

STATE OF MINNESOTA  
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 24, 1993

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

Prayer was offered by the Reverend Scott A. Larson, Gustavus Adolphus Lutheran Church, Foley, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Welle was excused.

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

### PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

March 23, 1993

The Honorable Dee Long  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 146, relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility.

Warmest regards,

ARNE H. CARLSON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Dee Long  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1993	Date Filed 1993
	146	7	3:10 p.m. March 23	March 23

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF STANDING COMMITTEES

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

H. F. No. 151, A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1992, sections 367.03, subdivision 1; and 367.05, subdivision 1.

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

The report was adopted.

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

H. F. No. 152, A bill for an act relating to towns; eliminating distribution of certain reports relating to town roads and bridges; amending Minnesota Statutes 1992, section 164.03, subdivision 4.

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

The report was adopted.

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

H. F. No. 238, A bill for an act relating to towns; providing that town elections may take place on the general election day; amending Minnesota Statutes 1992, sections 365.51, subdivisions 1 and 3; and 365.59.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1992, section 365.51, is amended by adding a subdivision to read:

Subd. 3a. [ALTERNATE DATE; METROPOLITAN TOWNS.] The governing body of a town located in the metropolitan area as defined by section 473.121 may, by resolution or ordinance, designate the first Tuesday after the first Monday in November of either the even-numbered or the odd-numbered year as the date of the town general election. Town supervisors elected at a November town general election shall serve four-year terms.

The ordinance or resolution changing the date of the town general election must include a plan to shorten or lengthen the terms of office to provide an orderly transition to the November election schedule.

The ordinance or resolution changing the date of the town general election is effective upon an affirmative vote of the voters of the town at the next town general election."

Amend the title as follows:

Page 1, line 2, after "that" insert "metropolitan"

Page 1, line 4, delete "subdivisions" and insert "subdivision"

Page 1, line 5, delete "and 3" and insert ", and by adding a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on General Legislation, Veterans Affairs and Elections.

The report was adopted.

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

H. F. No. 299, A bill for an act relating to elections; changing requirements and procedures for maintaining precinct boundary data; appropriating money; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 5 and 6; and 204B.146.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

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

H. F. No. 323, A bill for an act relating to elections; providing uniform local election procedures; amending Minnesota Statutes 1992, sections 103C.305, subdivision 2; 123.33, subdivision 1; 205.065, subdivisions 1 and 2; 205.07, subdivision 1; 205.10, subdivision 1, and by adding a subdivision; 205.13, subdivision 1, and by adding a subdivision; 205.16, subdivisions 1 and 2; 205.17, subdivision 4; 205.175; 205A.03, subdivisions 1 and 2; 205A.04; 205A.05, subdivision 1; 205A.06, subdivision 1, and by adding a subdivision; 205A.09, subdivision 2; 365.51, subdivisions 1 and 3; and 367.03; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 1992, sections 205.02, subdivision 2; 205.065, subdivision 3; 205.18; 205.20; and 205A.04, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 29, insert:

"Sec. 3. Minnesota Statutes 1992, section 204B.14, subdivision 8, is amended to read:

Subd. 8. [COMBINED PRECINCT.] (a) Up to four contiguous municipalities located entirely outside the metropolitan area as defined in section 473.121, subdivision 2, that are contained in the same legislative district, congressional district, and county commissioner district may enter into a combination agreement to form one precinct for state and county election purposes, upon the approval of the county auditor. The governing body of each municipality proposing to enter into a combination agreement must provide the inhabitants of the municipality with published and posted notice of the proposed agreement three weeks before the second Tuesday in ~~March~~ May. A combination agreement must be approved by resolutions of all of the governing bodies of the combining municipalities on or before ~~the second Tuesday in March~~ June 1 of an election year. A copy of the combination agreement must be submitted to the county auditor for approval, on or before ~~May 1~~ June 10 of an election year.

(b) One or more of the municipalities in the combined precinct may withdraw from the combination by a resolution of the governing body of the withdrawing municipality, passed on or before the second Tuesday in ~~March~~ May of an election year. The withdrawing municipality shall file the resolution with the county auditor no later than ~~May 1~~ June 10 of an election year. The decision of any one municipality to withdraw from the combination agreement automatically dissolves the combination unless all the remaining municipalities continue to meet all the requirements of this subdivision.

