROSECUTIONS; VENUE.] Violations of this section may be prosecuted in the county where the payment or contribution was made, where services were rendered, or where money was paid or distributed.

Subd. 15. [ADMINISTRATIVE COSTS.] (a) It is not a violation of this section for a corporation to advance up to \$10,000 in administrative costs to establish a political fund, but contributions to the fund must first be used to reimburse the corporation for those start-up costs before being used for any other purpose.

(b) It is not a violation of this section for a corporation to provide to a political fund reasonable administrative assistance including accounting and legal services, check printing, banking charges, payroll deduction services, time for its employees to solicit and respond to solicitation of contributions to the fund and to make contributions from the fund, employee and shareholder lists, meeting facilities, refreshments, communications facilities, office space, utilities, and supplies. Solicitations of contributions to the fund may be made no more than twice in any year.

Subd. 16. [POLITICAL CORPORATIONS.] The prohibitions in this section do not apply to a nonprofit corporation that:

(1) was formed for the express purpose of promoting political ideas and cannot engage in business activities;

(2) has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; and

(3) was not established by a business corporation or a labor union and has a policy not to accept significant contributions from those entities.

Sec. 30. Minnesota Statutes 1992, section 290.06, subdivision 23, is amended to read:

Subd. 23. [REFUND OF CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to any political party. The maximum refund for an individual must not exceed \$50 and, for a married couple filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the party chair, after the contribution was received. A claim must be filed with the commissioner not sooner than January 1 of the calendar year in which the contribution is made and no later than April 15 of the calendar year following the calendar year in which the contribution is made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution is made must include interest at the rate specified in section 270.76.

(b) No refund is allowed under this subdivision for a contribution to any candidate unless the candidate:

(1) has signed an agreement to limit campaign expenditures as provided in section 10A.322 or 10A.43;

(2) is seeking an office for which voluntary spending limits are specified in section 10A.25 or 10A.43; and

(3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditure of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major or minor party" includes the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a congressional candidate as defined in section 10A.41, subdivision 4, or a candidate as defined in section 10A.01, subdivision 5, except a candidate for judicial office.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the ethical practices board by August 1 of each year a summary showing the total number and amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

Sec. 31. [APPROPRIATION.]

\$..... is appropriated from the general fund to the ethical practices board to pay matching subsidies for election campaigns as provided in this act, to be available until June 30, 1995.

Sec. 32. [TRANSITIONAL CONTRIBUTION LIMITS.]

Notwithstanding section 1, the first election cycle begins the day following final enactment and concludes on December 31 following the next general election for the respective offices listed in section 14, clauses (a) to (e).

Sec. 33. [EFFECTIVE DATE.]

Section 7 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, after "prohibiting" insert "certain"

Page 1, line 11, after the first semicolon insert "requiring certain notices," and delete "reducing" and insert "changing"

Page 1, line 30, delete the first "subdivision" and insert "subdivisions 10b," and after the semicolon insert "10A.14, subdivision 2;"

Page 1, line 32, delete "a subdivision" and insert "subdivisions"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 177, A bill for an act relating to children; providing for a recognition of parentage with the force and effect of a paternity adjudication; providing for preparation and distribution of a recognition form and educational materials for paternity; appropriating money; amending Minnesota Statutes 1992, sections 144.215, subdivision 3; 257.54; 257.541; 257.55, subdivision 1; 257.57, subdivision 2; 257.74, subdivision 1; and 518.156, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 257.

Reported the same back with the following amendments:

Page 1, line 20, delete "7" and insert "9"

Page 2, lines 5, 7, and 33, delete "7" and insert "9"

Page 2, line 36, delete ", if the petition" and insert ". The"

Page 3, delete line 1

Page 4, lines 16, 20, and 22, delete "7" and insert "9"

Page 5, after line 11, insert:

"Sec. 6. Minnesota Statutes 1992, section 257.59, subdivision 3, is amended to read:

Subd. 3. The action may be brought in the county in which the child or the ~~alleged father~~ respondent resides or is found or, if the ~~father~~ respondent is deceased, in which proceedings for probate of ~~his~~ the respondent's estate have been or could be commenced.

Sec. 7. Minnesota Statutes 1992, section 257.73, subdivision 1, is amended to read:

Subdivision 1. Upon compliance with the provisions of section 257.55, subdivision 1, clause (e), section 9, or upon order of a court of this state or upon request of a court of another state, the local registrar of vital statistics shall prepare a new certificate of birth consistent with the acknowledgment or the findings of the court and shall substitute the new certificate for the original certificate of birth."

Page 5, line 18, delete "7" and insert "9"

Page 6, delete lines 24 to 32, and insert:

"Subd. 4. [ACTION TO VACATE RECOGNITION.] An action to vacate a recognition of paternity may be brought by the mother, father, or child. A mother or father must bring the action within one year of the execution of the recognition or within six months after discovery of evidence in support of the action, whichever is later. A child must bring an action to vacate within six months of discovery of evidence, in support of the action or within one year of reaching the age of majority, whichever is later. If the court finds a prima facie basis for vacating the recognition, the court shall order the child, mother, and father to submit to blood tests. If the court issues an order for the taking of blood tests, the court shall require the party seeking to vacate the recognition to make advance payment for the costs of the blood tests. If the party fails to pay for the costs of the blood tests, the court shall dismiss the action to vacate with prejudice. The court may also order the party seeking to vacate the recognition to pay the other party's reasonable attorney fees, costs, and disbursements. If the results of the blood tests establish that the man who executed the recognition is not the father, the court shall vacate the recognition. The court shall terminate the obligation of a party to pay ongoing child support based on the recognition. A modification of child support based on a recognition may be made retroactive with respect to any period during which the moving party has pending a motion to vacate the recognition but only from the date of service of notice of the motion on the responding party."

Page 8, lines 17 and 32, delete "7" and insert "9"

Page 8, line 36, delete "8" and insert "10" and delete "1995" and insert "1994"

Page 9, line 1, delete the first "7" and insert "9"

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 6, after the first semicolon insert "clarifying venue in certain cases;"

Page 1, line 9, after the first semicolon insert "257.59, subdivision 3; 257.73, subdivision 1;"

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

The report was adopted.

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

H. F. No. 226, A bill for an act relating to health; clarifying the meaning of comprehensive health maintenance services; amending Minnesota Statutes 1992, section 62D.02, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 11, before "ambulance" insert "emergency ground"

With the recommendation that when so amended 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. 255, A bill for an act relating to employees; providing for a wage protection program; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 1, line 23, delete "annually appropriated"

Page 2, line 1, after "made" insert "from the funds that are available under section 2 and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 256, A bill for an act relating to civil actions; limiting liability for certain injuries arising out of livestock activities; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 297A.01, subdivision 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property other than manufactured homes used for residential purposes for a continuous period of 30 days or more, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing, or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing, or processing;

(c) The furnishing, preparing, or serving for a consideration of food, meals, or drinks. "Sale" does not include:

(1) meals or drinks served to patients, inmates, or persons residing at hospitals, sanitariums, nursing homes, senior citizens homes, and correctional, detention, and detoxification facilities;

(2) meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served; or

(3) meals and lunches served at public and private schools, universities, or colleges. Notwithstanding section 297A.25, subdivision 2, taxable food or meals include, but are not limited to, the following:

(i) heated food or drinks;

- (ii) sandwiches prepared by the retailer;
 - (iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;
 - (iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;
 - (v) soft drinks and other beverages prepared or served by the retailer;
 - (vi) gum;
 - (vii) ice;
 - (viii) all food sold in vending machines;
 - (ix) party trays prepared by the retailers; and
 - (x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;
- (d) The granting of the privilege of admission to places of amusement, recreational areas, or athletic events, except a world championship football game sponsored by the national football league, and the privilege of having access to and the use of amusement devices, tanning facilities, reducing salons, steam baths, turkish baths, health clubs, and spas or athletic facilities;
- (e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;
- (f) The furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or local exchange telephone service, intrastate toll service, and interstate toll service, if that service originates from and is charged to a telephone located in this state. Telephone service includes paging services and private communication service, as defined in United States Code, title 26, section 4252(d), except for private communication service purchased by an agent acting on behalf of the state lottery. The furnishing for a consideration of access to telephone services by a hotel to its guests is a sale under this clause. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale. The sale of natural gas to be used as a fuel in vehicles propelled by natural gas shall not be considered a sale for the purposes of this section;
- (g) The furnishing for a consideration of cable television services, including charges for basic monthly service, charges for monthly premium service, and charges for any other similar television services;
- ~~(h) Notwithstanding subdivision 4, and section 297A.25, subdivision 9, the sales of horses including claiming sales and fees paid for breeding a stallion to a mare. This clause applies to sales and fees with respect to a horse to be used for racing whose birth has been recorded by the Jockey Club or the United States Trotting Association or the American Quarter Horse Association;~~
- (~~h~~) The furnishing for a consideration of parking services, whether on a contractual, hourly, or other periodic basis, except for parking at a meter;
- (~~h~~) (i) The furnishing for a consideration of services listed in this paragraph:
- (i) laundry and dry cleaning services including cleaning, pressing, repairing, altering, and storing clothes, linen services and supply, cleaning and blocking hats, and carpet, drapery, upholstery, and industrial cleaning. Laundry and dry cleaning services do not include services provided by coin operated facilities operated by the customer;
 - (ii) motor vehicle washing, waxing, and cleaning services, including services provided by coin-operated facilities operated by the customer, and rustproofing, undercoating, and towing of motor vehicles;
 - (iii) building and residential cleaning, maintenance, and disinfecting and exterminating services;

(iv) services provided by detective agencies, security services, burglar, fire alarm, and armored car services not including services performed within the jurisdiction they serve by off-duty licensed peace officers as defined in section 626.84, subdivision 1;

(v) pet grooming services;

(vi) lawn care, fertilizing, mowing, spraying and sprigging services; garden planting and maintenance; arborist services; tree, bush, and shrub pruning, bracing, spraying, and surgery; and tree trimming for public utility lines. Services performed under a construction contract for the installation of shrubbery, plants, sod, trees, bushes, and similar items are not taxable;

(vii) solid waste collection and disposal services as described in section 297A.45;

(viii) massages, except when provided by a licensed health care facility or professional or upon written referral from a licensed health care facility or professional for treatment of illness, injury, or disease; and

(ix) the furnishing for consideration of lodging, board and care services for animals in kennels and other similar arrangements, but excluding veterinary and horse boarding services.

The services listed in this paragraph are taxable under section 297A.02 if the service is performed wholly within Minnesota or if the service is performed partly within and partly without Minnesota and the greater proportion of the service is performed in Minnesota, based on the cost of performance. In applying the provisions of this chapter, the terms "tangible personal property" and "sales at retail" include taxable services and the provision of taxable services, unless specifically provided otherwise. Services performed by an employee for an employer are not taxable under this paragraph. Services performed by a partnership or association for another partnership or association are not taxable under this paragraph if one of the entities owns or controls more than 80 percent of the voting power of the equity interest in the other entity. Services performed between members of an affiliated group of corporations are not taxable. For purposes of this section, "affiliated group of corporations" includes those entities that would be classified as a member of an affiliated group under United States Code, title 26, section 1504, and who are eligible to file a consolidated tax return for federal income tax purposes;

~~(k)~~ (j) A "sale" and a "purchase" includes the transfer of computer software, meaning information and directions that dictate the function performed by data processing equipment. A "sale" and a "purchase" does not include the design, development, writing, translation, fabrication, lease, or transfer for a consideration of title or possession of a custom computer program; and

~~(4)~~ (k) The granting of membership in a club, association, or other organization if:

(1) the club, association, or other organization makes available for the use of its members sports and athletic facilities (without regard to whether a separate charge is assessed for use of the facilities); and

(2) use of the sports and athletic facilities is not made available to the general public on the same basis as it is made available to members.

Granting of membership includes both one-time initiation fees and periodic membership dues. Sports and athletic facilities include golf courses, tennis, racquetball, handball and squash courts, basketball and volleyball facilities, running tracks, exercise equipment, swimming pools, and other similar athletic or sports facilities. The provisions of this paragraph do not apply to camps or other recreation facilities owned and operated by an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1986, for educational and social activities for young people primarily age 18 and under.

Sec. 2. Minnesota Statutes 1992, section 297A.25, subdivision 11, is amended to read:

Subd. 11. [SALES TO GOVERNMENT.] The gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71, of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities, the University of Minnesota, state universities, community colleges, technical colleges, state academies, the Minnesota center for arts education, and school districts are exempt.

As used in this subdivision, "school districts" means public school entities and districts of every kind and nature organized under the laws of the state of Minnesota, including, without limitation, school districts, intermediate school districts, education districts, educational cooperative service units, secondary vocational cooperative centers, special education cooperatives, joint purchasing cooperatives, telecommunication cooperatives, regional management information centers, technical colleges, joint vocational technical districts, and any instrumentality of a school district, as defined in section 471.59.

Sales exempted by this subdivision include sales under section 297A.01, subdivision 3, paragraph (f), but do not include sales under section 297A.01, subdivision 3, paragraph (f) (i), clause (vii). Sales to hospitals and nursing homes owned and operated by political subdivisions of the state are exempt under this subdivision. The sales to and exclusively for the use of libraries, as defined in section 134.001, of books, periodicals, audio-visual materials and equipment, photocopiers for use by the public, and all cataloging and circulation equipment, and cataloging and circulation software for library use are exempt under this subdivision. Sales of supplies and equipment used in the operation of an ambulance service owned and operated by a political subdivision of the state are exempt under this subdivision provided that the supplies and equipment are used in the course of providing medical care; motor vehicle parts are not exempt under this provision.

This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities.

This exemption does not apply to the leasing of a motor vehicle as defined in section 297B.01, subdivision 5, except for leases entered into by the United States or its agencies or instrumentalities. The tax imposed on sales to political subdivisions of the state under this section applies to all political subdivisions other than those explicitly exempted under this subdivision, notwithstanding section 115A.69, subdivision 6, 116A.25, 360.035, 458A.09, 458A.30, 458D.23, 469.101, subdivision 2, 469.127, 473.394, 473.448, 473.545, or 473.608 or any other law to the contrary enacted before 1992.

Sec. 3. Minnesota Statutes 1992, section 297A.25, subdivision 16, is amended to read:

Subd. 16. [SALES TO NONPROFIT GROUPS.] The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes if the property purchased is to be used in the performance of charitable, religious, or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation, and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders, are exempt. Sales exempted by this subdivision include sales pursuant to section 297A.01, subdivision 3, paragraphs (d) and (f), but do not include sales under section 297A.01, subdivision 3, paragraph (f) (i), clause (vii). This exemption shall not apply to building, construction, or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities. This exemption does not apply to the leasing of a motor vehicle as defined in section 297B.01, subdivision 5.

Sec. 4. Minnesota Statutes 1992, section 297A.25, is amended by adding a subdivision to read:

Subd. 52. [HORSES.] The gross receipts from the sale of horses are exempt.

Sec. 5. Minnesota Statutes 1992, section 297A.44, subdivision 1, is amended to read:

Subdivision 1. (a) Except as provided in paragraphs (b), (c), and (d), and subdivision 4, all revenues, including interest and penalties, derived from the excise and use taxes imposed by sections 297A.01 to 297A.44 shall be deposited by the commissioner in the state treasury and credited to the general fund.

(b) All excise and use taxes derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project, from and after the date on which a conditional commitment for a loan

guaranty for the project is made pursuant to section 41A.04, subdivision 3, shall be deposited in the Minnesota agricultural and economic account in the special revenue fund. The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account shall be reduced by any refunds and by the costs incurred by the department of revenue to administer and enforce the assessment and collection of the taxes.

(c) All revenues, including interest and penalties, derived from the excise and use taxes imposed on sales and purchases included in section 297A.01, subdivision 3, paragraphs (d) and ~~(k)~~ (k), clauses (1) and (2), must be deposited by the commissioner in the state treasury, and credited as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance must be credited to the general fund.

(d) The revenues, including interest and penalties, derived from the taxes imposed on solid waste collection services as described in section 297A.45, except for the tax imposed under section 297A.021, shall be deposited by the commissioner in the state treasury and credited to the general fund to be used for funding solid waste reduction and recycling programs."

Page 3, line 18, delete "This act" and insert "Sections 1 to 5 are effective for sales after June 30, 1993. Section 6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "civil actions" and insert "livestock; exempting sales of horses from the sales tax"

Page 1, line 3, after the semicolon insert "amending Minnesota Statutes 1992, sections 297A.01, subdivision 3; 297A.25, subdivisions 11, 16, and by adding a subdivision; and 297A.44, subdivision 1;"

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

The report was adopted.

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

H. F. No. 342, A bill for an act relating to utilities; requiring application of residential electric rates to small volunteer fire departments by a certain cooperative electric association.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 385, A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 21, delete "March" and insert "August"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 443, A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103G.625, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 373.40, subdivision 6; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.218; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 449.09; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivisions 6 and 7; 469.107, subdivision 1; 469.188; 471.191, subdivision 2; 471.1921; 471.24; 471.57, subdivision 1; 471.571, subdivision 2; 471.61, subdivisions 1 and 2a; 473.711, subdivision 2; 641.23; and Laws 1915, chapter 316, section 1, as amended; Laws 1933, chapter 423, section 2; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1943, chapter 196, section 6, as amended; chapter 367, section 1, as amended; chapter 510, section 1; Laws 1947, chapter 224, section 1; chapter 340, section 4; Laws 1949, chapter 215, section 2; chapter 252, section 1; chapter 668, section 1; Laws 1953, chapter 154, section 3; chapter 545, section 2; Laws 1957, chapter 213, section 1; chapter 629, section 1; Laws 1959, chapter 298, section 2; chapter 520, section 1; chapter 556, section 1, as amended; Laws 1961, chapter 30, section 1; chapter 80, section 1; chapter 81, section 1; chapter 82, section 1; chapter 119, section 1; chapter 151, section 1; chapter 209, section 4; chapter 276, section 1; chapter 317, section 1; chapter 352, section 1, as amended; chapter 439, section 1; chapter 616, section 1, subdivision 1; chapter 643, section 1; Laws 1961, Extra Session chapter 33, section 3; Laws 1963, chapter 29, section 1; chapter 56, section 1; chapter 103, section 1; chapter 228, section 1; chapter 603, section 1; Laws 1965, chapter 6, section 2, as amended; chapter 442, section 1; chapter 451, section 2; chapter 512, section 1, subdivision 1; chapter 527, section 1; chapter 617, section 1; Laws 1967, chapter 501, section 1; chapter 526, section 1, subdivision 3; chapter 542, section 1, subdivision 3; chapter 611, section 1; chapter 660, section 2, subdivision 2; chapter 758, section 1; Laws 1967, extra session chapter 47, sections 1, as amended, and 3, as amended; Laws 1969, chapter 192, section 1, as amended; chapter 534, section 2; chapter 538, section 6, as amended; chapter 602, section 1, subdivision 2; chapter 652, section 1; chapter 659, section 3; chapter 730, section 1; Laws 1971, chapter 168, section 1; chapter 326, section 17, subdivisions 1 and 2; chapter 356, section 2; chapter 404, section 1; chapter 424, section 1; chapter 443, section 4; chapter 515, section 1; chapter 573, sections 1, and 2, as amended; chapter 876, section 3; Laws 1973, chapter 81, section 1; chapter 445, section 1; Laws 1977, chapter 61, section 8; chapter 246, section 1, subdivision 1; Laws 1979, chapter 1, section 3; chapter 253, section 3; chapter 303, article 10, section 15, subdivision 2, as amended; Laws 1981, chapter 281, section 1; Laws 1984, chapter 380, section 1; chapter 502, article 13, section 8; Laws 1985, chapter 181, section 1; chapter 289, sections 1; 3; 5, subdivision 1; and 6; Laws 1986, chapter 392, section 1; chapter 399, article 1, section 1, as amended; Laws 1988, chapter 517, section 1; chapter 640, section 3; Laws 1989, chapter 245, section 1, as amended; Laws 1990, chapter 604, article 3, sections 59, subdivision 1; and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 4; 469.053, subdivision 4; 471.63, subdivision 2; and Laws 1971, chapter 168, section 2; and chapter 770; Laws 1974, chapter 209; Laws 1977, chapter 246, section 1, subdivision 2; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; Laws 1991, chapter 3, section 2, subdivision 3; chapter 291, article 4, section 21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

COUNTY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. [PURPOSE.]

The purpose of this act is to eliminate obsolete and redundant property tax levy limitations which affect numerous political subdivisions. The legislature intends only that the specific rate or amount limitation which is contained in

these provisions be stricken or repealed. The legislature does not intend that a political subdivision's authority to levy property taxes for any of these purposes be repealed or eliminated. It is the intention of the legislature that each political subdivision which is affected by this act be able to levy property taxes for the purposes cited in the provisions amended or repealed by this act, either under the authorities of these provisions as amended, or under its general powers. However, it is also the intention of the legislature not to increase, decrease, eliminate, or change in any way, the amount of an appropriation or spending limit by the provisions of this act, even though the language of this act may change the wording or method of calculation for an appropriation or spending limit.

Sec. 2. Minnesota Statutes 1992, section 18.022, subdivision 2, is amended to read:

Subd. 2. [COST.] (a) ~~To defray the cost of the activities under subdivision 1, The governing body of the political subdivision may levy a tax which, except when levied by a county, must not exceed 0.01596 percent of taxable market value in any year in excess of charter limitations, but not more than 50 cents per capita, except that the levy for the grasshopper control program under sections 18.0223 to 18.0227 is not subject to the 50 cents per capita limitation. The political subdivision may make the levy, where necessary, separate from the general levy.~~

~~(b) If, because of the prevalence of Dutch elm disease, the governing body of such a political subdivision is unable to defray the cost of control activities authorized by this section within the limits set by this subdivision, the limits set by this subdivision are increased to 0.03216 percent of taxable market value, but not more than one dollar per capita on the taxable property within the subdivision to defray the cost of the activities authorized under subdivision 1.~~

Sec. 3. Minnesota Statutes 1992, section 18.111, subdivision 1, is amended to read:

Subdivision 1. [LEVY LIMIT.] ~~An annual levy not to exceed 0.00798 percent of market value tax~~ may be levied for mosquito abatement purposes on all taxable property in any governmental unit undertaking mosquito abatement as provided in sections 18.041 to 18.161. The tax shall be certified, levied, and collected in the same manner as other taxes levied by the governmental unit.

Sec. 4. Minnesota Statutes 1992, section 174.27, is amended to read:

174.27 [PUBLIC EMPLOYER COMMUTER VAN PROGRAMS.]

Any statutory or home rule charter city, county, school district, independent board or agency may acquire or lease commuter vans, enter into contracts with another public or private employer to acquire or lease such vans, or purchase such a service for the use of its employees. The governing body of any such city, county, or school district may by resolution establish a commuter van revolving fund to be used to acquire or lease commuter vans for the use of its employees. Any payments out of the fund shall be repaid to the fund out of revenues derived from the use by the employees of the city, county, or school district, of the vans so purchased or leased. ~~For the purpose of establishing the fund any city, county, or school district is authorized to make a one-time levy not to exceed 0.00242 percent of taxable market value in excess of all taxing limitations without affecting the amount or rate of taxes which may be levied by the city, county, or school district for other purposes or by any local governments in the area. Any city, county, or school district which establishes a commuter van acquisition program or contracts for this service is authorized to levy a tax not to exceed 0.00024 percent of taxable market value annually on all taxable property in the subdivision for the purpose of establishing a commuter van revolving fund and of paying the administrative and promotional costs of the program which levy shall may be in excess of all charter taxing limitations. The governing body of any city, county, or school district may by resolution terminate the commuter van revolving fund and use the funds for other purposes authorized by law.~~

Sec. 5. Minnesota Statutes 1992, section 375.167, subdivision 1, is amended to read:

Subdivision 1. [APPROPRIATIONS.] Notwithstanding any contrary law, a county board may appropriate from the general revenue fund to any nonprofit corporation a sum not to exceed ~~an amount equal to a levy of 0.00604 percent of taxable market value to provide legal assistance to persons who are unable to afford private legal counsel.~~

Sec. 6. Minnesota Statutes 1992, section 375A.13, subdivision 2, is amended to read:

Subd. 2. [COMPENSATION; EXPENSES.] The members of the commission shall serve without compensation but may be reimbursed their necessary expenses in carrying out the business of the commission. The commission may employ and determine the compensation of such staff as it deems necessary. The necessary expenses of the

commission and the cost of printing the commission's report and recommendations shall be paid by the county if so ordered by the commission. The amount of reasonable and necessary commission expenses that shall be so paid by the county shall not exceed in any one year the sum of \$5,000 but the county board may authorize additional commission expenses as it deems necessary. The county board may levy a tax ~~in excess of tax limitations~~ annually on the taxable property in the county to pay such expenses.

Sec. 7. Minnesota Statutes 1992, section 469.053, subdivision 7, is amended to read:

Subd. 7. [COUNTY LEVY.] The county board of a county having a port authority city may make an appropriation for the use of the port authority and may levy the amount of the appropriation in its general revenue levy. ~~The levy for this appropriation is subject to the county's levy limits.~~

Sec. 8. [REPEALER.]

Minnesota Statutes 1992, section 373.40, subdivision 6; and Laws 1991, chapter 291, article 4, section 21, are repealed.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 2

CITY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 12.26, subdivision 2, is amended to read:

Subd. 2. To provide moneys for civil defense purposes authorized by this chapter, a political subdivision is empowered to levy a tax annually upon all taxable property in the political subdivision, except as provided in subdivision 4, ~~a tax in excess of and over and above all~~ charter taxing limitations in such amount as may be necessary to pay such expenditures. The total amount of a tax levied under authority of this section, except when levied by a county, shall not exceed 40 cents per capita based on the last federal regular or special census, except in a political subdivision in which such tax will not produce a total amount of \$1,000 in which event a tax sufficient to produce \$1,000 or so much thereof as may be necessary may be levied.

Sec. 2. Minnesota Statutes 1992, section 88.04, subdivision 3, is amended to read:

Subd. 3. All towns and cities shall take necessary precautions to prevent the starting and spreading of forest or prairie fires and to extinguish them. They may levy a tax ~~not more than 0.08059 percent of taxable market value annually on all taxable property in the city or town. The tax in any municipality shall not exceed \$3,000 in any year.~~ The tax when collected shall be known as the fire fund and kept separate from all other funds and used only to pay all necessary and incidental expenses incurred in enforcing the provisions of sections 88.03 to 88.21. Up to \$500 shall be expended in any one year from any such fire fund for the support of any municipal fire department. No municipality shall make any levy for its fire fund at any time when the fund contains \$5,000 or more, including cash on hand and uncollected taxes that are not delinquent.

Sec. 3. Minnesota Statutes 1992, section 103G.625, subdivision 3, is amended to read:

Subd. 3. [FUNDING.] (a) The governing body of a municipality or town may use any available funds and may levy a tax ~~not to exceed the lesser of (1) 0.01596 percent of taxable market value, or (2) 50 cents per capita, on all~~ taxable property in the municipality or town to implement this section.

(b) To provide funds in advance of collection of the tax levies, the governing body may, at any time after the tax has been levied and certified to the county auditor for collection, issue certificates of indebtedness in anticipation of the collection and payment of the tax. The total amount of the certificates, including principal and interest, may not exceed 90 percent of the amount of the levy and must become payable from the proceeds of the levy not later than two years from the date of issuance. The certificates shall be issued on terms and conditions as the governing body may determine and sold as provided in section 475.60.

(c) If the governing body determines that an emergency exists, it may make appropriations from the proceeds of the certificates for authorized purposes without complying with statutory or charter provisions requiring that expenditures be based on a prior budget authorization or other budgeting requirement.

(d) The proceeds of a tax levied or an issue of certificates of indebtedness must be deposited in a separate fund and expended only for purposes authorized by this section. If a disbursement is not made from the fund for a period of five years, money remaining in the fund may be transferred to the general fund.

Sec. 4. Minnesota Statutes 1992, section 138.053, is amended to read:

138.053 [COUNTY HISTORICAL SOCIETY; TAX LEVY; CITIES OR TOWNS.]

The governing body of any home rule charter or statutory city or town excepting cities of the first class may annually appropriate annually an amount from its general fund of an amount not to exceed ~~the amount raised by a levy of 0.02418 percent of taxable market value, derived from ad valorem taxes on property or other revenues,~~ to be paid to the historical society of its respective county to be used for the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the county. No city or town may appropriate any funds for the benefit of any historical society unless the society is affiliated with and approved by the Minnesota historical society.

Sec. 5. Minnesota Statutes 1992, section 193.145, subdivision 2, is amended to read:

Subd. 2. [TAX LEVY, LIMITATION.] A county or municipality in which an armory has been constructed or is to be constructed hereunder may by resolution of its governing body irrevocably provide for levying and collecting annually for a specified period, not exceeding 40 years, a tax ~~which, unless levied by a county, shall not exceed 0.00798 percent of taxable market value~~ on the taxable property in the county or municipality.

The proceeds of the levy shall be paid to the corporation for the purposes herein prescribed. The county or municipality may make the levies and payments and bind itself thereto by resolution of its governing body. The provisions of the resolution may be made conditional upon the giving of an agreement by the adjutant general as authorized in subdivision 4. The obligations of the county or municipality to levy, collect, and pay over the taxes shall not be deemed to constitute an indebtedness of the county or municipality within the meaning of any provision of law or of its charter limiting its total or net indebtedness, and such taxes may be levied and collected without regard to any ~~statutory or~~ charter provision limiting the amount or rate of taxes which such county or municipality is otherwise authorized to levy.

Sec. 6. Minnesota Statutes 1992, section 268A.06, subdivision 2, is amended to read:

Subd. 2. [FUNDING.] In order to provide the necessary funds for extended employment programs offered by a rehabilitation facility, the governing body of any city, town, or county may expend money which may be available for such purposes in the general fund, and may levy a tax ~~which, except when levied by a county, shall not exceed in any one year the following amounts per capita of the population, based upon the last federal census: Cities of the first class, not to exceed ten cents per capita; cities of other than the first class, and towns, not to exceed 30 cents per capita~~ on the taxable property in the city, town, or county. Any city, town, county, or nonprofit corporation may accept gifts or grants from any source for the rehabilitation facility. Any money appropriated, taxed, or received as a gift or grant may be used to match funds available on a matching basis.

Sec. 7. Minnesota Statutes 1992, section 398.16, is amended to read:

398.16 [TAX LEVY, BUDGET.]

The park district board, as soon after organization as practicable and on or before the first day of July of each year thereafter, shall prepare a detailed budget of its proposed expenditures during the next fiscal year, other than those to be met by bond issues or by revenues described in section 398.17 and section 398.09, paragraph (d), which budgets shall in no year exceed 18 cents per person in the district as determined by the last federal decennial census. But no such assessment shall be made upon the people or property of a city of the first class.

As soon after organization as practicable, and on the first day of July each year thereafter, the park district board shall certify to the governing body of each township, town or city included in the district, the budget adopted pursuant to this section, together with a statement of the proportion of the budget to be provided by such

governmental subdivision. The budget shall be apportioned among such subdivisions within the district in the same proportion as their respective populations bear to the total population of the district, population figures to be based on the last federal decennial census.

For the purpose of this section the governing body of any city means that board, council, commission or officer authorized by law or charter to levy taxes for park and recreation purposes and the governing body of each unorganized township means the county board. It shall be the duty of each such governing body in the district to provide the funds necessary to meet its proportionate share of such budget, such funds to be raised by tax levies or other means within the authority of said governing bodies, and to pay the same over to the treasurer of the district in such amounts and at such times as may fairly be required by the park district board.

Any such governing body is hereby authorized to levy annually upon all taxable property within its boundaries a tax at the rate necessary to raise, at 98 percent collection, its proportionate share of the park district's budget, which tax, except in the case of cities of the first class, may be levied in excess of and over and above all ~~other~~ charter tax limitations.

All moneys received from said levies shall be turned over by the county treasurer collecting the same to the treasurer of the park district. All moneys received by the park district shall be used to carry out the powers and duties imposed on the park district board by this chapter and shall not be subject to review or reduction by other boards, commissions or councils.

If the governing body of any subdivision fails before October 1 of any year to pay its proportionate share of the park district budget for the next fiscal year or to certify to the county auditor a tax levy specifically designated for said purpose, the park district board shall certify to the county auditor of each county in which such governmental subdivision is located such amount of taxes as is deemed necessary to raise such subdivision's proportionate share of the budget, for collection with and as a part of other taxes on taxable property within such subdivision, which tax, may be levied in excess of and over and above all other tax limitations.

The park district board may by resolution, submit to the electors of the park district at a general or primary state election the question of raising the limit on the park district's budget from 18 cents to not to exceed 35 cents per person in the district. Any resolution providing for an election on raising the budgetary limit shall specify the proposed additional amount per person in the district to be authorized and the number of consecutive years such increase in the limit shall be effective. The resolution shall be certified to the county auditor of each county wherein lies any part of the territory of the district, and the county auditor or auditors shall cause the same to be submitted to the electors residing within such territory at the next ensuing general or primary election on a ballot setting forth the proposed additional amount per person and the number of years such increase shall be effective as provided in the resolution, and shall forward the official returns of the judges of election in the precincts voting on such ballot to the park district board for canvass, and the increase shall be authorized if approved by a majority of the electors of the district voting on such ballot.

The board may borrow money in anticipation of the collection of all taxes levied in its behalf and issue the negotiable notes of the district in an amount not in excess of 90 percent of the amount so levied which has not been received by the district at the time of the borrowing. Such notes shall mature not later than March 1 of the year following the year in which the tax levies are to be collected and shall be payable primarily from the proceeds of the levies anticipated thereby, but the full faith and credit of the district shall be pledged to the payment of the notes, and if such levies are not sufficient to pay all principal due and interest accrued thereon the park district board shall levy for the repayment of the principal and interest on such notes and ad valorem tax in the next ensuing year and for so long thereafter as may be necessary upon all of the taxable property within its corporate limits, which levy may be made without limitation as to rate or amount ~~and shall not be included in applying statutory limitations to other tax levies.~~

Sec. 8. Minnesota Statutes 1992, section 410.06, is amended to read:

410.06 [COMPENSATION; EXPENSES.]

The members of such commission shall receive no compensation, but the commission may employ an attorney and other personnel to assist in framing such charter, and any amendment or revision thereof, and the reasonable compensation and the cost of printing such charter, or any amendment or revision thereof, when so directed by the commission, shall be paid by such city. The amount of reasonable and necessary charter commission expenses that shall be so paid by the city shall not exceed in any one year the sum of \$10,000 for a first class city and \$1,500 for any

other city; but the council may authorize such additional charter commission expenses as it deems necessary. Other statutory and charter provisions requiring budgeting of, or limiting, expenditures do not apply to charter commission expenses. The council may levy a tax in excess of ~~statutory or~~ charter tax limitations to pay such expenses.

Sec. 9. Minnesota Statutes 1992, section 450.19, is amended to read:

450.19 [TOURIST CAMPING GROUNDS.]

A home rule charter or statutory city or town may establish and maintain public tourist camping grounds. The governing body thereof may acquire by lease, purchase, or gift, suitable lands located either within or without the corporate limits for use as public tourist camping grounds and provide for the equipment, operation, and maintenance of the same. The amount that may be expended for the maintenance, improvement, or operation of tourist camping grounds shall not exceed, in any year, a sum equal to ~~the amount raised by a tax of 0.00806 percent of taxable market value.~~

Sec. 10. Minnesota Statutes 1992, section 459.06, subdivision 1, is amended to read:

Subdivision 1. [ACCEPT DONATIONS.] Any county, city, or town may by resolution of its governing body accept donations of land that the governing body deems to be better adapted for the production of timber and wood than for any other purpose, for a forest, and may manage it on forestry principles. The donor of not less than 100 acres of any such land shall be entitled to have the land perpetually bear the donor's name. The governing body of any city or town, when funds are available or have been levied therefor, may, when authorized by a majority vote by ballot of the voters voting at any general or special city election or town meeting where the question is properly submitted, purchase or obtain by condemnation proceedings, and preferably at the sources of streams, any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located for the purpose, and manage it on forestry principles. The selection of the lands and the plan of management must be approved by the director of lands and forestry. The city or town may annually levy a tax ~~not exceeding 0.04030 percent of~~ on all taxable market value property within its boundaries to procure and maintain such forests.

Sec. 11. Minnesota Statutes 1992, section 459.14, subdivision 2, is amended to read:

Subd. 2. [FINANCING.] The municipality may pay for any portion of the cost of providing automobile parking facilities by:

- (1) appropriating money as authorized in subdivision 1;
- (2) ~~levying a tax, not exceeding 0.00403 percent of~~ on the taxable market value property within the municipality;
- (3) levying special assessments against benefited property;
- (4) appropriating any or all net revenues derived from the operation of its parking facilities;
- (5) classifying the users of the facilities as a subject for taxation, and imposing taxes thereon computed according to the extent of use of the facilities;
- (6) imposing reasonable rates, rents, fees, and charges for the use of any on-street or off-street parking privilege or facility, which may be in excess of actual cost of operation, maintenance, regulation, and supervision of parking at the particular location where the privilege is exercised;
- (7) leasing any off-street facilities at specified or determinable rents to be paid to the municipality under a lease made as provided in subdivision 4;
- (8) borrowing money and issuing bonds as authorized and limited by subdivision 3; or
- (9) any combination of the foregoing.

Sec. 12. Minnesota Statutes 1992, section 471.191, subdivision 2, is amended to read:

Subd. 2. Any such city may issue bonds pursuant to chapter 475, for the acquisition and betterment of land, buildings, and facilities for the purpose of carrying out the powers granted by this section. Such bonds, unless authorized as general obligations of the issuer pursuant to approval of the electors or pursuant to another law or charter provision permitting such issuance without an election, shall be payable solely from the income of land, buildings, and facilities used or useful for the operation of the program, but may be secured by a pledge to the bondholders, or to a trustee, of all income and revenues of whatsoever nature derived from any such land, buildings, and facilities, as a first charge on the gross revenues thereof to the extent necessary to pay the bonds and interest thereon when due and to accumulate and maintain an additional reserve for that purpose in an amount equal to the total amount of payments to become due in any fiscal year. In this event the governing body of the issuer may by resolution or trust indenture define the land, buildings, or facilities, the revenues of which are pledged, and establish covenants and agreements to be made by the issuer for the security of the bonds, including a covenant that the issuer will establish, maintain, revise when necessary, and collect charges for all services, products, use, and occupancy of the land, buildings, and facilities, in the amounts and at the times required to produce the revenues pledged, and also sufficient, with any other funds appropriated by the governing body from time to time, to provide adequately for the operation and maintenance of the land, buildings, and facilities. After the issuance of any bonds for which revenues are so pledged, the governing body of the issuer shall provide in its budget each year for any anticipated deficiency in the revenues available for such operation and maintenance. For this purpose any issuer ~~other than a city of the first class~~ may levy a tax of not more than ~~0.01612 percent of on the taxable market value property within its boundaries~~, in excess of taxes which may otherwise be levied within legal and charter limitations, provided the excess levy for a city subject to a charter limitation is approved by a majority of its electors voting on the question at a regular or special election. The authority to levy additional taxes granted herein shall not apply to cities or towns in which the net tax capacity consists in part of iron ore or lands containing taconite or semitaconite.