(c) The combination agreement must specify the designated polling place and the municipal election officials or governing bodies responsible for appointing election judges and the chair of the election board, posting notices, preparing precinct maps, and carrying out other election duties required by law.

(d) In combining or separating, the municipalities must meet the time requirements specified in this section for changing precinct boundaries and in section 204B.16, subdivision 3, for designating a different polling place.

Sec. 4. Minnesota Statutes 1992, section 205.02, subdivision 2, is amended to read:

Subd. 2. [CITY ELECTIONS.] In all statutory and home rule charter cities, the primary, general and special elections held for choosing city officials and deciding public questions relating to the city shall be held as provided

in this chapter, except that ~~this section and~~ sections 205.065, subdivisions 2 ~~4~~ to 7; ~~205.07 to 205.10, subdivision 2;~~ 205.121; and ~~205.175 and 205.185~~ 205.17, subdivisions 2 and 3, do not apply to a city whose charter provides the manner of holding its primary, general or special elections."

Page 4, line 3, strike "statutory"

Page 5, line 22, after the first "the" insert "first Tuesday after the second Monday in September or the"

Page 5, after line 34 insert:

"Sec. 10. Minnesota Statutes 1992, section 205.10, is amended by adding a subdivision to read:

Subd. 1a. [BALLOT QUESTIONS; MAIL ELECTIONS.] A special election on a question on which the voters of the municipality are authorized by law or charter to pass judgment may be held at a time other than the dates specified in subdivision 1 if it is conducted by mail in the manner provided by section 204B.46."

Page 6, line 30, after the period insert "In municipalities nominating candidates at a municipal primary,"

Page 6, line 34, after the period insert "In all other municipalities, an affidavit of candidacy must be filed not more than 70 days and not less than 56 days before the municipal general election."

Page 7, lines 10 and 22, after "town" insert "not located within a metropolitan county as defined in section 473.121"

Page 11, after line 23, insert:

"Sec. 22. Minnesota Statutes 1992, section 205A.05, is amended by adding a subdivision to read:

Subd. 1a. [BALLOT QUESTIONS; MAIL ELECTIONS.] A special election on a question on which the voters of the school district are authorized by law to pass judgment may be held at a time other than the dates specified in subdivision 1 if it is conducted by mail in the manner provided by section 204B.46."

Page 12, line 11, before "Affidavits" insert "In school districts nominating candidates at a school district primary,"

Page 12, line 15, after the period insert "In all other school districts, affidavits of candidacy must be filed not more than 70 days and not less than 56 days before the school district general election."

Page 12, after line 36, insert:

"Sec. 26. Minnesota Statutes 1992, section 206.90, subdivision 6, is amended to read:

Subd. 6. [BALLOTS.] In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white or buff colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. If more than one ballot card is required, the cards must, so far as practicable, be of the same color as is required for paper ballots."

Page 15, line 2, delete "3 to 5" and insert "5 to 7"

Page 15, line 10, delete "15 to 17" and insert "18 to 20"

Page 15, line 20, delete "205.02, subdivision 2;"

Page 15, line 21, delete "and"

Page 15, line 22, before the comma insert "; and 410.21"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert "prescribing ballot colors;"

Page 1, line 5, after the first semicolon insert "204B.14, subdivision 8; 205.02, subdivision 2;"

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

Page 1, line 10, before the semicolon insert ", and by adding a subdivision"

Page 1, line 11, after the second semicolon insert "206.90, subdivision 6;"

Page 1, line 14, delete everything after "sections"

Page 1, line 15, delete "2;" and delete "and"