Sec. 13. Minnesota Statutes 1992, section 471.57, subdivision 1, is amended to read:

Subdivision 1. [TAX LEVY.] The council of any city, however organized, may establish by ordinance a public works reserve fund and may annually levy taxes within existing charter limits for the support of such fund. It may, by the ordinance establishing the fund, designate a specific capital improvement or a type of capital improvement for which the fund is to be used. The proceeds of taxes levied for its support shall be paid into the public works reserve fund. There may be paid into such fund any other revenue not required by statute or charter to be paid into some other fund or used for purposes other than those provided in this section for the use of the public works reserve fund.

Sec. 14. Minnesota Statutes 1992, section 471.61, subdivision 1, is amended to read:

Subdivision 1. [OFFICERS, EMPLOYEES.] A county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than the state or any department of the state, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their officers and employees, and their dependents, or any class or classes of officers, employees, or dependents, under a policy or policies or contract or contracts of group insurance or benefits covering life, health, and accident, in the case of employees, and medical and surgical benefits and hospitalization insurance or benefits for both employees and dependents or dependents of an employee whose death was due to causes arising out of and in the course of employment, or any one or more of those forms of insurance or protection. A governmental unit, including county extension committees and those paying their employees, may pay all or any part of the premiums or charges on the insurance or protection. A payment is deemed to be additional compensation paid to the officers or employees, but for purposes of determining contributions or benefits under a public pension or retirement system it is not deemed to be additional compensation. One or more governmental units may determine that a person is an officer or employee if the person receives income from the governmental subdivisions without regard to the manner of election or appointment, including but not limited to employees of county historical societies that receive funding from the county. The appropriate officer of the governmental unit, or those disbursing county extension funds, shall deduct from the salary or wages of each officer and employee who elects to become insured or so protected, on the officer's or employee's written order, all or part of the officer's or employee's share of premiums or charges and remit the share or portion to the insurer or company issuing the policy or contract.

A governmental unit, other than a school district, that pays all or part of the premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary money for the payment of the premiums or charges, and the sums levied and appropriated are not, in the event the sum exceeds the maximum sum allowed by ~~any law or~~ the charter of a municipal corporation, considered part of the cost

of government of the governmental unit as defined in any tax levy or per-capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents must be contributed by the employee or be paid by levies within existing per-capita charter tax limitations.

The word "dependents" as used in this subdivision means spouse and minor unmarried children under the age of 18 years actually dependent upon the employee.

Sec. 15. Minnesota Statutes 1992, section 471.61, subdivision 2a, is amended to read:

Subd. 2a. [RETIRED OFFICERS, EMPLOYEES.] Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, including the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their retired officers and retired employees entitled to benefits under any public employees retirement act and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, medical and surgical benefits, or hospitalization insurance or benefits, for retired officers and retired employees and their dependents, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees, may pay all or any part of the premiums or charges on such insurance or protection or may require the retired officer or employee to pay all or part of the premiums or charges. Any one or more of such governmental units may determine that a person is a retired officer or a retired employee if such officer or employee, when employed, received income from such governmental subdivisions without regard to the manner of election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall collect from each such retired officer and retired employee who elects to become insured or so protected, on such officer's or employee's written order, all or part of the retired officer's or retired employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract. An insurer, health maintenance organization, or company issuing the policy or contract may not require a public employer to contribute any portion of the retired officer's or employee's share as a condition of eligibility for the insurance or protection. An insurer, health maintenance organization, or company issuing the policy or contract may require a retired officer or a retired employee to pay all or any part of the premiums or charges.

Any governmental unit, other than a school district, which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary funds for the payment of such premiums or charges, and such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by ~~any law or~~ the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per-capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the retired officer or retired employee or be paid by levies within existing per-capita charter tax limitations.

The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of 18 years actually dependent upon the retired officer or retired employee.

Sec. 16. [REPEALER.]

Minnesota Statutes 1992, sections 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2, are repealed.

Sec. 17. [EFFECTIVE DATE.]

Sections 1 to 16 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 3

CHARTER CITY AND STATUTORY CITY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 412.251, is amended to read:

412.251 [ANNUAL TAX LEVY.]

The council shall make its annual tax levy by resolution. The following taxes may be levied as authorized:

(1) a tax for the payment of principal and interest on outstanding obligations of the city as provided by sections 475.61, 475.73, and 475.74;

(2) a tax for the payment of judgments as authorized by section 465.14;

(3) a ~~maximum of 0.00805 percent of taxable market value but not to exceed \$500~~ tax to provide musical entertainment to the public in public buildings or on public grounds;

(4) a tax for band purposes as authorized by section 449.09;

(5) a tax for the support of a municipal forest, as authorized by section 459.06;

(6) a tax for advertising purposes, as authorized by section 469.189;

(7) a tax for forest fire protection in any city in a forest area, as authorized by section 88.04;

(8) a ~~maximum of 0.04030 percent of taxable market value~~ tax for the utilities fund in any city whose utilities are under the jurisdiction of a public utilities commission. The tax shall be levied for the purpose of paying the cost of the utility service or other services supplied to the city;

(9) a tax for the support of a public library, as authorized by section 134.07;

(10) a tax for firefighters' relief association purposes as authorized by sections 69.772, subdivision 4, 69.773, subdivision 5, or other statutes; and

(11) other special taxes authorized by law.

~~Nothing in this section shall be construed to reduce levies of any municipality below the per capita levy spread in 1970.~~

Sec. 2. Minnesota Statutes 1992, section 449.06, is amended to read:

449.06 [ENTERTAINMENT TAX IN CITIES OF THE FOURTH CLASS.]

The governing body of any city of the fourth class operating under a home rule charter of commission form of government may levy a tax ~~not exceeding 0.01209 percent of taxable market value~~ for the purpose of providing musical entertainments to the public in public buildings or upon public grounds. The total sum that may be levied ~~or~~ expended in any year shall not exceed \$3,500.

Sec. 3. Minnesota Statutes 1992, section 449.08, is amended to read:

449.08 [TAX LEVY FOR MUSICAL ENTERTAINMENTS IN CITIES OF THE THIRD CLASS.]

The council of any city of the third class may levy a tax ~~not exceeding 0.00806 percent of taxable market value~~ for the purpose of providing free musical entertainment for the general public. The proceeds of this tax shall be used only for the purpose of providing free musical entertainment for the public. The annual expenditure for this purpose is limited to \$3,000.

Sec. 4. Minnesota Statutes 1992, section 465.54, is amended to read:

465.54 [MAY PAY EXPENSES FROM GENERAL FUND OF STATUTORY CITY.]

The council of any statutory city may pay from the general fund of the municipality, for the purposes of section 469.186, expenses incurred by the governing officers in the performance of their official duties. Trips for lobbying purposes or trips to meetings or conventions not in connection with specific municipal projects pending before the officer making the trip are not authorized for payment under this section.

~~All expenditures for the purposes of this section shall be within the statutory limits upon tax levies in the statutory city.~~

Sec. 5. Minnesota Statutes 1992, section 469.188, is amended to read:

469.188 [TAX FOR ADVERTISING RESOURCES; CITIES OF SECOND OR THIRD CLASS.]

The governing body of any city of the second or third class in this state may levy a tax ~~not to exceed 0.00806 percent of taxable market value~~ for the purpose of advertising agricultural, industrial business, and all other resources of the community.

Sec. 6. Minnesota Statutes 1992, section 471.24, is amended to read:

471.24 [STATUTORY CITIES AND TOWNS MAY JOIN IN MAINTAINING CEMETERIES.]

Where a statutory city or town owns and maintains an established cemetery or burial ground, either within or without the municipal limits, the statutory city or town may, by mutual agreement with contiguous statutory cities and towns, each having a market value of not less than \$2,000,000, join together in the maintenance of such public cemetery or burial ground for the use of the inhabitants of each of such municipalities; and each such municipality is hereby authorized, by action of its council or governing body, to levy a tax or make an appropriation for the annual support and maintenance of such cemetery or burial ground; provided, the amount thus ~~levied or~~ appropriated by each municipality shall not exceed a total of \$10,000 in any one year.

Sec. 7. [REPEALER.]

Laws 1915, chapter 316, section 1, as amended by Laws 1917, chapter 426, section 1, is repealed.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 4

TOWN TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 164.04, subdivision 3, is amended to read:

Subd. 3. [EMERGENCIES.] In case of emergency after the town meeting, but not later than October 1 in the same year, the town board may levy a tax on the property in the town for road and bridge purposes, in addition to any tax voted at the annual town meeting for road and bridge purposes, ~~in an amount not to exceed 0.04028 percent of taxable market value.~~ Any tax so levied shall be certified to the county auditor for extension and collection. The town board may thereafter pledge the credit of the town by issuing town orders, not exceeding the amount of the additional tax so levied for road and bridge purposes, in payment for the emergency work done or material used on the roads within the town.

Sec. 2. Minnesota Statutes 1992, section 164.05, subdivision 1, is amended to read:

Subdivision 1. [POWERS.] In any town in which the voters authorize the town board to do so as provided in this section, the town board may levy a tax ~~not to exceed 0.08051 percent of taxable market value.~~ The tax shall be known as the town road drainage tax.

Sec. 3. Minnesota Statutes 1992, section 237.35, is amended to read:

237.35 [TAX LEVY FOR CONSTRUCTION.]

When any town has authorized the construction, acquiring, operation, or maintenance of a telephone system, as set forth in sections 237.33 and 237.34, and determined the amount of money to be raised for that purpose, the town board of supervisors may levy a tax for the amount of money to be raised therefor. ~~The tax levy for that purpose shall not exceed 0.08051 percent of taxable market value.~~

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 5

TAX LEVY LIMITATIONS FOR PARTICULAR COUNTIES

Section 1. Minnesota Statutes 1992, section 383A.03, subdivision 4, is amended to read:

Subd. 4. [ICE ARENAS AND GALL'S GOLF COURSE.] Ramsey county may levy, annually, a tax ~~not to exceed 0.02418 percent of on all taxable market value property in the county~~ for the acquisition and construction of nine artificial ice arenas and a golf course, to pay the interest on the bonds as it accrues and to pay the principal thereof in full at maturity, and ~~not to exceed 0.01209 percent of taxable market value~~ to provide for the operation of these facilities. The board of county commissioners shall levy a tax for this purpose.

Sec. 2. Minnesota Statutes 1992, section 383A.411, subdivision 5, is amended to read:

Subd. 5. In substitution of, but not in addition to, powers granted to Ramsey county in subdivision 4, Ramsey county may levy and collect a tax, ~~not to exceed the lesser of \$5,000,000 or 0.04835 percent of on all taxable market value property in the county~~ to finance the construction, installation, modification, or improvement of heating, cooling, and domestic hot water systems serving buildings owned in whole or part, operated, or maintained by the county or Ramsey county medical center commission.

Sec. 3. Minnesota Statutes 1992, section 383B.245, is amended to read:

383B.245 [LIBRARY LEVY.]

The county board may ~~also~~ levy a tax ~~of not more than 0.01612 percent of market value on the taxable property~~ within the county outside of any city in which is situated a free public library of the city to acquire, better, and construct county library buildings and branches and to pay principal and interest on bonds issued for that purpose. ~~The levy of the tax shall not cause the amount of other taxes levied or to be levied by the county, which are subject to any limitation, to be reduced in any amount.~~

The county board may by resolution adopted by a five-sevenths vote issue and sell general obligation bonds of the county in the manner provided in sections 475.60 to 475.73. The bonds shall not be subject to the limitations of sections 475.51 to 475.59, but the maturity years and amounts and interest rates of each series of bonds shall be fixed so that the maximum amount of principal and interest to become due in any year, on the bonds of that series and of all outstanding series issued by or for the purposes of libraries, shall not exceed an amount equal to 0.01612 percent of market value of all taxable property in the county, which was not taxed in 1987 by any city for the support of any free public library, as last finally equalized before the issuance of the new series. When the tax levy authorized in this section is collected it shall be appropriated and credited to a debt service fund for the bonds in amounts required each year in lieu of a countywide tax levy for the debt service fund under section 475.61.

Sec. 4. Minnesota Statutes 1992, section 383C.42, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] To provide necessary funds to construct and maintain county or regional juvenile detention and/or treatment centers and to provide matching funds for any federal, state, or regional grant, the county boards of St. Louis, Carlton, Cook, Lake, Itasca, Koochiching, and Aitkin counties may levy, annually, a tax upon all taxable property in their respective counties a tax that does not exceed 0.01209 percent of market value.

Sec. 5. Minnesota Statutes 1992, section 473.711, subdivision 2, is amended to read:

Subd. 2. The metropolitan mosquito control commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding the property tax levy limitation determined in this subdivision. The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed the property tax levy limitation determined in this subdivision. A participating county may agree to levy an additional tax to be used by the commission for the purposes of sections 473.701 to 473.716 ~~but the sum of the county's and commission's taxes may not exceed the county's proportionate share of the property tax levy limitation determined under this subdivision based on the ratio~~

~~of its total net tax capacity to the total net tax capacity of the entire district as adjusted by section 270.12, subdivision 3.~~ The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions. No county shall levy any tax for mosquito, disease vectoring tick, and black gnat (Simuliidae) control except under sections 473.701 to 473.716. The levy shall be in addition to other taxes authorized by law.

The property tax levied by the metropolitan mosquito control commission shall not exceed ~~the following amount for the years specified:~~

(a) ~~for taxes payable in 1988, the product of six tenths on one mill multiplied by the total assessed valuation of all taxable property located within the district as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;~~

(b) ~~for taxes payable in 1989, the product of (1) the commission's property tax levy limitation for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the district divided by the assessment year 1987 total market valuation of all taxable property located within the district;~~

(c) ~~for taxes payable in 1990, 1991, and 1992, the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year;~~

(d) ~~for taxes payable in 1993, the product of (1) the commission's certified property tax levy for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year; and~~

(e) ~~for taxes payable in 1994 and subsequent years, the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year.~~

For the purpose of determining the commission's property tax levy limitation ~~for the taxes payable year 1988 and subsequent years~~ under this subdivision, "total market valuation" means the total market valuation of all taxable property within the district without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

Sec. 6. Laws 1943, chapter 367, section 1, as amended by Laws 1949, chapter 307, section 1, as amended by Laws 1961, chapter 307, section 1, is amended to read:

Section 1. [Tax levies in Todd county.] The county board of Todd county may levy taxes ~~of not to exceed four mills on a dollar of~~ the taxable property of said county, ~~exclusive of moneys and credits,~~ in addition to all tax levies now authorized by law, to defray county expenses for snow removal from town roads, payable out of the road and bridge fund.

Sec. 7. Laws 1943, chapter 510, section 1, is amended to read:

Section 1. [Annual tax levy for county agricultural societies in certain counties.] In addition to all other powers now or hereafter by law conferred on county boards, authority is hereby given to county boards in counties having not less than 18 or more than 20 townships, full or fractional, and an area of not less than 425,000 or more than 427,000 acres to annually levy a tax ~~of not to exceed one half of a mill~~ upon all property subject to taxation, and from time to time to appropriate and pay over the proceeds of said tax, when collected, to any county agricultural society of its county and other organizations of said county holding local fairs therein, which in the opinion of the county commissioners will use such money for the best interests of such county in advertising, improving or developing the agricultural resources of such county; provided the county board may make such rules and regulations for the expenditure of such funds as it may deem proper and may require any such organization to agree in writing to expend such funds in accordance with such rules and regulations before receiving the same.

Sec. 8. Laws 1947, chapter 340, section 4, is amended to read:

Sec. 4. [Taxes, how levied.] Taxes shall be levied by said board for the support of the poor, including allowances to mothers for the support of dependent children and for said hospital as follows: On or before the first day of October in each year said board shall determine, by separate resolutions duly passed, the amount of taxes to be levied for the ensuing year for the support of the poor, including allowances to mothers for the support of dependent children in such county, the maintenance of the poor house and other buildings provided for the care of the poor, including the erection of any building or the making of any improvements for such purpose, and for the care, support, maintenance and operation of said hospital, including the construction or repair of any buildings therefor. The adoption of such resolution shall constitute a levy on the taxable property in such county to the full amount named therein, ~~provided, however, that the tax so levied for said hospital purposes shall not exceed one mill upon the said taxable property in said county.~~ On or before the fifth day of October in each year said board shall file a certified copy of each of said resolutions with the county auditor of such county, who shall thereupon enter the amount upon the tax list, and thereafter proceed to the assessing and collecting of such tax in the same manner as village or corporation taxes. Such taxes when collected shall be placed in, or credited to the hospital fund and to the poor fund, respectively. All allowances to mothers for the support of dependent children in such counties shall henceforth be paid from the poor fund of such counties. Provided further, that in each of such counties the Board of Poor and Hospital Commissioners is hereby authorized and directed to levy against the taxable property in its county, by resolution as above provided, in the year 1931, in addition to other authorized levies, an amount equal to the aggregate sum paid to mothers for the support of dependent children from the revenue fund of such county during the years 1928, 1929, 1930 and 1931, said levy to provide that the collection thereof shall be equally spread over a period of three years and that the proceeds thereof, when collected, shall be, by the auditor of such county, transferred to the revenue fund of such county.

Sec. 9. Laws 1949, chapter 252, section 1, is amended to read:

Section 1. [Certain counties; limited tax levy for bridge construction.] In addition to all other levies now provided by law, and regardless of any limitations as to county indebtedness, in any county having less than 10,000 inhabitants according to the 1940 federal census, and having less than 20 full and fractional congressional townships, and having a land area of less than 500 square miles, the county board may include in its annual levy ~~not to exceed five mills~~ an amount for a bridge construction fund.

Sec. 10. Laws 1949, chapter 668, section 1, is amended to read:

Section 1. [Certain counties may levy a ~~three mill~~ tax; proceeds credit to county building sinking fund.] The Board of County Commissioners in all counties of this state having a land area of more than 380 and less than 400 square miles, and having a population of more than 20,000, according to the last Federal census, may hereafter annually levy a tax ~~not to exceed three mills~~ for the purpose of providing funds for the present or future construction or repairing of buildings used or to be used for the administration of the affairs of the county, and for the grounds therefor, and the purchase of necessary equipment to be used in connection therewith. The proceeds from any tax so levied shall be credited to a special fund to be known as the County Building Sinking Fund. Any money credited to such fund shall be used solely for the purposes provided for in this act.

Sec. 11. Laws 1953, chapter 154, section 3, is amended to read:

Sec. 3. [Tax levy, hospital.] In addition to all other taxes which the county is authorized by law to levy and collect, the county board of any such county may levy a tax ~~of not more than one mill on the dollar~~ of the taxable valuation of the county for the purpose of maintaining, equipping, repairing, and operating the hospital. The proceeds of this tax shall be set aside in a special fund, to be known as the county hospital fund. The monies in this fund shall be used for no other purpose than that authorized.

Sec. 12. Laws 1957, chapter 213, section 1, is amended to read:

Section 1. [County health nurse program, tax levy.] In any county containing over 75 and less than 80 full and fractional congressional townships, having an assessed valuation of over \$2,000,000 and less than \$5,000,000 and over 19,000 and less than 21,000 inhabitants according to the 1950 federal census, the county board, may levy annually a tax ~~of not to exceed 2 mills~~ on all the taxable property in the county, for the county health nurse program.

Sec. 13. Laws 1959, chapter 556, section 1, as amended by Laws 1963, chapter 343, section 1, is amended to read:

Section 1. [Red River Valley; development.] The board of county commissioners of the counties of Kittson, Roseau, Marshall, Polk, Red Lake, Norman, Becker, Clay, Lake of the Woods, Mahnomen, Wilkin, and Clearwater may annually levy a tax of in an amount not to exceed ~~one-fourth of one mill, in excess of existing limitations~~ 0.00604 percent of taxable market value, for the sole purpose of maintaining existing and new programs which develop and promote the natural resources of the counties of the Red River Basin of Minnesota. These tax moneys shall be provided to the "Minnesota Red River Valley Development Association" for allotment as appropriate.

Sec. 14. Laws 1961, chapter 151, section 1, is amended to read:

Section 1. [Otter Tail county, tax levy, state parks.] The county board of Otter Tail county may levy ~~not to exceed one mill~~ a tax on all the taxable property, real and personal, in Otter Tail county, and may appropriate and expend the proceeds thereof for the purpose of matching any appropriation made by the legislature for the acquisition of state park lands in Otter Tail county.

Sec. 15. Laws 1961, chapter 209, section 4, is amended to read:

Sec. 4. [Tax levy authorized.] The board of county commissioners of Anoka county are hereby authorized to levy a tax ~~not to exceed two mills on the dollar of the assessed valuation of~~ on all taxable property in the county to carry out the provisions of this act.

Sec. 16. Laws 1961, chapter 352, section 1, as amended by Laws 1963, chapter 287, section 1, is amended to read:

Section 1. [Library tax levy, Scott and Dakota counties.] The county boards of Dakota and Scott counties may levy, in addition to the library operating fund, a tax of ~~not more than one mill~~, over the area in the respective counties served by the county library system for the acquisition and maintenance of library buildings, library operation, and library services.

~~The levy of such tax shall not cause the amount of other taxes levied, or to be levied by the respective counties, which are subject to any limitation, to be reduced in any amount whatsoever.~~

Sec. 17. Laws 1963, chapter 603, section 1, is amended to read:

Section 1. [Itasca county; garbage disposal.] The county board of Itasca county may provide for and regulate the disposal of garbage, and other refuse in unorganized townships, and do all things necessary to acquire dump sites and provide for their maintenance, either by contract or by such county agency as they may elect. The county board of Itasca county may levy taxes ~~not to exceed two mills~~ upon all the taxable property of the unorganized township or townships affected for the purposes of this section.

Sec. 18. Laws 1965, chapter 442, section 1, is amended to read:

Section 1. [Wadena county; courthouse.] The county board of Wadena county may levy annually a tax of ~~not to exceed eight mills on the dollar of~~ all taxable property in the county for a building fund for a new courthouse building. The levy of such tax shall be made at the same time as the levy for general purposes of the county are made. ~~The levy authorized herein is over and above and in excess of any per capita mill or other taxing limitation upon said county.~~

Sec. 19. Laws 1965, chapter 512, section 1, subdivision 1, is amended to read:

Subdivision 1. The board of county commissioners of Crow Wing county may levy a tax for town purposes ~~not exceeding 10 mills on the dollar of~~ taxable valuation of all the real and personal property in the unorganized townships of said county, ~~exclusive of money and credits.~~

Sec. 20. Laws 1967, chapter 501, section 1, is amended to read:

Section 1. [St. Louis county; health department; tax levy.] Notwithstanding the provisions of Minnesota Statutes, Section 145.51, Subdivision 1, to the contrary, in St. Louis county there may be levied for the purposes of Minnesota Statutes, Sections 145.47 to 145.54, ~~an amount not to exceed 2.5 mills a tax on the dollar of~~ the taxable valuation of the county.

Sec. 21. Laws 1967, chapter 526, section 1, subdivision 3, is amended to read:

Subd. 3. The county board may annually levy upon all taxable property within the county a tax sufficient to yield ~~not more than \$2,500~~ for the purpose of implementing the provisions of this act. The taxing authority conferred by this subdivision is in addition to that conferred by any other law.

Sec. 22. Laws 1967, chapter 542, section 1, subdivision 3, is amended to read:

Subd. 3. Each year the board of commissioners may levy a tax on all taxable property in the county to provide funds for the purpose specified in subdivision 1. ~~Such tax shall not exceed one mill in any year.~~

Sec. 23. Laws 1967, chapter 611, section 1, is amended to read:

Section 1. [Aitkin county; advertising; tax levy.] The county board of Aitkin county may levy a tax ~~not to exceed one mill on the dollar of the taxable valuation of the county to be expended for the purpose of advertising and promoting the county and its resources and advantages for tourist, agricultural, and industrial development.~~ Such advertisements or promotions may include preparation of materials or employment of staff for this purpose. The county may accept gifts for such purpose and may contract with municipalities and towns within the county in joint advertising and promotional programs.

Sec. 24. Laws 1969, chapter 652, section 1, is amended to read:

Section 1. [Big Stone county; nurse; tax levy.] The county board of Big Stone county may levy a tax ~~not to exceed five mills on the dollar of the taxable valuation of the county for county health nurse budget purposes.~~

Sec. 25. Laws 1971, chapter 404, section 1, is amended to read:

Section 1. [NORMAN COUNTY; NURSE; TAX LEVY.] The county board of Norman county may levy a tax ~~not to exceed two mills on the dollar of the taxable valuation of the county for county health nurse budget purposes.~~

Sec. 26. Laws 1971, chapter 424, section 1, is amended to read:

Section 1. [COOK AND LAKE COUNTIES; HEALTH DEPARTMENT TAX LEVY.] Notwithstanding the provisions of Minnesota Statutes, Section 145.51, the board of commissioners of Cook and Lake counties shall have authority to levy a tax ~~in an amount not to exceed six mills against~~ on all of the taxable property of said counties for the purposes set forth in Minnesota Statutes, Sections 145.47 to 145.54.

Sec. 27. Laws 1979, chapter 253, section 3, is amended to read:

Sec. 3. The counties of Lac Qui Parle, Yellow Medicine, Redwood, Lincoln, Lyon, Pipestone, Murray, Cottonwood, Blue Earth and Brown which are members of the southern Minnesota river basin area II management board, established by a joint powers agreement in accordance with section 471.59, may levy an ad valorem tax ~~not to exceed one fourth of one mill on each dollar of assessed valuation of~~ on all taxable property within the county. ~~This levy is not subject to levy limitations including those contained in sections 275.50 to 275.56, commencing with the levy made in 1979, payable in 1980.~~ The proceeds of this levy may be used to provide financial assistance to local governmental units for purposes of sections 104.42 to 104.50 for an amount not to exceed 12.5 percent of the total cost of the project which is of common benefit to area II in order to match grants made by the state soil and water conservation board. The proceeds of this levy may also be used to pay administrative, engineering and legal expenses of common benefit to area II.

Sec. 28. Laws 1983, chapter 326, section 17, subdivision 1, is amended to read:

Subdivision 1. The Washington county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public city library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 475.50 to 275.56, or other law.~~

Sec. 29. Laws 1984, chapter 380, section 1, is amended to read:

Section 1. [TAX.]

The Anoka county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56, or other law.~~

Sec. 30. Laws 1985, chapter 181, section 1, is amended to read:

Section 1. [GOODHUE COUNTY; HISTORICAL SOCIETY LEVY.]

Goodhue county may levy a tax ~~of one-third mill per year~~ on property in the county and use the proceeds of the levy for the county historical society. ~~The levy shall be disregarded in the calculation of any other levies or limits on levies provided by other law.~~

Sec. 31. Laws 1985, chapter 289, section 1, is amended to read:

Section 1. [SPECIAL LEVY AUTHORITY.]

Hubbard county may levy a property tax ~~in an amount not to exceed \$45,000 annually~~ to construct, maintain, or operate public park or other recreational facilities or programs. ~~The tax authorized by this section shall be disregarded in the calculation of any levy limitations under Minnesota Statutes, chapter 275.~~

Sec. 32. Laws 1985, chapter 289, section 3, is amended to read:

Sec. 3. [APPROPRIATION.]

Hubbard county may levy a property tax ~~not greater than \$20,000 annually~~ and disburse its proceeds to operate county agricultural fairs and maintain buildings and grounds used for county agricultural fairs. This section supersedes any inconsistent provision of Minnesota Statutes, sections 38.17, 375.18, subdivision 8, or other law. ~~The tax provided by this act shall be disregarded in the calculation of any other levy or limit on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~ The authority allowed by this section is provided at the request of the board of county commissioners of Hubbard county.

Sec. 33. Laws 1985, chapter 289, section 5, subdivision 1, is amended to read:

Subdivision 1. Clearwater county may levy a property tax in an amount authorized by the county board, ~~not to exceed a levy of three mills, in excess of any limitation imposed by Minnesota Statutes, sections 275.50 to 275.56, or any other law,~~ for the purpose of funding the operation of the county hospital.

Sec. 34. Laws 1985, chapter 289, section 6, subdivision 1, is amended to read:

Subdivision 1. The Cass county board may annually levy a tax ~~of a total amount of not more than \$70,000~~ on taxable property in the county and disburse the proceeds of the levy to promote tourism and agriculture in the county. ~~A levy under this section shall be disregarded in the calculation of any other levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~

Sec. 35. Laws 1986, chapter 392, section 1, is amended to read:

Section 1. [TAX.]

The Dakota county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56, or other law.~~

Sec. 36. Laws 1986, chapter 399, article 1, section 1, as amended by Laws 1989, First Special Session chapter 1, article 5, section 46, is amended to read:

Section 1. [AITKIN COUNTY; DEVELOPMENT LEVY.]

The Aitkin county board may annually levy a tax ~~of not more than 0.03224 percent of market value~~ on taxable property in the county, to provide funds to be used by the county for tourist, agricultural, industrial, and economic development.

~~For 1989 and 1990 only, the annual appropriation limitation in Minnesota Statutes, section 375.83 is increased to \$100,000 for Aitkin county only.~~

Sec. 37. Laws 1988, chapter 517, section 1, is amended to read:

Section 1. [ITASCA COUNTY; DEVELOPMENT LEVY.]

The Itasca county board may annually levy a tax ~~of not more than one mill~~ on taxable property in the county, to provide funds to be used by the county for tourist, agricultural, industrial, and economic development. This tax may be levied only if, by October 1 of the levy year, the county board has a commitment from a foundation or similar organization to provide matching funds for this purpose in the amount equal to the levy to be paid during the following 15 months. No part of the proceeds of this levy may be used to provide a direct loan or grant to any individual or for-profit enterprise. ~~A levy under this section is in addition to any other permitted by law and shall be disregarded in the calculation of any other levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~

Sec. 38. Laws 1988, chapter 640, section 3, is amended to read:

Sec. 3. [HISTORICAL SOCIETY LEVY.]

Each of the counties of Chisago, Kanabec, Pine, and Carlton may levy a tax not greater than .75 mills per year on taxable property in the county and use its proceeds for the county historical society. ~~The levy shall be disregarded in the calculation of any other levies or limits on levies provided by other law.~~

Sec. 39. [REPEALER.]

Laws 1982, chapter 523, article XII, section 8; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended by Laws 1991, chapter 291, article 4, section 11; Laws 1990, chapter 604, article 3, sections 50 and 55; and Laws 1991, chapter 3, section 2, subdivision 3, are repealed.

Sec. 40. [EFFECTIVE DATE.]

Sections 1 to 39 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 6

TAX LEVY LIMITATIONS FOR PARTICULAR CITIES

Section 1. Minnesota Statutes 1992, section 103B.635, subdivision 2, is amended to read:

Subd. 2. [MUNICIPAL FUNDING OF DISTRICT.] (a) The governing body or board of supervisors of each municipality in the district must provide the funds necessary to meet its proportion of the total cost determined by the board.

(b) A municipality may raise the funds by any means that the municipality has to raise funds. ~~The municipalities may each levy a tax not to exceed .00242 percent of taxable market value on the taxable property located in the district for funding the district. The levy must be within all other limitations provided by law.~~

(c) The funds must be deposited in the treasury of the district in amounts and at times as the treasurer of the district requires.

Sec. 2. Minnesota Statutes 1992, section 103B.691, subdivision 2, is amended to read:

Subd. 2. [MUNICIPAL FUNDING OF DISTRICT.] (a) The governing body or board of supervisors of each municipality in the district shall provide the funds necessary to meet its proportion of the total cost to be borne by the municipalities as finally certified by the board.

(b) The municipality's funds may be raised by any means within the authority of the municipality. ~~The municipalities may each levy a tax not to exceed .02418 percent of taxable market value on the taxable property located in the district to provide the funds. The levy shall be within all other limitations provided by law.~~

(c) The funds must be deposited into the treasury of the district in amounts and at times as the treasurer of the district requires.

Sec. 3. Minnesota Statutes 1992, section 412.531, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT, TRANSFER; TAX LEVIES.] For the purpose of carrying out the powers of the park board there shall be established in the city treasury a special fund to be called a park fund. The council may transfer to the park fund the money it deems necessary for park purposes. No later than September 1 of each year the park board shall present to the council in the detail the council requires its estimate of the financial needs of the board for the ensuing fiscal year. In any county having a population of more than 200,000 the council of any city, whether having a park board or not, may annually levy a tax ~~not to exceed 0.01620 percent of on all taxable market value property in the city~~ for park purposes. The proceeds of this tax shall be placed in the park fund.

Sec. 4. Laws 1933, chapter 423, section 2, is amended to read:

Sec. 2. [Tax levy for expenses.] The city council, city commission, or other governing body of such city may each year at the time tax levies are made for the general revenues of the city, for the purpose of defraying the expense incurred in the establishment and maintenance of such information and publicity bureau, levy within the charter limits ~~now prescribed by law~~ a tax on all the taxable property of such city, ~~the amount of such tax not to exceed in the aggregate the sum of \$5,000.00 per annum, which levy shall be transmitted to the County Auditor of the County in which the city is situated, at the time the other tax levies are transmitted, and when received the monies derived from such tax shall be credited to a special fund for the purposes of this Act. Such governing body may during the year 1933 appropriate from the general funds of the city not to exceed \$5,000.00 for such purposes.~~

Sec. 5. Laws 1943, chapter 196, section 6, as amended by Laws 1947, chapter 77, section 1, Laws 1955, chapter 88, section 2, Laws 1959, chapter 358, section 2, and Laws 1969, chapter 569, section 1, is amended to read:

Sec. 6. [Nashwauk, village city of; police pensions.] For the support of the fund from which such pensions are paid the council or other governing body of the village city shall each year, at the time the tax levies are made for the general revenues of the village city, levy within the limits then permitted by law, a tax on all taxable property of the village in the city an amount of not less than \$2,500 ~~nor more than \$5,000~~ per annum, which levy shall be transmitted to the auditor of the county in which the village city is located at the time the other tax levies are transmitted and shall be collected and the payment enforced in the same manner as other taxes of the village city. In addition thereto each member of the association shall contribute to the fund each month six percent of his monthly pay, to be deducted at the time of the payment of his salary or wages by the village and transferred to the fund, in addition thereto, such relief association may transfer to such fund moneys raised from other sources and under the control of the association.

Sec. 6. Laws 1947, chapter 224, section 1, is amended to read:

Section 1. [Tax levy by certain villages cities for maintenance of cemetery.] Where a village city containing more than 12,000 inhabitants owns and maintains an established cemetery either within or without its corporate limits, the village city is hereby authorized by action of its council or governing body to levy a tax or make an appropriation for the support and maintenance of such cemetery or burial ground, provided the ~~levy or~~ appropriation shall not exceed the sum of \$15,000 in any one year, which sum of \$15,000 shall include any balance left from any appropriation for a previous year.

Sec. 7. Laws 1949, chapter 215, section 2, is amended to read:

Sec. 2. [Levy.] The governing body of any such city may levy for said fund ~~within the limitations of Minnesota Statutes 1945, Section 275.11, an annual tax not exceeding five mills on all taxable property in the city.~~

Sec. 8. Laws 1953, chapter 545, section 2, is amended to read:

Sec. 2. [Bonds may be issued; tax levy.] For the purpose of paying the cost of building, constructing, reconstructing, repairing, enlarging and improving such water-pumps, water tank, sewer mains, water mains, storm sewers, curbs and gutters, streets, water wells, water plants, sewage disposal plants and other municipal projects, any such city is hereby authorized to issue and sell its negotiable promissory coupon bonds in an amount not to exceed \$200,000. Such bonds shall be issued and sold pursuant to the provisions of Minnesota Statutes, Chapter 475, except that the bonds authorized herein may be issued by resolution of the city council without first obtaining the approval of a vote of the electors. It may levy taxes, for the purpose of paying such bonds and interest thereon, ~~not more than 50 percent of which may be levied in excess of all per-capita limitations.~~ It may transfer and use surplus funds of the city not specifically dedicated to any other purpose.

Sec. 9. Laws 1957, chapter 629, section 1, is amended to read:

Section 1. [Joint municipal airports, tax levies.] Whenever a city and village now having a combined population of more than 20,000 and a combined assessed valuation of more than \$20,000,000 are engaged in the operation of a joint municipal airport through a joint airport commission pursuant to the laws of Minnesota, each of such municipalities may expend annually ~~for the purposes hereinafter set forth the sum of \$8,000~~ an amount for the purposes of operating, maintaining, developing and improving such joint airport and the facilities thereof. The proceeds of such tax levies shall be made available to the joint airport commission and shall be expended only for the aforesaid purposes.

Sec. 10. Laws 1959, chapter 520, section 1, is amended to read:

Section 1. [Library tax levy.] The city council of the city of South St. Paul may levy an annual tax ~~of not more than 5 mills on the dollar~~ of all taxable property located in the city for library purposes.

Sec. 11. Laws 1961, chapter 80, section 1, is amended to read:

Section 1. [South St. Paul, tax levy, musical entertainment.] The council of South Saint Paul is hereby authorized and empowered to levy a tax ~~of not exceeding one mill~~ on all the taxable property within the city for the purpose of providing free musical entertainment for the general public. This tax shall be levied by the council in the same manner and at the same times as taxes for other purposes are levied, and shall be collected in the same manner. The proceeds of this tax shall be used only for the purpose of providing free musical entertainment for the public. The annual expenditure for this purpose is hereby limited to the sum of \$3,000.

Sec. 12. Laws 1961, chapter 81, section 1, is amended to read:

Section 1. [South St. Paul, tax levy.] The council of the city of South Saint Paul may each year, by a majority vote of all of its members, ~~levy and expend an amount not to exceed one eighth of one mill on the assessed valuation of such city, exclusive of money and credits~~ 0.00302 percent of taxable market value, for the following purposes:

(a) Furnishing music in parks and other public places.

(b) Preparing, publishing and circulating information and facts concerning the business and industrial advantages of such city as a location for other business enterprises; its desirability as a place for holding conventions and exhibitions such as Junior Live Stock Shows; Poultry shows and like exhibitions and advertising the same by posters, decorations, illumination or other means.