Page 1, line 16, before the period insert "; and 410.21"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 328, A bill for an act relating to the organization and operation of state government; appropriating money for jobs and commerce, to departments and agencies, with certain conditions; providing for regulation of certain activities and practices; providing for certain rights-of-way; fixing and limiting accounts and fees; amending Minnesota Statutes 1992, sections 10A.21, subdivision 1; 10A.322, subdivision 4, and by adding a subdivision; 11A.21, subdivision 1; 16B.06, subdivision 2a; 59A.02, subdivision 3; 60A.14, subdivision 1; 60K.06; 60K.19, subdivision 8; 82.20, subdivisions 7 and 8; 82.21, subdivision 1, and by adding a subdivision; 82.22, subdivision 13; 82.34, subdivisions 3 and 4; 116J.617; 116L.03, subdivision 7; 155A.08, subdivision 3; 161.081; 161.39, by adding a subdivision; 169.121, subdivision 7; 169.123, subdivision 5a; 171.02, subdivision 1; 171.06, subdivision 2; 171.11; 171.22, subdivision 1; 174.02, by adding a subdivision; 237.295, subdivision 2, and by adding a subdivision; 239.011, subdivision 2; 239.10; 239.80, subdivisions 1 and 2; 268.022; 268.975; 268.978; 268.98; 345.41; 345.42, subdivisions 2 and 3; 359.01, subdivision 3; 359.02; 386.61, by adding a subdivision; 386.65; 386.66; 386.67; 386.68; and 386.69; proposing coding for new law in Minnesota Statutes, chapters 45; 116M; 239; 268; and 386; repealing Minnesota Statutes 1992, sections 10A.21, subdivisions 2 and 3; 171.20, subdivision 1; 239.52; 239.78; 268.977; 296.01, subdivision 4; 296.025, subdivision 1a; 296.026; 386.61, subdivision 3; 386.63; 386.64; and 386.70.

Reported the same back with the following amendments:

Page 2, line 9, delete "\$172,959,000" and insert "\$165,959,000" and delete "\$325,842,000" and insert "\$318,842,000"

Page 2, line 21, delete "1,296,669,000" and insert "1,289,669,000" and delete "2,574,106,000" and insert "2,567,106,000"

Page 5, line 26, delete "36,520,000" and insert "29,520,000"

Page 5, line 28, delete "35,643,000" and insert "28,643,000"

Page 5, line 35, delete "21,654,000" and insert "14,654,000"

Page 5, delete lines 47 to 51

Page 6, delete lines 7 to 12

Page 8, delete lines 46 to 58

Pages 26 to 37, delete sections 34 to 48

Page 59, delete lines 12 to 36

Page 60, delete lines 1 to 5

Page 60, line 6, delete "7" and insert "6"

Page 60, line 10, delete "8" and insert "7"

Pages 61 to 64, delete sections 72 to 76

Page 68, delete line 10, and insert "(a) Section 28 is effective the day"

Page 68, delete line 12

Page 68, line 13, delete "(c)" and insert "(b)"

Page 68, line 14, delete "(d)" and insert "(c)" and delete "54" and insert "39"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after the first semicolon

Page 1, delete lines 13 to 15

Page 1, line 22, delete "345.41;"

Page 1, delete line 23

Page 1, line 24, delete "359.02;"

Page 1, line 26, delete "116M;"

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

The report was adopted.

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

H. F. No. 349, A bill for an act relating to labor; establishing rights and duties in relation to union organization; providing that certain acts are an unfair labor practice; proposing penalties; amending Minnesota Statutes 1992, sections 179.12; 179A.07, by adding a subdivision; and 179A.13, subdivision 2.

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

The report was adopted.

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

H. F. No. 373, A bill for an act relating to labor; requiring arbitration in certain circumstances; establishing procedures; providing penalties; amending Minnesota Statutes 1992, sections 179.06, by adding a subdivision; and 179A.16, subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 3, delete "both parties have" and insert "the requesting party has"

Page 5, line 18, delete "both parties have" and insert "the requesting party has"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 383, A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992, section 383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

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

The report was adopted.

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

H. F. No. 418, A resolution memorializing the President and Congress to retain the Grand Forks Air Force Base, Grand Forks, North Dakota.

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

The report was adopted.

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

H. F. No. 464, A bill for an act relating to the city of Deer River; establishing an office of the deputy registrar of motor vehicles.

Reported the same back with the following amendments:

Page 1, line 12, after the period insert "All other provisions regarding the appointment and operation of a deputy registrar office under Minnesota Statutes, section 168.33, and Minnesota Rules, chapter 7406, shall apply to the office."

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

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 560, A bill for an act relating to transportation; providing for a hearing to resolve disputes over establishment of public pedestrian-bicycle trails over railroad tracks; amending Minnesota Statutes 1992, section 219.072.



Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 219.16, is amended to read:

219.16 [GRADE CROSSING DEFINED.]

The term "grade crossing" as used in this chapter means the intersection of a public highway and or public pedestrian-bicycle trail with the tracks of a railroad, however operated, on the same plane or level, except street railways within city limits."

Delete the title and insert:

"A bill for an act relating to railroads; redefining "grade crossing" to include an intersection of a public pedestrian-bicycle trail with railroad tracks; amending Minnesota Statutes 1992, section 219.16."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 704, A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 103G.261; 103G.265, subdivision 3; 103G.271, subdivisions 1, 7, and by adding a subdivision; 103G.291, by adding a subdivision; 103G.301, subdivision 1; 115.03, subdivision 1; 473.156, subdivision 1; 473.175, subdivision 1; 473.851; and 473.859, subdivisions 3, 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 9, line 22, delete ", including reuse as potable water"

Page 14, line 25, after "those" insert "municipal"

Page 16, line 1, delete "shall" and insert "may"

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

The report was adopted.

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

H. F. No. 720, A bill for an act relating to town roads; permitting cartways to be established on alternative routes; amending Minnesota Statutes 1992, section 164.08, subdivision 2.

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

The report was adopted.

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

H. F. No. 723, A bill for an act relating to public employment; modifying provisions relating to contracting-out of services; amending Minnesota Statutes 1992, section 179A.23.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Carlson from the Committee on Education to which was referred:

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 179A.03, subdivision 14, is amended to read:

Subd. 14. [PUBLIC EMPLOYEE.] "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (a) elected public officials;
- (b) election officers;
- (c) commissioned or enlisted personnel of the Minnesota national guard;
- (d) emergency employees who are employed for emergency work caused by natural disaster;
- (e) part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit;
- (f) employees whose positions are basically temporary or seasonal in character and: (1) are not for more than 67 working days in any calendar year; or (2) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment;
- (g) employees providing services for not more than two consecutive quarters to the state university board or the community college board under the terms of a professional or technical services contract as defined in section 16B.17, subdivision 1;
- (h) employees of charitable hospitals as defined by section 179.35, subdivision 3;
- (i) full-time undergraduate students employed by the school which they attend under a work-study program or in connection with the receipt of financial aid, irrespective of number of hours of service per week;
- (j) an individual who is employed for less than 300 hours in a fiscal year as an instructor in an adult vocational education program;

(k) an individual hired by a school district, the community college board, or the state university board, to teach one course for up to four credits for one quarter in a year.

The following individuals are public employees regardless of the exclusions of clauses (e) and (f):

(1) An employee hired by a school district, the community college board, or the state university board, except for employees hired at the university established in section 136.017 or for community services or community education instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member who is a public employee, where the replacement employee is employed more than 30 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching position created due to increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons ("Instruction offered on a noncredit basis" means instruction for which the student does not receive higher education or post-secondary credits); and

(2) An employee hired for a position under clause (f)(1) if that same position has already been filled under clause (f)(1) in the same calendar year and the cumulative number of days worked in that same position by all employees exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position" includes a substantially equivalent position if it is not the same position solely due to a change in the classification or title of the position.

Sec. 2. [EFFECTIVE DATE; REPORT.]

(a) Section 1 is effective July 1, 1993.

(b) The legislative commission on employee relations, in consultation with the department of education and affected persons, including community education and kindergarten through grade 12 instructors, shall submit a report to the education committees of the legislature by February 1, 1994, discussing the effects of including licensed community education instructors within the definition of teacher under Minnesota Statutes, section 125.12, subdivision 1 or 125.17, subdivision 1, paragraph (a), and the impact that will have on unemployment compensation issues, on shared employment contracts entered into between the kindergarten through grade 12 and community education systems."

Delete the title and insert:

"A bill for an act relating to education; clarifying the meaning of "instruction offered on a noncredit basis" in excepting certain community education instructors from the definition of public employee; requiring a report discussing the effect of including licensed community education instructors within the definition of teacher; amending Minnesota Statutes 1992, section 179A.03, subdivision 14."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 9, reinstate the first stricken "first" and delete "last"

Page 1, line 10, reinstate "March" and delete "February"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

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

The report was adopted.

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

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

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

The report was adopted.