(c) Providing sleeping quarters for exhibitors and delegates.

Sec. 13. Laws 1961, chapter 82, section 1, is amended to read:

Section 1. [South St. Paul, public charity bureau.] The council of the city of South Saint Paul may each year, by a five sevenths vote of all of its members, the mayor concurring, ~~levy and expend an amount not to exceed three eighths of one mill on the assessed valuation of such city~~ 0.00906 percent of taxable market value, exclusive of money and credits for the following purposes:

For the emergency relief of the residents of said city who are in distress from lack of food, clothing, shelter, or warmth or from long continued illness.

Sec. 14. Laws 1961, chapter 616, section 1, subdivision 1, is amended to read:

Section 1. [Hibbing, village city of; utilities fund tax levies.] Subdivision 1. The village city council of the village city of Hibbing may levy, for the purpose of paying the cost of utility service supplied to the village city, an amount sufficient to provide an amount equal to the utility charges for the year preceding the levy, ~~which levy shall be in lieu of the five mill water and light levy.~~ The levy of such taxes shall not cause the amount of other taxes levied or to be levied by the village city, which are subject to limitation, to be reduced in any amount whatsoever.

Sec. 15. Laws 1961, chapter 643, section 1, is amended to read:

Section 1. [St. Cloud, city of; tax for library purposes.] The governing body of the city of St. Cloud may levy a tax ~~of not to exceed eight mills~~ upon all taxable property for library purposes. The levy of such tax shall not cause the amount of other taxes levied or to be levied by the city which are subject to any limitation, to be reduced in any amount whatsoever.

Sec. 16. Laws 1961, extra session chapter 33, section 3, is amended to read:

Sec. 3. The village city council shall each year at the time the tax levies are made for the support of the village city, levy an amount equal to the payments made in the previous year to the pensioners under this act, ~~one half of which amount shall be in excess of existing limitations and the remaining half to be levied within existing limitations.~~ The tax so levied shall be transmitted to the auditor of St. Louis county at the time all other tax levies are transmitted and shall be collected and payment thereof enforced.

Sec. 17. Laws 1963, chapter 29, section 1, is amended to read:

Section 1. [Plymouth, village city of; drainage tax levies.] The village city council of the village city of Plymouth may levy, ~~in addition to any other millage limitation, a tax of five mills on the dollar of the assessed valuation of all taxable property in the village city for storm sewers and storm drainage. The levy of such tax shall not cause the amount of other taxes levied or to be levied by the village, which are subject to any limitation, to be reduced in any amount whatsoever.~~

Sec. 18. Laws 1963, chapter 56, section 1, is amended to read:

Section 1. [Winona, city of; library tax levy.] Notwithstanding any provisions in Minnesota Statutes, Section 134.07, or in any other law to the contrary, the city of Winona may level levy an annual tax ~~of not more than eight mills on the dollar~~ on all taxable property therein for the benefit of its library fund as established under Minnesota Statutes, Section 134.07.

Sec. 19. Laws 1963, chapter 103, section 1, is amended to read:

Section 1. [Two Harbors, city of; cemetery tax levy.] The city of Two Harbors may levy an annual tax ~~of not to exceed five mills~~ on the ~~dollar of all taxable property of the city~~ for the care and maintenance of a public cemetery.

Sec. 20. Laws 1965, chapter 6, section 2, as amended by Laws 1971, chapter 6, section 1, is amended to read:

Sec. 2. [MOORHEAD, CITY OF; DEPARTMENT OF BUSINESS DEVELOPMENT.] The city of Moorhead may provide for an annual allocation of funds up to the sum of \$50,000 per year with which to establish and maintain the department subject to such conditions and limitations as the city council shall prescribe. The said sum of up to \$50,000 per year may be made available from the transfer of funds from any city owned and operated utility upon approval by resolution of three fourths of the aldermen of the city council, or by a tax levy ~~not to exceed in any one year four mills on the dollar of the assessed valuation~~ on all the taxable property in the city, or combination of both. Authority to transfer such funds is in addition to the authorization in the city charter to transfer such funds into the general revenue fund. The authority herein contained shall not be limited by any charter limitation ~~or any other limitation.~~

Sec. 21. Laws 1965, chapter 451, section 2, is amended to read:

Sec. 2. Each of the participating municipalities may levy a tax ~~of an amount sufficient to produce not to exceed \$500 per annum~~ upon the taxable property of said municipality and ~~to appropriate these or other funds, not to exceed \$500 annually,~~ to the commission for the purpose of acquiring lands and for the maintenance, operation, and management of the cemetery. The commission shall have the power to acquire by purchase, gift, or condemnation

any property situated within the limits of any participating municipality to be used as a cemetery, and to make all reasonable regulations for the management and operation thereof.

Sec. 22. Laws 1965, chapter 527, section 1, is amended to read:

Section 1. [Rochester, city of; programs for the aged; appropriations tax levy, rules.] For the purpose of furthering the well-being of aged persons in the city of Rochester, the common council of Rochester may establish programs, not otherwise provided by law, which meet social and recreational needs of the aged. For these purposes the council may appropriate not to exceed \$5,000 annually, and may levy a tax ~~not to exceed one-tenth mill on the dollar of the assessed valuation of all~~ taxable property in the city. Money derived from this tax shall be deposited in a fund which shall be established and made available for the appropriation provided by this section. The council shall promulgate such rules and regulations as are necessary to carry out the purpose of this act and shall file a copy with the city clerk.

Sec. 23. Laws 1967, chapter 660, section 2, subdivision 2, is amended to read:

Subd. 2. Each year after the budget has become final, the city council of Breckenridge may by resolution and without a vote of the electors of the city levy a tax on all taxable property in the city sufficient to pay its share of the cost of acquisition, betterment, operation and maintenance of the joint airport. When collected the tax may be transferred to the joint airport board and expended by the board in accordance with the terms of agreement. ~~The tax shall not exceed 10 mills in any year.~~ The tax shall not be subject to any other limitations imposed by statute or the city charter nor shall the levy of such tax cause other taxes levied by the council which are subject to any charter limitation to be reduced by any amount whatsoever.

Sec. 24. Laws 1967, chapter 758, section 1, is amended to read:

Section 1. [Rochester, city of; tax levy - band, orchestra, or chorus.] ~~Notwithstanding any provision or limitation to the contrary of Minnesota Statutes 1965, Section 449.09,~~ The city of Rochester may levy each year a tax ~~not to exceed three mills~~ for the purpose of providing a fund for the maintenance, transportation or employment of a band, orchestra, or chorus for municipal purposes.

Sec. 25. Laws 1969, chapter 192, section 1, as amended by Laws 1981, chapter 363, section 56, is amended to read:

Section 1. [MOORHEAD, CITY OF; BUS SERVICE.] The governing body of the city of Moorhead is authorized to provide and assist public transportation services through acquisition, construction or operation, directly or by lease or contract, within the Moorhead-Fargo urbanized area. The city's annual obligation, if any, under such contract shall not exceed ~~the an amount produced by applying two mills to the dollar value of all~~ equal to 0.04835 percent of taxable property within the city market value. ~~The limitation imposed under this section is expressed as an amount determined after the enactment of Minnesota Statutes, Sections 273.1101 to 273.1103.~~ The levy permitted by this section shall be disregarded in the calculation of any other levies or limitations on levies permitted or provided by ~~other law or charter.~~

Sec. 26. Laws 1969, chapter 538, section 6, as amended by Laws 1974, chapter 202, section 2, is amended to read:

Sec. 6. [APPROPRIATIONS.] The governing body may appropriate annually from the revenues of the city a sum of money not exceeding ~~one-fifth mill times the value of property subject to ad valorem tax~~ 0.00484 percent of taxable market value for the purposes of section 2.

Sec. 27. Laws 1969, chapter 602, section 1, subdivision 2, is amended to read:

Subd. 2. Such bonds shall be secured by a pledge to the bond holders, or to a trustee, of all income and revenues of whatsoever nature derived from such facilities, as a first charge on the gross revenues thereof to the extent necessary to pay the bonds and interest thereon when due and to accumulate and maintain an additional reserve for that purpose in an amount equal to the total amount of such payments to become due in any fiscal year. In this event the governing body may by resolution or trust indenture define the land, buildings, or facilities the revenues of which are pledged, and establish covenants and agreements for the security of the bonds including a covenant that it will establish, maintain, revise, when necessary, and collect charges for all services, products, use, and occupancy of the facilities in the amounts and at the times required to produce the revenues pledged, and also sufficient, with funds that may be appropriated by the governing body from time to time, to provide adequately for the operation and maintenance of the facilities. The governing body may, by a two-thirds vote of its members, without an election by its electors, levy a tax ~~of not more than two mills on the assessed valuation of all taxable property within its corporate~~

limits to pay the bonds and interest thereon in the event of any deficiency in the revenues and may make a pledge or trust indenture and establish covenants to levy such tax without reduction of the amount of taxes which may otherwise be levied within ~~statutory and~~ charter limitations. The governing body shall provide in its budget each year for any anticipated deficiency in the revenues available of operation and maintenance and may, for this purpose, without an election by its electors, levy a tax ~~of not more than two mills on the assessed valuation of~~ all taxable property within its corporate limits without reduction of the amount of taxes which may otherwise be levied within ~~statutory and~~ charter limitations.

Sec. 28. Laws 1969, chapter 659, section 3, is amended to read:

Sec. 3. For the purpose of making payments upon any lease agreement hereunder, the city may levy an annual tax ~~of not to exceed five mills on the dollar on the taxable property in the city~~ in addition to all other levies permitted to the city for library purposes.

Sec. 29. Laws 1969, chapter 730, section 1, is amended to read:

Section 1. [South St. Paul, city of; tax levy; airport bonds.] Notwithstanding the provisions of any law or the city charter to the contrary, the council of the city of South St. Paul may by resolution and without authorization by the electors, issue general obligation bonds of the city in the amount of \$300,000, levy all taxes required by Minnesota Statutes, Section 475.61, for the payment of the bonds, and, in addition, each year levy a tax on all taxable property in the city ~~equal to one mill times the assessed valuation of such property, all~~ to provide funds for the acquisition and betterment of the city airport. Except as otherwise provided, the bonds shall be issued and sold in accordance with Minnesota Statutes, Chapter 475. The amount of such taxes shall not reduce the amounts of other taxes authorized to be levied by law or the city charter. "Acquisition" and "betterment" shall have the meanings given them in Minnesota Statutes, Section 475.51.

Sec. 30. Laws 1971, chapter 573, section 1, is amended to read:

Section 1. [~~HIBBING, VILLAGE CITY OF; STUNTZ, TOWN OF; INDEPENDENT SCHOOL DISTRICT NO. 701; RECREATION AND PARK BOARD; TAX LEVY.~~] The joint recreation and park board of the ~~village city of Hibbing, the town of Stuntz, and Independent School District Number 701, may levy a tax on the taxable property located in the village city of Hibbing and in the town of Stuntz a tax of not more than \$6 per capita annually upon the combined assessed valuation of real and personal property within the village of Hibbing and town of Stuntz.~~ This tax shall be in lieu of all other taxes levied or permitted to be levied for park and recreation purposes by the village of Hibbing and town of Stuntz and may be levied regardless of all existing ~~mill rate or per capita~~ limitations imposed by law or charter upon the ~~village city of Hibbing and town of Stuntz.~~ The levy shall be made only after approval by resolution of the governing bodies of the ~~village city of Hibbing, and Independent School District Number 701, and by resolution of the town board of the town of Stuntz.~~

Sec. 31. Laws 1971, chapter 573, section 2, as amended by Laws 1981, chapter 141, section 1, is amended to read:

Sec. 2. ~~Subdivision 1. The total tax that may be levied otherwise in accordance with sections 1 and 2, subdivision 2, may be increased by one percent for each point of increase of the revised consumer price index, referred to in Minnesota Statutes, Section 275.11, above its amount on, in the case of the tax levied pursuant to section 1, January 15, 1971, and, in the case of the tax levied pursuant to section 2, subdivision 2, January 1, 1981. A fractional increase shall be disregarded if less than one half point and treated as one point if it is one half point or more.~~

~~Subd. 2. In addition to the tax authorized by section 1 and section 2, subdivision 1, the board, subject to approval by resolution of the city and school district, may also levy a tax on the taxable property in the city of 51 cents times the population of the city to be used exclusively to operate and maintain the Carey Lake recreation area, which was maintained and operated by the town of Stuntz prior to its annexation by the city.~~

Sec. 32. Laws 1971, chapter 876, section 3, is amended to read:

Sec. 3. The city of Austin may provide for an annual allocation of funds with which to establish and maintain the department of business development subject to such conditions and limitations as the city council shall prescribe. Further, the city of Austin may accumulate the moneys from the levy herein authorized up to the amount of \$150,000 and expend such amount for the acquisition and development of industrial sites. The said sums may be made available from the revenue provided for by a tax levy ~~not to exceed in any one year three mills on the dollar of the~~

~~assessed valuation~~ on all the taxable property in the city. The authority herein contained shall not be limited by any charter limitation ~~or any other limitation~~ in existence as of January 1, 1971.

Sec. 33. Laws 1973, chapter 81, section 1, is amended to read:

Section 1. [MANKATO AND NORTH MANKATO, CITIES OF; MUSICAL ENTERTAINMENT.] The cities of Mankato and North Mankato may, in 1973 and each year thereafter, levy a tax ~~not to exceed one-tenth of a mill on each dollar of assessed valuation of~~ the taxable property of the cities in order to provide funds for musical entertainment.

Sec. 34. Laws 1977, chapter 61, section 8, is amended to read:

Sec. 8. [AUTHORITY TO BOND TO ACCOMPLISH THE PURPOSES OF THIS ACT.] The city of Eveleth is hereby authorized to sell bonds in such amount as will provide the necessary funds to pay the employer's share of the purchase of prior service in the public employees police and fire fund pursuant to section 3 of this act. The maturity of such bonds shall not be more than 15 years from the date of sale. The bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for purposes of any charter or statutory debt limitation. Taxes may be levied on the taxable property in the city for the payment of the bonds and interest thereon, and shall not be subject to any ~~statutory or~~ charter limitation on the rate or the amount.

Sec. 35. Laws 1979, chapter 1, section 3, is amended to read:

Sec. 3. [MAINTENANCE OF REVENUES; DEFICIENCIES; TAXES.] From and after the issuance of bonds for which the revenues of the golf course facility are pledged in accordance with section 2, the city council shall provide in its budget each year for any anticipated deficiency in the revenues available for the operation and maintenance of the golf course facilities. For this purpose the city may levy a tax ~~of not more than two-thirds of one mill on the assessed valuation of all taxable property within the city, without reduction of the amount of taxes which may otherwise be levied within statutory or charter limitations.~~

Sec. 36. Laws 1979, chapter 303, article 10, section 15, subdivision 2, as amended by Laws 1989, chapter 207, section 1, is amended to read:

Subd. 2. [RESERVE FUND; TAXES.] After the adoption of a capital improvement program for a storm sewer tax district, each municipality may by ordinance after notice and hearing establish a storm sewer reserve fund for the district and may annually levy a tax ~~not exceeding one mill on all the taxable property in the district for the support of the fund in an aggregate amount equal to the actual or estimated cost, whichever is less, of the improvement projects identified in the capital improvement program for the district. The proceeds of the tax shall be paid into the storm sewer reserve fund for the district and used for no other purpose than to pay capital costs of improvement projects therein including principal and interest on obligations issued pursuant to Minnesota Statutes, Section 444.19.~~

Sec. 37. Laws 1981, chapter 281, section 1, is amended to read:

Section 1. [GREENWAY JOINT RECREATION BOARD TAX.]

The Greenway joint recreation board may levy a tax ~~not to exceed 3.5 mills on the value of~~ taxable property situated in the territory of Independent School District No. 316 in accordance with this act. Property in territory in the school district may be made subject to the tax permitted by this act by the agreement of the governing body or town board of the city or town where it is located. The agreement may be by resolution of a governing body or town board or by a joint powers agreement pursuant to section 471.59. If levied, the tax is in addition to all other taxes on the property subject to it permitted to be levied for park and recreation purposes by the cities and towns other than for the support of the joint recreation board. It shall be disregarded in the calculation of all other mill rate or per capita tax levy limitations imposed by ~~law or~~ charter upon them. A city or town may withdraw its agreement to future taxes by notice to the recreation board and the county auditor unless provided otherwise by a joint powers agreement. The tax shall be collected by the Itasca county auditor and treasurer and paid directly to the Greenway joint recreation board.

Sec. 38. Laws 1984, chapter 502, article 13, section 8, is amended to read:

Sec. 8. [CLOQUET; PUBLIC TRANSPORTATION.]

Upon conditions mutually agreed, the city of Cloquet may contract with a privately owned public transportation system to provide transportation services to the people of the city. The city may disburse money to discharge the

terms of the contract. The city may annually levy a ~~property tax not to exceed one mill on the taxable property in the city~~ for the purpose of discharging the contract obligations. The amount of tax levied is in addition to all others permitted by law and must be disregarded in the calculation of ~~statutory or other charter~~ limitations on property tax levies.

Sec. 39. Laws 1990, chapter 604, article 3, section 59, subdivision 1, is amended to read:

Subdivision 1. [ARMORY LEVY.] The city of Rosemount in Dakota county may levy ~~not more than \$95,000 per year a tax on the taxable property in the city and otherwise~~ incur debt obligations under Minnesota Statutes, chapter 193 or 475 or both, to acquire and better an armory and to be serviced by the levy without regard to the limits on debt service and debt otherwise provided by chapter 193 or 475. ~~This levy amount shall be a special levy under Minnesota Statutes, section 275.50, subdivision 5, clause (d).~~

Sec. 40. Laws 1990, chapter 604, article 3, section 60, is amended to read:

Sec. 60. [JOINT POWERS LEVY; DRUG ENFORCEMENT.]

~~Notwithstanding Minnesota Statutes, sections 275.50 to 275.56,~~ The cities of Maple Grove, Brooklyn Park, Brooklyn Center, and Coon Rapids may each levy for taxes levied in 1990, and thereafter, ~~an amount up to \$2 per capita a tax on the taxable property in their respective city~~ to pay the costs incurred under a joint powers agreement for the salaries and benefits of peace officers whose primary responsibilities are to investigate controlled substance crimes under chapter 152 or to teach drug abuse resistance education curricula in schools.

Sec. 41. [REPEALER.]

Laws 1939, chapter 219, section 1; Laws 1961, chapter 30, section 1; Laws 1961, chapter 276, section 1; Laws 1961, chapter 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapter 515, section 1; Laws 1971, chapter 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1984, chapter 502, article 13, section 10, as amended by Laws 1986, chapter 399, article 1, section 3; and Laws 1986, chapter 399, article 1, section 4, are repealed.

Sec. 42. [EFFECTIVE DATE.]

Sections 1 to 41 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 7

TAX LEVY LIMITATIONS FOR PARTICULAR TOWNS

Section 1. Laws 1959, chapter 298, section 2, is amended to read:

Sec. 2. The town of Grand Rapids may levy and collect a tax ~~not to exceed two mills~~ on the taxable property of the town, including incorporated ~~villages~~ cities within the town, for the purpose of acquiring funds for the maintenance, operation, and management of the cemetery. Should any incorporated ~~village~~ city be separated from the town of Grand Rapids, the tax shall be levied by the town and paid to the town by the ~~village~~ city so long as the dead of the ~~village~~ city are buried in the cemetery.