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

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

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 23, strike "a member" and insert "an Associate or Fellow"

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. 836, A bill for an act relating to game and fish; sale of licenses through subagents; amending Minnesota Statutes 1992, section 97A.485, subdivision 4.

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

The report was adopted.

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

H. F. No. 864, A bill for an act relating to waters; inspection of watercraft for exotic harmful species; closing of access points; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil penalties; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a, and by adding a subdivision; 84.968, subdivision 1; and 296.421, subdivisions 4 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "closing of access points;"

Page 1, line 8, delete "84.968, 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.

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

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.06, subdivision 2a, is amended to read:

Subd. 2a. [EXCEPTION.] The requirements of subdivision 2 do not apply to state contracts distributing state or federal funds pursuant to the federal Economic Dislocation and Worker Adjustment Assistance Act, United States Code, title 29, section 1651 et seq., or sections 268.9771, 268.978, 268.9781, and 268.9782. For these contracts, the commissioner of jobs and training is authorized to directly enter into state contracts with approval of the governor's job training council and encumber available funds to ensure a rapid response to the needs of dislocated workers. The commissioner shall adopt internal procedures to administer and monitor funds distributed under these contracts.

Sec. 2. Minnesota Statutes 1992, section 268.022, subdivision 2, is amended to read:

Subd. 2. [DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS.] (a) The money collected under this section shall be deposited in the state treasury and credited to a dedicated fund to provide for the dislocated worker programs established under sections 268.975 to 268.98; including vocational guidance, training, placement, and job development.

(b) All money in the dedicated fund is appropriated to the commissioner who must act as the fiscal agent for the money and must disburse the money for the purposes of this section, not allowing the money to be used for any other obligation of the state. All money in the dedicated fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other dedicated funds in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) No more than five percent of the dedicated funds collected in each fiscal year may be used by the department of jobs and training for its administrative costs.

(d) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.

(e) The dedicated funds, less amounts under ~~paragraph~~ paragraphs (c), must and (d) shall be allocated as follows:

(1) ~~50 30 percent to be allocated according to paragraph (e) to the substate grantees under subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1661a in proportion to each substate area's share of the federal allocated funds, to be used to assist dislocated workers under the standards in section 268.98;~~

(2) ~~50 percent to fund specific programs proposed under the state plan request for proposal process and recommended by the governor's job training council. This fund shall be used for state plan request for proposal programs addressing plant closings or layoffs regardless of size; and~~

(3) ~~in fiscal years 1991, 1992, and 1993, any amounts transferred to the general fund or obligated before July 1, 1991, shall be excluded from the calculation under this paragraph.~~

(e) ~~In the event that a substate grantee has obligated 100 percent of its formula allocated federal funds under subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1651 et seq., and has demonstrated appropriate use of the funds to the governor's job training council, the substate grantee may request and the commissioner shall provide additional funds to the substate area in an amount equal to the federal formula allocated funds. When a substate grantee has obligated 100 percent of the additional funds provided under this section, and has demonstrated appropriate use of the funds to the governor's job training council, the substate grantee may request and the commissioner shall provide further additional funds in amounts equal to the federal formula allocated funds until the substate area receives its proportionate share of funds under paragraph (d), clause (1).~~

(f) ~~By December 31 of each fiscal year each substate grantee and the governor's job training council shall report to the commissioner on the extent to which funds under this section are committed and the anticipated demand for funds for the remainder of the fiscal year. The commissioner shall reallocate those funds that the substate grantees and the council do not anticipate expending for the remainder of the fiscal year to be available for requests from other substate grantees or other dislocated worker projects proposed to the governor's job training council which demonstrate a need for additional funding.~~

(g) ~~Due to the anticipated quarterly variations in the amounts collected under this section, the amounts allocated under paragraph (d) must be based on collections for each quarter. Any amount collected in the final two quarters of the fiscal year, but not allocated, obligated or expended in the fiscal year, shall be available for allocation, obligation and expenditure in the following fiscal year, annually to substate grantees for provision of expeditious response activities under section 268.9771 and worker adjustment services under section 268.9781; and~~

(2) 70 percent to be allocated to activities and programs authorized under sections 268.975 to 268.98.

(f) Any funds not allocated, obligated, or expended in a fiscal year shall be available for allocation, obligation, and expenditure in the following fiscal year.

Sec. 3. Minnesota Statutes 1992, section 268.975, subdivision 3, is amended to read:

Subd. 3. [DISLOCATED WORKER.] "Dislocated worker" means an individual who is a resident of Minnesota at the time employment ceased or was working in the state at the time employment ceased and:

(1) has been terminated or who has received a notice of termination from public or private sector employment, is eligible for or has exhausted entitlement to unemployment compensation, and is unlikely to return to the previous industry or occupation;

(2) has been terminated or has received a notice of termination of employment as a result of any plant closing or any substantial layoff at a plant, facility, or enterprise;

(3) has been long-term unemployed and has limited opportunities for employment or reemployment in the same or a similar occupation in the area in which the individual resides, including older individuals who may have substantial barriers to employment by reason of age; or

(4) has been self-employed, including farmers and ranchers, and is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters, subject to rules to be adopted by the commissioner; or

~~(5) has been terminated or who has received a notice of termination from employment with a public or nonprofit employer.~~

~~A dislocated worker must have been working in Minnesota at the time employment ceased.~~

Sec. 4. Minnesota Statutes 1992, section 268.975, subdivision 4, is amended to read:

Subd. 4. [ELIGIBLE ORGANIZATION.] "Eligible organization" means a local government unit, nonprofit organization, community action agency, business organization or association, or labor organization ~~that has applied for a prefeasibility grant under section 268.978.~~

Sec. 5. Minnesota Statutes 1992, section 268.975, subdivision 6, is amended to read:

Subd. 6. [PLANT CLOSING.] "Plant closing" means the announced or actual permanent ~~or temporary~~ shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, ~~if the shutdown results in an employment loss at the single site of employment during any 30-day period for (a) 50 or more employees excluding employees who work less than 20 hours per week; or (b) at least 500 employees who in the aggregate work at least 20,000 hours per week, exclusive of hours of overtime.~~

Sec. 6. Minnesota Statutes 1992, section 268.975, subdivision 7, is amended to read:

Subd. 7. [PREFEASIBILITY STUDY GRANT; GRANT.] "Prefeasibility study grant" ~~or "grant"~~ means the grant awarded under section 268.978.

Sec. 7. Minnesota Statutes 1992, section 268.975, subdivision 8, is amended to read:

Subd. 8. [SUBSTANTIAL LAYOFF.] "Substantial layoff" means a permanent reduction in the work force, which is not a result of a plant closing, and which results in an employment loss at a single site of employment during any 30-day period for (a) at least 50 employees excluding those employees that work less than 20 hours a week; or (b) at least 500 employees who in the aggregate work at least 20,000 hours per week, exclusive of hours of overtime.

Sec. 8. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 9. [SUBSTATE GRANTEE.] "Substate grantee" means the agency or organization designated to administer at the local level federal dislocated worker programs pursuant to the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq.

Sec. 9. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 10. [WORKER ADJUSTMENT SERVICES.] "Worker adjustment services" means the array of employment and training services designed to assist dislocated workers make the transition to new employment, including basic readjustment assistance, training assistance, and support services.

Sec. 10. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 11. [BASIC READJUSTMENT ASSISTANCE.] "Basic readjustment assistance" means employment transition services that include, but are not limited to: development of individual readjustment plans for participants; outreach and intake; early readjustment; job or career counseling; testing; orientation; assessment, including evaluation of educational attainment and participant interests and aptitudes; determination of occupational skills; provision of occupational information; job placement assistance; labor market information; job clubs; job search; job development; prelayoff assistance; relocation assistance; and programs conducted in cooperation with employers or labor organizations to provide early intervention in the event of plant closings or substantial layoffs.

Sec. 11. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 12. [TRAINING ASSISTANCE.] "Training assistance" means services that will enable a dislocated worker to become reemployed by retraining for a new occupation or industry, enhancing current skills, or relocating to employ existing skills. Training services include, but are not limited to: classroom training; occupational skill training; on-the-job training; out-of-area job search; relocation; basic and remedial education; literacy and English for training non-English speakers; entrepreneurial training; and other appropriate training activities directly related to appropriate employment opportunities in the local labor market.