Sec. 2. Laws 1961, chapter 317, section 1, is amended to read:

Section 1. [Balkan, town of; library services.] Notwithstanding the provisions of any other law to the contrary, the board of supervisors of the town of Balkan in St. Louis county may levy and collect a tax ~~not to exceed one-quarter of one mill per year on the assessed valuation of taxable property in the town~~ for the purpose of providing a special library fund for the town. The special library fund shall be administered by the board of supervisors to provide more adequate public library services to the town of Balkan. The board of supervisors may contract with the governing body of any free public library located in any municipality adjacent to the town of Balkan for these services. ~~The tax authorized by this section is in addition to any tax authorized by Minnesota Statutes, Section 375.33.~~

Sec. 3. Laws 1965, chapter 617, section 1, is amended to read:

Section 1. [Itasca county towns; cemetery association.] The town of Lawrence in Itasca county is authorized to join the Lakeview Cemetery Association operated by the town of Iron Range. The town of Lawrence may pay to the association the sum of \$750 upon joining and may pay such amount not to exceed \$1,000 annually as may be determined by the association. In order to pay these and other allowable costs, the town of Lawrence may annually levy a tax on all the taxable property in the town for cemetery purposes an amount sufficient to produce \$1,000 annually.

Sec. 4. Laws 1969, chapter 534, section 2, is amended to read:

Sec. 2. The town board of any town named in section 1 may levy annually a tax ~~not to exceed 10 mills on the dollar of the taxable valuation of the property in that~~ town for the construction, reconstruction and improvement of bridges on town roads which the town board determines does not meet the requirements of the strength of bridges and the adequate width of bridges as required by Minnesota Statutes, Sections 165.03 and 165.04. The tax levy authorized herein is in addition to the tax levy authorized by Minnesota Statutes, Section 164.04.

Sec. 5. [REPEALER.]

Laws 1941, chapter 451, section 1; Laws 1961, chapter 119, section 1; Laws 1971, chapter 168; Laws 1971, chapter 356, section 2; and Laws 1977, chapter 246, are repealed.

Sec. 6. [EFFECTIVE DATES.]

Sections 1 to 5 are effective for property taxes levied in 1993, payable in 1994, and thereafter."

Delete the title and insert:

"A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 103G.625, subdivision 3; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivision 7; 469.188; 471.191, subdivision 2; 471.24; 471.57, subdivision 1; 471.61, subdivisions 1 and 2a; and 473.711, subdivision 2; Laws 1933, chapter 423, section 2; Laws 1943, chapters 196, section 6, as amended; 367, section 1, as amended; 510, section 1; Laws 1947, chapters 224, section 1; 340, section 4; Laws 1949, chapters 215, section 2; 252, section 1; and 668, section 1; Laws 1953, chapters 154, section 3; and 545, section 2; Laws 1957, chapters 213, section 1; and 629, section 1; Laws 1959, chapters 298, section 2; 520, section 1; and 556, section 1, as amended; Laws 1961, chapters 80, section 1; 81, section 1; 82, section 1; 151, section 1; 209, section 4; 317, section 1; 352, section 1, as amended; 616, section 1, subdivision 1; and 643, section 1; Laws 1961, extra session chapter 33, section 3; Laws 1963, chapters 29, section 1; 56, section 1; 103, section 1; and 603, section 1; Laws 1965, chapters 6, section 2, as amended; 442, section 1; 451, section 2; 512, section 1, subdivision 1; 527, section 1; and 617, section 1; Laws 1967, chapters 501, section 1; 526, section 1, subdivision 3; 542, section 1, subdivision 3; 611, section 1; 660, section 2, subdivision 2; and 758, section 1; Laws 1969, chapters 192, section 1, as amended; 534, section 2; 538, section 6, as amended; 602, section 1, subdivision 2; 652, section 1; 659, section 3; and 730, section 1; Laws 1971, chapters 404, section 1; 424, section 1; 573, sections 1 and 2, as amended; and 876, section 3; Laws 1973, chapter 81, section 1; Laws 1977, chapter 61, section 8; Laws 1979, chapters 1, section 3; 303, article 10, section 15, subdivision 2, as amended; and 253, section 3; Laws 1981, chapter 281, section 1; Laws 1983, chapter 326, section 17, subdivision 1; Laws 1984, chapters 380, section 1; and 502, article 13, section 8; Laws 1985, chapters 181, section 1; 289, sections 1, 3, 5, subdivision 1, and 6, subdivision 1; Laws 1986, chapters 392, section 1; and 399, article 1, section 1, as amended; Laws 1988, chapters 517, section 1; and 640, section 3; Laws 1990, chapter 604, article 3, sections 59, subdivision 1, and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 6; 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2; Laws 1915, chapter 316, section 1, as amended; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1961, chapters 30, section 1; 119, section 1; 276, section 1; and 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapters 168; 356, section 2; 515, section 1; and 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1977, chapter 246; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990,

chapter 604, article 3, sections 50 and 55; and Laws 1991, chapters 3, section 2, subdivision 3; and 291, article 4, section 21."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 552, A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, section 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 580.23, subdivision 1, is amended to read:

Subdivision 1. [SIX-MONTH REDEMPTION PERIOD.] When lands have been sold in conformity with the preceding sections of this chapter the mortgagor, the mortgagor's personal representatives or assigns, within six months after such sale, except as otherwise provided in subdivision 2 or section 582.032 or 582.32, may redeem such lands, as hereinafter provided, by paying the sum of money for which the same were sold, with interest from the time of sale at the rate provided to be paid on the mortgage debt and, if no rate be provided in the mortgage note, at the rate of six percent per annum, together with any further sums which may be payable as provided in sections 582.03 and 582.031.

Sec. 2. Minnesota Statutes 1992, section 582.32, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] This section applies to mortgages executed on or after August 1, 1993, under which there ~~has been is~~ a default and ~~where~~ the mortgagor and mortgagee enter into ~~a written an~~ agreement for voluntary foreclosure of the ~~mortgaged real estate mortgage~~ under this section. This section applies only to mortgages on real estate no part of which is homestead as defined in section 510.01 or in agricultural property use as defined in section 40A.02, subdivision 3, as of the date of agreement.

Sec. 3. Minnesota Statutes 1992, section 582.32, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given:

(b) "Agreement" means the agreement for voluntary foreclosure described in subdivision 3.

(c) "Date of agreement" means the effective date of the agreement which shall not be sooner than the date on which the agreement is executed and acknowledged by both the mortgagor and mortgagee.

(d) "Junior lien" means a lien ~~with a redeemable interest in the real estate under section 580.23 or 580.24 subordinate to the lien of the mortgage foreclosed under this section,~~ the holder of which has a redeemable interest in the real estate under section 580.24.

(e) "Mortgage" means a recorded mortgage on real estate no part of which is homestead as defined in section 510.01 or in agricultural use as defined in section 40A.02, subdivision 3, as of the date of agreement.

(f) "Mortgagee" means the record holders of the mortgage, whether one or more.

(g) "Mortgagor" means the record holders, whether one or more, of the legal and equitable interest in the real estate encumbered by the mortgage.

(h) "Real estate" means the real property encumbered by the mortgage and, where applicable, fixtures, equipment, furnishings, and other personalty related to the real property and encumbered by the mortgage.

Sec. 4. Minnesota Statutes 1992, section 582.32, subdivision 3, is amended to read:

Subd. 3. [PROCEDURE.] (a) Voluntary foreclosure may occur only in accordance with this section.

(b) The mortgagor and mortgagee shall enter into a written agreement for voluntary foreclosure under this section only after during default under the mortgage. The agreement shall identify the mortgage by recording data and the real estate by legal description, specify the date of the agreement and provide that:

(1) The mortgagor and mortgagee have agreed that the mortgage shall be voluntarily foreclosed with a shortened the mortgagor's redemption period under reduced to two months as provided in this section.

(2) The mortgagee waives any rights to a deficiency or other claim for personal liability against the mortgagor arising from the mortgage or the debt secured by the mortgage. This does not preclude an agreement between the mortgagor and mortgagee to a stipulated payment to the mortgagee as part of the voluntary foreclosure, or collection from a guarantor.

(3) The mortgagor waives its right of reinstatement, to excess surplus sale proceeds, to contest foreclosure, and to rents and occupancy during the period before sale and during from the date of agreement through the redemption period.

(4) The mortgagor consents to the appointment of a receiver for, or grants mortgagee possession of, the real estate as of the date of agreement, for the purposes of and all rights of possession of the real estate, including, but not limited to, operating, maintaining, and protecting the real estate, and the making of any additions or betterments to the real estate.

(c) Within seven days after the date of agreement, the mortgagee must record or file the agreement with the county recorder or registrar of titles, as appropriate, in the each county where any part of the real estate is located. Filing or recording of a short form agreement signed by the mortgagor and mortgagee containing the following information satisfies this requirement:

(1) the identity and mailing address of the mortgagor and mortgagee;

(2) the legal description of the real estate;

(3) the mortgage identified by recording data;

(4) a statement that an event of default exists under the mortgage and foreclosure under this section has been agreed to by the parties; and

(5) the date of agreement.

(d) A certificate signed by the county or city assessor where the real estate is located, stating that, as of the date of agreement, the real estate is was not in agricultural use as defined in section 40A.02, subdivision 3, and is was not a homestead as defined in section 510.01, as the date of agreement, must be recorded before or with the certificate of sale in the office of the county recorder or registrar of titles where the real estate is located, and shall be prima facie evidence of the facts contained in the certificate.

(e) Within ten days of receipt of a written request for information from a holder of a junior lien, the mortgagee, without charge, shall deliver or mail by first class mail postage prepaid, to the address of the holder set forth in the request, either the agreement or a written statement of the amount of money and the value or a detailed description of any property paid or transferred, or to be paid or transferred, by the mortgagee to the mortgagor under the terms of the agreement. Failure to provide this information does not invalidate the foreclosure.

Sec. 5. Minnesota Statutes 1992, section 582.32, is amended by adding a subdivision to read:

Subd. 4a. [NO RIGHT OF REINSTATEMENT.] There is no right of reinstatement pursuant to section 580.30 of the mortgage after the date of agreement.

Sec. 6. Minnesota Statutes 1992, section 582.32, subdivision 5, is amended to read:

Subd. 5. [FORECLOSURE PROCEDURE; NOTICE TO CREDITORS.] (a) After the date of agreement, the mortgagee may proceed to foreclose the mortgage in accordance with the laws generally applicable to foreclosure by advertisement including this chapter and chapter 580, except as otherwise provided in this section.

(b) At least 14 days before the date of sale, the mortgagee shall:

(1) serve the person persons in possession of the mortgaged real estate with notice of the voluntary foreclosure sale under this section in the same manner as in a foreclosure by advertisement as provided in section 580.03; and

(2) send by certified mail a notice of the voluntary foreclosure sale under this section to all each holder of a junior lien holders of record upon the real estate or some part of the real estate who have has filed or recorded a request for this notice under subdivision 3 section 580.032.

(c) The mortgagee shall publish notice of the voluntary foreclosure sale under this section in the same manner as in a foreclosure by advertisement as provided in section 580.03 for four consecutive weeks.

The notice must include all information required under section 580.04, clauses (1) to (6), the date of the agreement, and shall state that each holder of a junior lien may redeem in the order and manner provided in subdivision 9, beginning one month after the foreclosure sale. ~~Provided, if the real estate is subject to a federal tax lien entitled to the preemptive 120-day redemption period under section 7425(d)(1) of the Internal Revenue Code, as amended, the notice shall provide that the date of redemption for the first federal tax lien and all other liens junior thereto shall begin four months after the date of the foreclosure sale. Affidavits of service, mailing, publication, and other affidavits or certificates permitted by chapter 580, must be recorded with the certificate of sale, or within five days after the sale, in the office of the county recorder or registrar of titles where the real estate is located. These affidavits and certificates are prima facie evidence of the facts contained in them.~~ expiration of the mortgagor's two-month redemption period under this section.

(d) The mortgagor's redemption period shall be two months from the date of sale and the certificate of sale shall so indicate. If the real estate is subject to a federal tax lien under which the United States is entitled to a 120-day redemption period under section 7425(d)(1) of the Internal Revenue Code, as amended, the mortgagor's redemption period shall be 120 days from the date of sale and the certificate of sale shall so indicate.

Sec. 7. Minnesota Statutes 1992, section 582.32, subdivision 6, is amended to read:

Subd. 6. [SALE, HOW AND BY WHOM MADE.] Except as provided in this section, the foreclosure sale shall be conducted and the certificate of sale shall be made in the same manner as and recorded in accordance with a foreclosure by advertisement as provided in chapter 580. The certificate of sale must be filed or recorded within five days after the sale. Affidavits of service, mailing, and publication, and other affidavits or certificates permitted by chapter 580, must be recorded with the certificate of sale, or within five days after the sale, in the office of the county recorder or registrar of titles where the real estate is located, and when so recorded are prima facie evidence of the facts contained in them.

Sec. 8. Minnesota Statutes 1992, section 582.32, subdivision 9, is amended to read:

Subd. 9. [CREDITOR REDEMPTION.] A subsequent creditor having person holding a junior lien upon the real estate or some part of the real estate may redeem in the order and manner specified in sections 580.24 and 580.25, but only if before the end of the mortgagor's redemption period under this section the creditor files with the county recorder or registrar of titles of each county where the mortgaged real estate is located, a notice of intention to redeem. If a junior creditor fails to timely file a notice of intention to redeem as provided in this subdivision, or fails to redeem as provided in this subdivision, its lien on the real estate is extinguished on the real estate.

Sec. 9. [REPEALER.]

Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8, are repealed."

Delete the title and insert:

"A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, sections 580.23, subdivision 1; and 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8."

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. 584, A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.49; 237.51, subdivision 2; and 237.52, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 1992, section 237.50, subdivision 3, is amended to read:

Subd. 3. [COMMUNICATION IMPAIRED.] "Communication impaired" means certified as deaf, severely hearing impaired, hard-of-hearing, speech impaired, ~~or~~ deaf and blind, or mobility impaired if the mobility impairment results in an inability to use standard customer premises equipment."

Page 2, line 4, after "governor" insert "at least three of whom reside outside a metropolitan county, as defined in section 473.121, subdivision 4, at the time of appointment, at least four of whom are deaf, two of whom are speech and mobility impaired, and one of whom is hard-of-hearing"

Page 2, after line 32, insert:

"Sec. 5. [REPEALER.]

Laws 1987, chapter 308, section 8, is repealed effective June 1, 1993."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 4, after "237.49;" insert "237.50, subdivision 3;"

Page 1, line 5, before the period insert "; repealing Laws 1987, chapter 308, section 8"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

Reported the same back with the following amendments:

Page 6, after line 16, insert:

"Sec. 5. Minnesota Statutes 1992, section 363.02, is amended by adding a subdivision to read:

Subd. 8. [RELIGIOUS ASSOCIATION.] Nothing in this chapter prohibits any religious association, religious corporation, or religious society that is not organized for private profit, or any institution organized for educational purposes that is operated, supervised, or controlled by a religious association, religious corporation, or religious society that is not organized for private profit, from:

(1) limiting admission to or giving preference to persons of the same religion or denomination; or

(2) in matters relating to sexual orientation, taking any action with respect to education, employment, housing and real property, or use of facilities that is necessary to promote the religious tenets, teachings, or principles for which it is established or maintained. This clause shall not apply to secular business activities engaged in by such religious association, religious corporation, or religious society, the conduct of which is not substantially related to the purposes for which it is organized."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "and 2" and insert ", 2, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 651, A bill for an act relating to labor; providing that certain acts are an unfair labor practice; amending Minnesota Statutes 1992, sections 179.12; and 179A.13, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 7, after "representative" insert "from their bargaining unit"

Page 4, line 4, after "representative" insert "from their bargaining unit"

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. 671, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; amending Minnesota Statutes 1992, section 473.167, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

Reported the same back with the following amendments:

Page 2, line 4, after the period insert "For the purposes of this section, "population" means the population according to the most recent federal census, or according to the metropolitan council's most recent population estimates if the estimates have been issued subsequent to the most recent federal census."

Page 2, delete section 2

Page 3, after line 23, insert:

"(e) "Substantial compliance" means that at least 75 percent of the cities and towns in a sector of the metropolitan area are certified as meeting the comprehensive choice requirements under subdivision 3, clause (4)."

Page 3, line 25, delete "January 15" and insert "July 1"

Page 4, line 15, delete "condition,"

Page 4, line 17, after "existing" insert "multifamily and single-family" and after "is" insert "subsidized, assisted, or"

Page 5, line 3, after "city" insert "or town"

Page 5, delete lines 5 to 10 and insert:

"(4) describe actions that a city or town may take to:

(i) eliminate barriers to comprehensive choice housing including, but not limited to, the elimination of zoning requirements, development agreements, and local development practices that impose barriers to the development of comprehensive choice housing;

(ii) utilize available opportunities that will meet the objective of providing adequate and realistic opportunities for comprehensive choice housing development; and

(iii) maintain housing affordability;"

Page 5, line 15, delete the comma and delete "through its metropolitan housing and redevelopment"

Page 5, line 16, delete "authority,"

Page 5, line 17, after "in" insert "all"

Page 5, line 18, after "cities" insert "and towns"

Page 5, line 22, delete "amount" and insert "percentage"

Page 5, line 23, after "city" insert "or town"

Page 5, line 36, after "by" insert "providing services to poor persons living in areas of concentrated poverty by"

Page 6, line 4, delete everything after the headnote and insert "(a) Beginning February 1, 1995, the council shall annually review and certify a city's or town's compliance with the objectives of comprehensive choice housing under

subdivision 3, clause (4). A city or town shall be in compliance when it has taken all actions required by council rules adopted under the authority of subdivision 3, clause (4), or when it has achieved its comprehensive choice allotment."

Page 6, delete lines 5 to 8

Page 6, lines 9 and 22, delete "July 1, 1995" and insert "January 1, 1996"

Page 6, line 28, delete the colon

Page 6, delete lines 29 to 31

Page 6, line 32, delete "(ii)"

Page 7, line 3, delete the colon

Page 7, delete lines 4 to 7

Page 7, line 8, delete "(ii)"

Page 7, line 9, after "city" insert "or town"

Page 7, line 15, delete "highway,"

Page 7, line 16, delete "highway,"

Page 7, line 19, delete "to 3" and insert "and 2"

Page 7, line 22, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete "adding a subdivision;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 64, 226, 342, 385, 443, 552, 584, 585 and 651 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Stanius introduced:

H. F. No. 923, A bill for an act relating to taxation; individual income; imposing tax on certain deemed discharges of indebtedness income; amending Minnesota Statutes 1992, section 290.01, subdivisions 19a and 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Gutknecht, Simoneau and Bishop introduced:

H. F. No. 924, A bill for an act relating to health; providing an exception to the moratorium on nursing home bed certification; amending Minnesota Statutes 1992, section 144A.071, subdivision 3.

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

Swenson, Ostrom, Koppendrayner and Vellenga introduced:

H. F. No. 925, A bill for an act relating to education; removing the requirement that persons who teach a driver training course to high school students through a community education program be licensed teachers; amending Minnesota Statutes 1992, section 125.032, subdivision 2.

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

Jaros, Rukavina, Sekhon, Farrell and Clark introduced:

H. F. No. 926, A bill for an act relating to public employment; providing an employer-paid health insurance early retirement window.

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

Stanius, Pugh and Jennings introduced:

H. F. No. 927, A bill for an act relating to child abuse; expanding the CHIPS jurisdiction of the juvenile court to include children who reside with a perpetrator of domestic assault or witness domestic assault in the home; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

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

Stanius, Skoglund and Pugh introduced:

H. F. No. 928, A bill for an act relating to children; neglect; providing for reports of prenatal exposure to excessive alcohol; including certain pregnant women in the definition of chemically dependent persons under the civil commitment act; amending Minnesota Statutes 1992, sections 253B.02, subdivision 2; 626.556, subdivision 2; and 626.5561, subdivisions 1 and 2.

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

Mariani, Dawkins, Orenstein and Farrell introduced:

H. F. No. 929, A bill for an act relating to taxation; providing for manufacturing opportunity districts in certain cities; providing tax credits and exemptions for certain industries located in a manufacturing opportunity district; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Clark, Jennings and Hausman introduced:

H. F. No. 930, A bill for an act relating to telephone service; expanding coverage of the telephone assistance plan; increasing the funding of the telephone assistance plan; amending Minnesota Statutes 1992, section 237.70, subdivisions 4a and 6.

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

Bertram and Peterson introduced:

H. F. No. 931, A bill for an act relating to motor fuels; changing formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; and 239.791, subdivisions 1 and 2.

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

Greiling, Evans, Mariani, Carlson and Leppik introduced:

H. F. No. 932, A bill for an act relating to education; encouraging school districts to employ people of color or women as school administrators; providing a reimbursement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Onnen introduced:

H. F. No. 933, A bill for an act relating to taxation; income; changing rates and income brackets; providing a home care credit; amending Minnesota Statutes 1992, section 290.06, subdivisions 2c and 2d; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Stanius, Abrams and Reding introduced:

H. F. No. 934, A bill for an act relating to elections; requiring annual removal of registration cards of deceased registrants; requiring annual update of the statewide registration system; amending Minnesota Statutes 1992, section 201.13.

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

Stanius, Gruenes and Vickerman introduced:

H. F. No. 935, A bill for an act relating to aid to families with dependent children; specifying school participation requirements for recipients of assistance; requiring the commissioner of human services to seek a federal waiver; amending Minnesota Statutes 1992, section 256.73, by adding a subdivision.

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

Vickerman and Beard introduced:

H. F. No. 936, A bill for an act relating to the department of jobs and training; changing its name to the department of economic security.

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

Workman and Molnau introduced:

H. F. No. 937, A bill for an act relating to taxation; sales and use; providing an exemption to cities or counties for certain correctional facilities projects; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

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

Orenstein introduced:

H. F. No. 938, A bill for an act relating to higher education; creating the Twin Cities University under the administration of the higher education board; providing for a merger between the Metropolitan State University and Minneapolis Community College; proposing coding for new law in Minnesota Statutes, chapter 136E.

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

Hasskamp, Kinkel, Sarna, Holsten and Simoneau introduced:

H. F. No. 939, A bill for an act relating to watercraft; regulating new watercraft and a manufacturer's duty to repair, refund, or replace them; establishing an alternative dispute settlement mechanism; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 86B.

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

Munger, Hausman, Reding, Johnson, V., and Morrison introduced:

H. F. No. 940, A bill for an act relating to the environment; providing that vessels transporting hazardous substances or oil must have a permit from the pollution control agency; establishing an inland waterway protection account; requiring that fees be paid by persons transporting hazardous substances or oil in vessels; providing for rulemaking; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 115E.

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

Dawkins and Jefferson introduced:

H. F. No. 941, A bill for an act relating to crime; providing felony penalties for unlawfully possessing a gun or dangerous weapon in a school zone; amending Minnesota Statutes 1992, section 609.66, by adding a subdivision.

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

Bishop, Rhodes and Delmont introduced:

H. F. No. 942, A bill for an act relating to traffic regulation; revising the crime of reckless driving; replacing the crime of careless driving with an inattentive driving offense; providing penalties; amending Minnesota Statutes 1992, section 169.13, subdivisions 1 and 2.

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

Gruenes, Simoneau, Bishop, Asch and Gutknecht introduced:

H. F. No. 943, A bill for an act relating to taxation; providing a deduction from the hospital or health care provider tax for research and education spending; amending Minnesota Statutes 1992, section 295.53, by adding a subdivision.

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

Stanius and Simoneau introduced:

H. F. No. 944, A bill for an act relating to human services; creating the integrated management and planning act for persons with mental retardation or related conditions; establishing an advisory committee; allowing certain persons currently served by semi-independent living services to transfer to home- and community-based waived services; establishing a revolving loan fund for new residential service providers; amending the definition of vendor for day training and habilitation services; allowing agreements with businesses to provide support and supervision in community-based employment; creating optional payment rates for day training and habilitation services; increasing the number of persons in day training and habilitation services eligible for alternative services pilot projects; providing exemptions to rules; amending Minnesota Statutes 1992, sections 252.275, subdivisions 1 and 8; 252.30; 252.40; 252.41, subdivisions 1 and 9; 252.43; 252.46; 256.017, subdivision 1; 256.025, subdivision 2; and Laws 1992, chapter 513, article 9, section 41; proposing coding for new law in Minnesota Statutes, chapters 252; and 256E; proposing coding for new law as Minnesota Statutes, chapter 252B; repealing Minnesota Statutes 1992, sections 252.46, subdivisions 12, 13, and 14; and 252.47.

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

Asch, Clark, Garcia, Simoneau and Gruenes introduced:

H. F. No. 945, A bill for an act relating to occupations and professions; modifying the membership of the board of nursing; requiring a certain examination for licensure of graduates from nursing programs in other countries; modifying requirements for a temporary permit; adding grounds for disciplinary action; amending Minnesota Statutes 1992, sections 148.181, subdivisions 1 and 3; 148.211, subdivision 1; 148.212; and 148.261, subdivision 1.

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

Hasskamp, Solberg, McGuire, Simoneau and Stanius introduced:

H. F. No. 946, A bill for an act relating to civil actions; specifying the responsibility of participants in recreational activities; proposing coding for new law as Minnesota Statutes, chapter 87A.

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

Bauerly, Klinzing and Olson, M., introduced:

H. F. No. 947, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Sherburne county.

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

Bauerly, Sarna, Neary, Carruthers and Bishop introduced:

H. F. No. 948, A bill for an act relating to commerce; modifying the definition of business license; regulating residential building contractors and remodelers; providing licensing requirements; prescribing the powers and duties of the commissioner; establishing a contractor's recovery fund; amending Minnesota Statutes 1992, sections 116J.70, subdivision 2a; 326.83, subdivisions 4, 6, 7, 8, 10, and by adding subdivisions; 326.84, subdivisions 1 and 3; 326.85, subdivision 1; 326.86; 326.87, subdivision 2; 326.88; 326.89, subdivisions 2, 3, and by adding subdivisions; 326.90; 326.91, subdivisions 1 and 2; 326.92, subdivisions 1 and 3; 326.93, subdivision 1; 326.94, subdivision 2; 326.97, subdivision 1, and by adding a subdivision; 326.99; and 326.991; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1992, sections 326.84, subdivision 2; 326.94, subdivision 1; and 326.991, subdivision 1.

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

Wejcman, Simoneau and Skoglund introduced:

H. F. No. 949, A bill for an act relating to education; making superintendents and principals at-will positions in school districts; amending Minnesota Statutes 1992, sections 123.34, subdivisions 9 and 10; and 125.12, subdivision 1.

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

Skoglund introduced:

H. F. No. 950, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

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

Huntley introduced:

H. F. No. 951, A bill for an act relating to the city of Duluth; authorizing the transfer of money from the gas division account in the public utility fund to the general fund; authorizing the transfer of money from the steam division account of the public utility fund to the general fund; amending Laws 1951, chapter 507, section 1, as amended; and Laws 1979, chapter 113, section 2.

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

Nelson, Sparby, Munger, Frerichs and Kinkel introduced:

H. F. No. 952, A bill for an act relating to game and fish; color of outer clothing required in firearms deer zones; amending Minnesota Statutes 1992, section 97B.071.

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

Neary, Garcia, McCollum, Wagenius and Orfield introduced:

H. F. No. 953, A bill for an act relating to transportation; placing a moratorium on the development of a bridge over the St. Croix river at Oak Park Heights; creating a study commission; appropriating money.

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

Wenzel and Jacobs introduced:

H. F. No. 954, A bill for an act relating to utilities; requiring utility to file with its tariff a plan for extended residential electric service to allow ten-year period for residential customer to pay excess costs attributed to the extension; amending Minnesota Statutes 1992, section 216B.42, by adding a subdivision.

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

Vickerman and Hugoson introduced:

H. F. No. 955, A bill for an act relating to human services; providing for downsizing of the MBW on Center and MBW Eleven Seven intermediate care facilities for persons with mental retardation; appropriating money.

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

Limmer and Lindner introduced:

H. F. No. 956, A bill for an act relating to retirement; Maple Grove volunteer firefighters lump sum service pension maximums.

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

Abrams, Leppik, Limmer and Van Dellen introduced:

H. F. No. 957, A bill for an act relating to retirement; Plymouth volunteer firefighters lump sum service pension maximums.

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

Winter, Jefferson, Reding and Wejcman introduced:

H. F. No. 958, A bill for an act relating to insurance; defining "physician" to include chiropractors for purposes of long-term care policies; amending Minnesota Statutes 1992, section 62A.46, subdivision 7.

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

McCollum, Krinkie, Mahon, Neary and Anderson, I., introduced:

H. F. No. 959, A bill for an act relating to metropolitan government; providing for an elected metropolitan council and public campaign financing for council elections; providing for the metropolitan council to appoint the chairs of certain metropolitan agencies; revising the membership of the metropolitan airports commission; requiring the metropolitan council to review and approve certain metropolitan agencies' capital budgets and review and comment on their operating budgets; creating a metropolitan land use planning commission; directing the council to study and report on transit governance in the metropolitan area; eliminating the role of the county regional railroad authorities in metropolitan light rail transit; amending Minnesota Statutes 1992, sections 10A.01, subdivision 18; 15.0597, subdivision 1; 15A.081, subdivision 1; 43A.18, subdivision 5; 174.32, subdivisions 2 and 3; 204B.32, subdivision 2; 352D.02, subdivision 1; 353D.01, subdivision 2; 398A.04, subdivision 8; 473.121, subdivision 5a, and by adding a subdivision; 473.123, subdivisions 2a, 3, 3a, 4, 5, 6, and by adding a subdivision; 473.129, by adding a subdivision; 473.141, subdivisions 3, 4a, 5, and 7; 473.163, subdivision 2; 473.175; 473.303, subdivision 6; 473.373, subdivision 4a; 473.399, subdivision 1; 473.3991, subdivision 1; 473.3994, subdivision 7; 473.3996, subdivision 2; 473.404, subdivisions 2, 5, 6, and 7; 473.4051; 473.553, subdivision 1, and by adding a subdivision; 473.603, subdivision 2, and by adding a subdivision; 473.605, subdivision 2; 473.661, by adding a subdivision; 473.852, subdivision 2; 473.854; 473.856; 473.857, subdivisions 1, 2, and 3; 473.858, subdivisions 1, 2, and 3; 473.864, subdivisions 1 and 2; 473.865, subdivision 1; 473.866; 473.867, subdivisions 1, 2, 3, and 5; 473.869; and 473.871; proposing coding for new law in Minnesota

Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 15A.081, subdivision 7; 473.3991, subdivision 2; 473.3997; 473.3998; 473.604; 473.621, subdivisions 6 and 7; and 473.853; and Laws 1989, chapter 339, section 21.

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

Wenzel introduced:

H. F. No. 960, A bill for an act relating to agriculture; establishing liability for damage to livestock and crops from stray voltage; providing for the burden of proof in an action alleging damage to livestock and crops; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Clark, Wejcman, Jefferson, Simoneau and Pawlenty introduced:

H. F. No. 961, A bill for an act relating to health; modifying lead abatement requirements; licenses and fees; establishing disposal methods; providing penalties; amending Minnesota Statutes 1992, section 144.871, subdivisions 2, 3, 6, 7a, and by adding subdivisions; 144.872, subdivisions 2 and 3; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.876, by adding subdivisions; 144.878, subdivisions 2 and 5; and Minnesota Rules, chapter 4761; proposing coding for new law in Minnesota Statutes, chapters 116 and 144; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a.

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

Mahon, Garcia, Skoglund, Morrison and Orenstein introduced:

H. F. No. 962, A bill for an act relating to metropolitan government; requiring a classroom noise study.

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

Murphy, Pugh, Johnson, R.; Frerichs and Battaglia introduced:

H. F. No. 963, A bill for an act relating to sheriffs; duty to investigate snowmobile accidents; amending Minnesota Statutes 1992, section 387.03, is amended to read:

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

Reding introduced:

H. F. No. 964, A bill for an act relating to public safety; authorizing commissioner of public safety to apply for federal natural disaster assistance funds; amending Minnesota Statutes 1992, section 12.221.

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

Mariani introduced:

H. F. No. 965, A bill for an act relating to state appointments; prohibiting the sale or other transfer of appointments by appointees; providing for competition in the award of certain contracts; abolishing authority to appoint certain corporations or private individuals as deputy registrars of motor vehicles; providing for the transfer of certain appointments of corporations as deputy registrars to private individuals; requiring county auditors to accept appointments as deputy registrars except in certain situations; permitting any other county or city official to be appointed as a deputy registrar; permitting counties to contract with private individuals for deputy registrar services in certain instances; requiring the registrar of motor vehicles to adopt rules governing the hours of operation of deputy registrars; reducing registration fees; permitting private individuals holding appointments as deputy registrars or

qualifying for transfers of appointments held by corporations to continue as deputy registrars; amending Minnesota Statutes 1992, section 168.33, subdivisions 2 and 7; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Dempsey, Molnau, Van Dellen and Lindner introduced:

H. F. No. 966, A bill for an act relating to metropolitan government; repealing the authority for dual track airport development planning; repealing Minnesota Statutes 1992, sections 473.155, subdivisions 3 and 4; 473.1551; 473.616; 473.618; and 473.619.

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

Waltman, Sparby, Jennings, Winter and Olson, K., introduced:

H. F. No. 967, 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 Taxes.

Osthoff, Pugh, Morrison, Pauly and Workman introduced:

H. F. No. 968, A bill for an act relating to public safety; allowing social security numbers of commercial drivers to be provided to the federal commercial driver license information system; allowing person whose vehicle license plates are impounded to designate a licensed driver for the purpose of obtaining special series license plates; prohibiting person whose license plates are impounded from purchasing a motor vehicle under certain conditions; clarifying driver's license classification provisions; imposing fee for duplicate identification card; requiring application for duplicate identification card when certain information changes; including certain traffic offenses as being serious violations when committed by commercial vehicle drivers; providing for driver's license reinstatement fees; amending Minnesota Statutes 1992, sections 13.69, subdivision 1; 168.042, subdivision 12, and by adding a subdivision; 171.02, subdivision 2; 171.06, subdivision 2; 171.11; 171.165, subdivision 4; and 171.29, subdivision 2.

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

Pauly, Garcia, Kelso, Neary and Morrison introduced:

H. F. No. 969, A bill for an act relating to transportation; adopting federal motor carrier safety regulations; defining terms; making technical changes; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on bills of lading and other motor carrier documents; imposing penalties; amending Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281, subdivision 3; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.031, subdivisions 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapter 568, section 1; and 578, section 15.

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

Sparby, Steensma and Wenzel introduced:

H. F. No. 970, A bill for an act relating to agriculture; changing procedures and priority for agricultural input liens; amending Minnesota Statutes 1992, section 514.952, subdivisions 1, 2, and 6; repealing Minnesota Statutes 1992, section 514.952, subdivisions 3, 4, and 5.

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

Hausman, Jefferson, Mariani and Vellenga introduced:

H. F. No. 971, A bill for an act relating to education; establishing an early childhood and parent educators of color program; appropriating money.

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

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

H. F. No. 972, A bill for an act relating to retirement; volunteer firefighters' relief associations; increasing service pension maximums; establishing a fire state aid maximum apportionment; providing penalties for noncompliance with service pension maximums; specifying duties for the state auditor; ratifying certain prior nonconforming lump sum service pension payments; continuing certain nonconforming lump sum service pension amounts in force; modifying certain investment performance calculations; modifying certain local volunteer firefighters relief association provisions; amending Minnesota Statutes 1992, sections 11A.04; 356.218, subdivisions 2 and 3; 424A.001, by adding subdivisions; 424A.01, by adding a subdivision; and 424A.02, subdivisions 1, 3, and by adding subdivisions; Laws 1971, chapter 140, section 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 424A.

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

Mahon, Blatz, Seagren, Reding and Greiling introduced:

H. F. No. 973, A bill for an act relating to retirement; benefit computation for members of the Bloomington police relief association.

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

Skoglund introduced:

H. F. No. 974, A bill for an act relating to the capitol area architectural and planning board; clarifying certain duties and powers of the board; amending Minnesota Statutes 1992, section 15.50, 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.

Skoglund introduced:

H. F. No. 975, A bill for an act relating to crime; sentencing; clarifying terms relating to the sentencing of criminal offenders; making technical corrections to the new felony sentencing laws; revising current laws relating to mandatory supervised release of sex offenders; revising certain provisions of the challenge incarceration program; amending Minnesota Statutes 1992, sections 144A.04, subdivisions 4 and 6; 144A.11, subdivision 3a; 144B.08, subdivision 3; 152.021, subdivision 3; 152.022, subdivision 3; 152.023, subdivision 3; 152.024, subdivision 3; 152.025, subdivision 3; 152.026; 152.18, subdivision 1; 169.121, subdivision 3a; 238.16, subdivision 2; 244.01, subdivision 8, and by adding a subdivision; 244.05, subdivision 1b; 244.065; 244.101; 244.14, subdivision 3; 244.15, subdivision 1; 244.17, subdivision 3; 244.172, subdivisions 1 and 2; 244.171, subdivision 4; 299A.35, subdivision 2; 609.0341, subdivision 1; 609.101, subdivisions 2, 3, and 4; 609.11; 609.135, subdivision 1; 609.1352, subdivision 1; 609.15, subdivision 2; 609.152, subdivision 1; 609.196; 609.229, subdivision 3; 609.346, subdivisions 2, 2b, and 5; 609.3461, subdivision 2; 609.582, subdivision 1a; 609.891, subdivision 2; 611A.06, subdivision 1; and 629.291, subdivision 1.

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

Simoneau; Weaver; Johnson, A., and Jacobs introduced:

H. F. No. 976, A bill for an act relating to counties; authorizing a county to transfer funds to and enter into contracts with community action agencies; amending Minnesota Statutes 1992, section 375.18, by adding a subdivision.

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

Milbert introduced:

H. F. No. 977, A bill for an act relating to retirement; Minneapolis employees retirement fund; permitting purchase of service credit by a certain member.

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

Milbert, Osthoff and Pugh introduced:

H. F. No. 978, A bill for an act relating to motor carriers; defining exempt carriers to include certain tow trucks; amending Minnesota Statutes 1992, section 221.025.

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

Battaglia, Solberg and Rukavina introduced:

H. F. No. 979, A bill for an act relating to the environment; changing provisions relating to waste tires; appropriating money; amending Minnesota Statutes 1992, sections 115A.90, by adding a subdivision; 115A.908, subdivision 3; 115A.912; 115A.913, subdivisions 1, 2, 4, 5, and by adding a subdivision; and 115A.914; repealing Minnesota Statutes 1992, section 115A.913, subdivision 3.