Sec. 12. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 13. [SUPPORT SERVICES.] "Support services" means assistance provided to dislocated workers to enable their participation in an employment transition and training program. Services include, but are not limited to: family care assistance, including child care; commuting assistance; housing and rental assistance; counseling assistance, including personal and financial; health care; emergency health assistance; emergency financial assistance; work-related tools and clothing; and other appropriate support services that enable a person to participate in an employment and training program.

Sec. 13. [268.9755] [GOVERNOR'S JOB TRAINING COUNCIL.]

Subdivision 1. [DEFINITION.] For purposes of sections 268.022 and 268.975 to 268.98, "governor's job training council" means the state job training coordinating council established under the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq.

Subd. 2. [DUTIES.] The governor's job training council shall provide advice to the commissioner on:

(1) the use of funds made available under section 268.022, including methods for allocation and reallocation of funds and the allocation of funds among employment and training activities authorized under sections 268.975 to 268.98;

(2) performance standards for programs and activities authorized under sections 268.975 to 268.98;

(3) approval of worker adjustment services plans and dislocation event services grants;

(4) establishing priorities for provision of worker adjustment services to eligible dislocated workers; and

(5) the effectiveness of programs and activities authorized in sections 268.975 to 268.98.

Sec. 14. Minnesota Statutes 1992, section 268.976, subdivision 2, is amended to read:

Subd. 2. [NOTICE.] (a) The commissioner shall encourage those business establishments considering a decision to effect a plant closing, substantial layoff, or relocation of operations located in this state to give notice of that decision as early as possible to the commissioner, the employees of the affected establishment, any employee organization representing the employees, and the local government unit in which the affected establishment is located.



This notice shall be in addition to any notice required under the Worker Adjustment and Retraining Notification Act, United States Code, title 29, section 2101.

(b) Notwithstanding section 268.975, subdivision 6, for purposes of this section, "plant closing" means the announced or actual permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at the single site of employment during any 30-day period for 50 or more employees excluding employees who work less than 20 hours per week.

Sec. 15. [268.9771] [RAPID AND EXPEDITIOUS RESPONSE.]

Subdivision 1. [RESPONSIBILITY.] The commissioner shall respond quickly and effectively to announced or actual plant closings and substantial layoffs. Affected workers and employers, as well as appropriate business organizations or associations, labor organizations, substate grantees, state and local government units, and community organizations shall be assisted by the commissioner through either rapid response activities or expeditious response activities as described in this section to respond effectively to a plant closing or mass layoff.

Subd. 2. [COVERAGE.] Rapid response is to be provided by the commissioner where permanent plant closings or substantial layoffs affect at least 50 workers over a 30-day period as evidenced by actual separation from employment or by advance notification of a closing or layoff. Expeditious response is to be provided by worker adjustment services plan grantees in coordination with rapid response activities or where permanent plant closings and substantial layoffs are not otherwise covered by rapid response.

Subd. 3. [COORDINATION.] The commissioner and expeditious response grantees shall coordinate their respective rapid response and expeditious response activities. The roles and responsibilities of each shall be detailed in written agreements and address on-site contact with employer and employee representatives when notified of a plant closing or substantial layoff. The activities include formation of a community task force, collecting and disseminating information related to economic dislocation and available services to dislocated workers, providing basic readjustment assistance services to workers affected by a plant closure or substantial layoff, conducting a needs assessment survey of workers, and developing a plan of action responsive to the worker adjustment services needs of affected workers.

Subd. 4. [RAPID RESPONSE ACTIVITIES.] The commissioner shall be responsible for implementing the following rapid response activities:

(1) establishing on-site contact with employer and employee representatives within a short period of time after becoming aware of a current or projected plant closing or substantial layoff in order to:

(i) provide information on and facilitate access to available public programs and services; and

(ii) provide emergency assistance adapted to the particular closure or layoff;

(2) promoting the formation of a labor-management committee by providing:

(i) immediate assistance in the establishment of the labor-management committee;

(ii) technical advice and information on sources of assistance, and liaison with other public and private services and programs; and

(iii) assistance in the selection of worker representatives in the event no union is present;

(3) collecting and disseminating information related to economic dislocation, including potential closings or layoffs, and all available resources with the state for dislocated workers;

(4) providing or obtaining appropriate financial and technical advice and liaison with economic development agencies and other organizations to assist in effort to avert dislocations;

(5) disseminating information throughout the state on the availability of services and activities carried out by the dislocated worker unit;

(6) assisting the local community in developing its own coordinated response to a plant closing or substantial layoff and access to state economic development assistance; and

(7) promoting the use of prefeasibility study grants under section 268.978.

Subd. 5. [EXPEDITIOUS RESPONSE ACTIVITIES.] Grantees designated to provide worker adjustment services through worker adjustment services plans shall be responsible for implementing the following expeditious response activities:

(1) establishing on-site contact with employer and employee representatives, not otherwise covered under rapid response, within a short period of time after becoming aware of a current or projected plant closing or mass layoff in order to provide information on available public programs and services;

(2) obtaining appropriate financial and technical advice and liaison with local economic development agencies and other organizations to assist in efforts to avert dislocations;

(3) disseminating information on the availability of services and activities carried out by the grantee through its worker adjustment services plan;

(4) providing basic readjustment assistance services for up to 90 days following the initial on-site meeting with the employer and employee representatives;

(5) assisting the local community in the development of its own coordinated response to the closure or layoff and access to economic development assistance;

(6) facilitating the formation of a community task force, if appropriate, to formulate a service plan to assist affected dislocated workers from plant closings and mass layoffs;

(7) conducting surveys of workers, if appropriate, affected by plant closings or layoffs to identify worker characteristics and worker adjustment service needs; and

(8) facilitating access to available public or private programs and services, including the development of proposals to provide access to additional resources to assist workers affected by plant closings and substantial layoffs.

Sec. 16. Minnesota Statutes 1992, section 268.978, subdivision 1, is amended to read:

Subdivision 1. [PREFEASIBILITY STUDY GRANTS.] (a) The commissioner may make grants for up to \$10,000 \$15,000 to eligible organizations to provide an initial assessment of the feasibility of alternatives to plant closings or substantial layoffs. The alternatives may include employee ownership, other new ownership, new products or production processes, or public financial or technical assistance to keep a plant open. Two or more eligible organizations may jointly apply for a grant under this section.

(b) Interested organizations shall apply to the commissioner for the grants. As part of the application process, applicants must provide a statement of need for a grant, information relating to the work force at the plant, the area's unemployment rate, the community's and surrounding area's labor market characteristics, information of efforts to coordinate the community's response to the plant closing or substantial layoff, a timetable of the prefeasibility study, a description of the organization applying for the grant, a description of the qualifications of persons conducting the study, and other information required by the commissioner.

(c) The commissioner shall respond to the applicant within five working days of receiving the organization's application. The commissioner shall inform each organization that applied for but did not receive a grant the reasons for the grant not being awarded. The commissioner may request further information from those organizations that did not receive a grant, and the organization may reapply for the grant.

Sec. 17. [268.9781] [WORKER ADJUSTMENT SERVICES PLANS.]

Subdivision 1. [WORKER ADJUSTMENT SERVICES PLANS.] The commissioner shall establish and fund worker adjustment services plans that are designed to assist dislocated workers in their transition to new employment. Authorized grantees shall submit a worker adjustment services plan biennially, with an annual update, in a form and manner prescribed by the commissioner. The worker adjustment services plan shall include information required in substate plans established under the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq. and a detailed description of expeditious response activities to be implemented under the plan.

Subd. 2. [GRANTEES.] Entities authorized to submit a worker adjustment services plan include substate grantees and up to six additional eligible organizations. Criteria for selecting the six authorized nonsubstate grantee eligible organizations shall be established by the commissioner, in consultation with the governor's job training council. The criteria include, but are not limited to:

- (1) the capacity to deliver worker adjustment services;
- (2) an identifiable constituency from which eligible dislocated workers may be drawn;
- (3) a demonstration of a good faith effort to establish coordination agreements with substate grantees in whose geographic area the organization would be operating;
- (4) the capability to coordinate delivery of worker adjustment services with other appropriate programs and agencies, including educational institutions, employment service, human service agencies, and economic development agencies; and
- (5) sufficient administrative controls to ensure fiscal accountability.

Subd. 3. [COVERAGE.] (a) Persons eligible to receive worker adjustment services