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

Anderson, I.; Long; Welle; Jacobs and Sviggum introduced:

H. F. No. 980, A bill for an act relating to local government; enabling local government units to obtain waivers of state rules and laws; providing grants to local government units to encourage cooperation, achieve specified outcomes, and design service budget management models; creating a board of local government innovation and cooperation; appropriating money; amending Minnesota Statutes 1992, sections 465.80, subdivisions 1, 2, 4, and 5; 465.81, subdivision 2; 465.82, subdivision 1; 465.83; and 465.87, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465.

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

Rice and Sarna introduced:

H. F. No. 981, A bill for an act relating to the organization of state government; abolishing the department of public service; abolishing the residential and small business utilities division of the office of the attorney general; reducing the size of the public utilities commission; transferring the utility regulatory responsibilities of the department of public service to the department of commerce; transferring the energy and conservation improvement responsibilities of the department of public service to the public utilities commission; transferring the division of weights and measures to the department of agriculture; amending Minnesota Statutes 1992, sections 15.01; 116C.03, subdivision 2; 216A.01; 216A.03, subdivision 1; 216A.035; 216A.036; 216A.04; 216A.05, by adding a subdivision; 216A.07, subdivision 1, and by adding a subdivision; 216A.085; 216A.095; 216B.02, subdivisions 7, 8, and by adding subdivisions; 216B.162, subdivision 7; 216B.241, subdivisions 1 and 2; 216C.01; 216C.10; 216C.36, subdivision 11; 216C.37, subdivision 1; 237.02; 237.075, subdivision 2; 239.01; 239.05, subdivisions 6c, 7a, and 8; 446A.10, subdivision

2; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 8.33; 216A.06; and 216C.01, subdivisions 2 and 3.

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

Jefferson, Pugh, Osthoff and Kahn introduced:

H. F. No. 982, A bill for an act relating to capital improvements; authorizing the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local government units; authorizing the issuance of state bonds; appropriating money.

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

Koppendrayner, Stanius, Bertram and Dauner introduced:

H. F. No. 983, A bill for an act relating to game and fish; setting inclusive dates for open seasons on crow; amending Minnesota Statutes 1992, section 97B.731, subdivision 3.

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

Krueger, Kahn, Van Dellen and Knickerbocker introduced:

H. F. No. 984, A bill for an act relating to state government; modifying provisions relating to the department of administration; amending Minnesota Statutes 1992, sections 13.37, subdivision 2; 13B.04; 15.061; 16B.06, subdivision 2; 16B.101, subdivision 3; 16B.17; 16B.19, subdivisions 2 and 10; 16B.24, subdivision 6; 16B.27, subdivision 3; 16B.32, subdivision 2; 16B.42, subdivisions 1, 2, 3, and 4; 16B.465, subdivision 6; 16B.48, subdivisions 2 and 3; 16B.49; 16B.51, subdivisions 2 and 3; 16B.58, subdivisions 1, 5, and 8; 16B.85, subdivision 1; 94.10, subdivision 1; 343.01, subdivisions 2, 3, and by adding subdivisions; and 403.11, subdivision 1; Laws 1979, chapter 333, section 18; and Laws 1991, chapter 345, article 1, section 17, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1992, sections 3.3026; 16B.41, subdivision 4; 16B.56, subdivision 4; and Laws 1987, chapter 394, section 13.

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

Weaver introduced:

H. F. No. 985, A bill for an act relating to retirement; public employees police and fire fund; modifying the disability benefit limitation for reemployed disabilitants; amending Minnesota Statutes 1992, section 353.656, subdivision 4.

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

Kelley; Johnson, V.; Kahn; Krueger and Holsten introduced:

H. F. No. 986, A bill for an act relating to metropolitan government; providing for coordination and consolidation of public mobile radio communications systems; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Brown, C.; Pugh; Frerichs and Simoneau introduced:

H. F. No. 987, A bill for an act relating to corrections; changing inmate classification in jails; amending Minnesota Statutes 1992, section 641.14.

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

Sparby, Tunheim, Reding, Stanius and Anderson, I., introduced:

H. F. No. 988, A bill for an act relating to game and fish; allowing the taking of two deer in designated counties; amending Minnesota Statutes 1992, section 97B.301, subdivisions 2, 4, and by adding a subdivision.

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

Cooper introduced:

H. F. No. 989, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Meeker county.

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

Cooper, Frerichs, Bauerly, Welle and Jennings introduced:

H. F. No. 990, A bill for an act relating to utilities; prohibiting a municipality from using a quick take condemnation proceeding when acquiring the property of another electric service provider through eminent domain; amending Minnesota Statutes 1992, section 216B.47.

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

Cooper, Bauerly, Welle, Frerichs and Jennings introduced:

H. F. No. 991, A bill for an act relating to utilities; repealing the authority of a municipality to acquire the property of another electric service provider through eminent domain; repealing Minnesota Statutes 1992, section 216B.47.

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

Skoglund, Delmont, Mariani, Carruthers and Luther introduced:

H. F. No. 992, A bill for an act relating to crime; making the penalty for conspiracy equal to the penalty for the substantive offense that is the object of the conspiracy; eliminating the specific intent element of committing a crime for the benefit of a gang; making it a felony for repeat violations of the crime of carrying a pistol without a permit; increasing the length of time a court may authorize interception of wire, electronic, or oral communications; amending Minnesota Statutes 1992, sections 609.175, subdivision 2; 609.229, subdivision 2; 624.714, subdivision 1; and 626A.06, subdivision 5.

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

Clark, Jefferson, Wejcman and Evans introduced:

H. F. No. 993, A bill for an act relating to Black Minnesotans; providing for a study of the immigration status of persons of African descent; appropriating money.

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

Blatz introduced:

H. F. No. 994, A bill for an act relating to children; foster care and adoption placement; specifying time limits for compliance with placement preferences; setting standards for changing out-of-home placement; requiring notice of certain adoptions; amending Minnesota Statutes 1992, sections 257.071, subdivision 1a; 259.255; 259.28, subdivision 2; 259.455; and 260.181, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 259.

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

Lourey; Jaros; Simoneau; Anderson, R., and Carlson introduced:

H. F. No. 995, A bill for an act relating to the aid to families with dependent children program; directing the commissioner of human services to seek a waiver of federal law regarding the resource limits of a motor vehicle and a waiver allowing an AFDC recipient to deduct the cost of mandatory car insurance from earned income; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Lourey, Simoneau, Murphy, Gutknecht and Vickerman introduced:

H. F. No. 996, A bill for an act relating to human services; establishing the Minnesota Psychopathic Personality Treatment Center; clarifying administrative management of the Minnesota Security Hospital; amending Minnesota Statutes 1992, section 253.202; proposing coding for new law as Minnesota Statutes, chapter 246B.

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

Lourey, Simoneau, Murphy, Huntley and Rukavina introduced:

H. F. No. 997, A bill for an act relating to human services; establishing a northeast regional services administration at the Moose Lake regional treatment center; reorganizing state-operated services in the region; authorizing planning for and development of community services in the Moose Lake catchment areas, for persons who are mentally ill, developmentally disabled, or chemically dependent; authorizing geriatric services; appropriating money; amending Minnesota Statutes 1992, sections 245.464, subdivision 1; 245.466, subdivision 1; 245.474; 245.652; 251.011, by adding a subdivision; 252.025, by adding a subdivision; 252.50, by adding a subdivision; 253.015, subdivision 2, and by adding a subdivision; and 254.04; proposing coding for new law in Minnesota Statutes, chapter 246.

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

Rice, Sarna, Milbert, Perl and Delmont introduced:

H. F. No. 998, A bill for an act relating to occupations and professions; requiring crane operators to be licensed by the state; requiring rulemaking; establishing a crane operators examining board; providing penalties; amending Minnesota Statutes 1992, section 214.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Hugoson; Olson, E.; Sviggum; Girard and Kalis introduced:

H. F. No. 999, A bill for an act relating to taxation; providing a school agricultural tax credit in 1994; reimbursing school districts for the reduction in property tax revenues; appropriating money; amending Minnesota Statutes 1992, section 273.1398, by adding a subdivision.

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

Jennings, Huntley, Abrams, Reding and Gruenes introduced:

H. F. No. 1000, A bill for an act relating to insurance; no-fault auto; regulating priorities of coverage for motor vehicles used in the for-hire transportation of passengers; amending Minnesota Statutes 1992, section 65B.47, subdivision 1a.

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

Osthoff, Frerichs and Lasley introduced:

H. F. No. 1001, A bill for an act relating to motor vehicles; requiring license plates to stay with motor carrier on prorate truck; changing the registration period for prorate vehicles; excepting prorate vehicles from renewal notice requirements; making owner-operator subject to suspension of plates and international fuel tax agreement license for certain delinquent filings or payments; amending Minnesota Statutes 1992, sections 168.09, subdivisions 3 and 5; 168.12, subdivision 1; and 168.187, subdivision 26.

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

Farrell; Johnson, A.; Munger; Sekhon and Neary introduced:

H. F. No. 1002, A bill for an act relating to natural resources; allowing the sale or exchange of land in a wildlife management area under certain conditions; amending Minnesota Statutes 1992, section 97A.135, subdivision 2, and by adding a subdivision; repealing Laws 1992, chapter 502, sections 4, 5, and 6.

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

Greenfield and Clark introduced:

H. F. No. 1003, A bill for an act relating to human services; establishing family general assistance eligibility when children are temporarily in foster care; amending Minnesota Statutes 1992, sections 256D.01, subdivision 1a; and 256D.02, subdivision 5.

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

Murphy, Munger, Huntley and Jaros introduced:

H. F. No. 1004, A bill for an act relating to retirement; Duluth's joint police and fire consolidation account of the public employees police and fire fund; authorizing the payment of a retirement annuity to a former Duluth police relief association member.

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

Stanius, Ozment, Swenson and Bauerly introduced:

H. F. No. 1005, A bill for an act relating to education; modifying the community education formula; authorizing an additional amount to be spent on equipment; amending Minnesota Statutes 1992, section 124.2713, subdivisions 3 and 8.

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

Tunheim; Lieder; Anderson, I.; Battaglia and Sparby introduced:

H. F. No. 1006, A bill for an act relating to education; modifying the secondary sparsity formula; creating a secondary sparsity revenue guarantee; amending Minnesota Statutes 1992, section 124A.22, subdivision 6.

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

Jaros; Anderson, I.; Rukavina; Peterson and Dawkins introduced:

H. F. No. 1007, A bill for an act relating to taxation; sales and use; providing an exemption to counties for certain capital improvement projects; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

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

Simoneau, by request; Goodno; Sparby and Worke introduced:

H. F. No. 1008, A bill for an act relating to employment; modifying provisions relating to the dislocated worker program; establishing rapid and expeditious response activities programs; providing for worker adjustment services plans; establishing dislocation event services grants; amending Minnesota Statutes 1992, sections 16B.06, subdivision 2a; 268.022, subdivision 2; 268.975, subdivisions 3, 4, 6, 7, 8, and by adding subdivisions; 268.976, subdivision 2; 268.978, subdivision 1; and 268.98; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1992, sections 268.978, subdivision 3.

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

McGuire introduced:

H. F. No. 1009, A bill for an act relating to data privacy; protecting identity of employee or customer of utility or telephone company who reports violation; amending Minnesota Statutes 1992, section 13.692.

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

Dawkins introduced:

H. F. No. 1010, A bill for an act relating to taxation; sales and use; excluding building cleaning and maintenance from the definition of a sale; amending Minnesota Statutes 1992, section 297A.01, subdivision 3.

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

Skoglund introduced:

H. F. No. 1011, A bill for an act relating to metropolitan airports commission; providing for additional commissioners; amending Minnesota Statutes 1992, section 473.604, subdivision 1.

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

Rice, Osthoff, Lasley, Smith and Swenson introduced:

H. F. No. 1012, A bill for an act relating to drivers' licenses; increasing fees; increasing amount that may be retained for expenses; amending Minnesota Statutes 1992, section 171.06, subdivisions 2 and 4.

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

Skoglund introduced:

H. F. No. 1013, A bill for an act relating to crime; requiring community corrections act counties to establish pretrial diversion programs for eligible adult criminal offenders; specifying the goals and components of these programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 401.

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

McGuire, Pugh, Swenson and Carruthers introduced:

H. F. No. 1014, A bill for an act relating to government data; modifying provisions related to medical data; amending Minnesota Statutes 1992, sections 13.42, by adding a subdivision; 13.46, subdivisions 5 and 7; and 144.335, subdivision 3a.

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

Wejcman, Garcia, Onnen and Clark introduced:

H. F. No. 1015, A bill for an act relating to health; appropriating money for the public health nurse home visiting program.

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

Kahn, McGuire, Luther, Evans and Pauly introduced:

H. F. No. 1016, A bill for an act relating to the Minnesota amateur sports commission; providing additional members; amending Minnesota Statutes 1992, section 240A.02, subdivision 1.

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

Winter, Peterson, Dauner and Brown, K., introduced:

H. F. No. 1017, A bill for an act relating to local government aids; providing for calculation and distribution of state aids to cities; amending Minnesota Statutes 1992, sections 273.1398, by adding a subdivision; 477A.011, subdivisions 1a, 20, and by adding subdivisions; 477A.013, by adding subdivisions; and 477A.03, subdivision 1; repealing Minnesota Statutes 1992, sections 477A.011, subdivisions 1b, 3a, 15, 16, 17, 18, 22, 23, 25, and 26; and 477A.013, subdivisions 2, 3, and 5.

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

Rest introduced:

H. F. No. 1018, A bill for an act relating to limited liability companies; requiring biennial registration; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 322B.

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

Seagren, Tompkins, Pauly, McCollum and Sekhon introduced:

H. F. No. 1019, A bill for an act relating to human services; providing a cost-of-living adjustment for personal care assistants; amending Minnesota Statutes 1992, section 256B.0625, by adding a subdivision.

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

Wenzel; Kinkel; Johnson, V.; Klinzing and Bauerly introduced:

H. F. No. 1020, A bill for an act relating to lawful gambling; reducing the rate of the tax on pull-tabs and tipboards; amending Minnesota Statutes 1992, section 349.212, subdivision 4.

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

Bergson, Munger and McCollum introduced:

H. F. No. 1021, A bill for an act relating to state lands; exempting certain lakeshore lots from sale requirements; authorizing the commissioner of natural resources to acquire personal property; amending Minnesota Statutes 1992, section 92.67, by adding a subdivision.

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

Rukavina, Beard, Welle and Farrell introduced:

H. F. No. 1022, A bill for an act relating to workers' compensation; modifying provisions relating to adjustment of benefits; amending Minnesota Statutes 1992, section 176.645, subdivision 1.

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

Johnson, A.; Jefferson; Haukoos; Gruenes and Lindner introduced:

H. F. No. 1023, A bill for an act relating to employment; modifying provisions relating to and renaming the Minnesota council for the blind and the consumer advisory council; establishing a rehabilitation advisory council for the blind; amending Minnesota Statutes 1992, sections 248.10; and 268A.02, subdivision 2.

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

Onnen; Anderson, R.; Lindner; Nelson and Worke introduced:

H. F. No. 1024, A bill for an act relating to employment; permitting a study of the feasibility of establishing a uniform business identifier; appropriating money.

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

Milbert introduced:

H. F. No. 1025, A bill for an act relating to occupations and professions; regulating athletic trainers; establishing an advisory council; providing for registration; requiring fees; providing for rulemaking; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 116J.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Wenzel introduced:

H. F. No. 1026, A bill for an act relating to the city of Garrison; establishing a dedicated fund to meet city expenses to pay for construction of a city sewer system; permitting a one percent local sales tax upon approval by the city council; providing for a sunset on the tax.

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

Evans introduced:

H. F. No. 1027, A bill for an act relating to traffic regulations; reducing maximum lawful speed in urban districts; amending Minnesota Statutes 1992, section 169.14, subdivision 2.

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

Smith, Davids, Bettermann, Onnen and Workman introduced:

H. F. No. 1028, A bill for an act relating to the legislature; requiring that each bill be accompanied by a fiscal note; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Vickerman; Anderson, I.; Waltman; Rukavina and Koppendrayner introduced:

H. F. No. 1029, A bill for an act relating to taxation; sales and use; providing an exemption for sales to counties for certain capital improvement projects; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

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

CALENDAR

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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

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.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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. Onnen presided during a portion of the meeting of the Committee of the Whole. 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. 296, 546, 117, 203 and 442 were recommended to pass.

H. F. No. 132 was recommended for progress retaining its place on General Orders.

H. F. No. 243 was recommended for progress until Thursday, March 18, 1993.

H. F. No. 181 was recommended for progress until Thursday, April 1, 1993.

H. F. No. 167 was recommended for re-referral to the Committee on Governmental Operations and Gambling.

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

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll call was taken in the Committee of the Whole:

The question was taken on the motion to recommend passage of H. F. No. 296, the first engrossment, and the roll was called. There were 76 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abrams	Carlson	Greiling	Kelley	Milbert	Pugh	Trimble
Anderson, I.	Carruthers	Hasskamp	Kinkel	Munger	Reding	Tunheim
Anderson, R.	Clark	Hausman	Klinzing	Murphy	Rest	Van Dellen
Asch	Cooper	Huntley	Krueger	Neary	Rodosovich	Vellenga
Battaglia	Dehler	Jacobs	Lasley	Olson, E.	Rukavina	Wagenius
Bauerly	Delmont	Jaros	Lieder	Opatz	Sarna	Wejcman
Beard	Dorn	Jefferson	Lourey	Orenstein	Sekhon	Welle
Bergson	Evans	Johnson, A.	Luther	Orfield	Simoneau	Winter
Bertram	Farrell	Johnson, R.	Lynch	Osthoff	Skoglund	Worke
Bishop	Garcia	Kahn	Mahon	Ostrom	Sparby	Spk. Long
Blatz	Greenfield	Kalis	McGuire	Pawlenty	Tomassoni	

Those who voted in the negative were:

Brown, C.	Girard	Johnson, V.	Macklin	Olson, M.	Smith	Weaver
Brown, K.	Goodno	Kelso	McCollum	Onnen	Stanis	Wenzel
Commers	Gruenes	Knickerbocker	Molnau	Ozment	Steensma	Workman
Dauner	Gutknecht	Koppendrayner	Morrison	Pauly	Swiggum	
Davids	Haukoos	Krinkie	Mosel	Pelowski	Swenson	
Dempsey	Holsten	Leppik	Nelson	Peterson	Tompkins	
Erhardt	Hugoson	Limmer	Ness	Rhodes	Vickerman	
Frerichs	Jennings	Lindner	Olson, K.	Seagren	Waltman	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Leppik moved that the name of Erhardt be added as an author on H. F. No. 98. The motion prevailed.

Wenzel moved that the name of Long be added as an author on H. F. No. 421. The motion prevailed.

Rukavina moved that the name of Asch be added as an author on H. F. No. 540. The motion prevailed.

Seagren moved that her name be stricken as an author on H. F. No. 576. The motion prevailed.

Cooper moved that the names of Jaros and Johnson, R., be added as authors on H. F. No. 737. The motion prevailed.

Knickerbocker moved that the name of Erhardt be added as an author on H. F. No. 782. The motion prevailed.

Anderson, R., moved that the name of Pauly be added as an author on H. F. No. 789. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 15, 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 15, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives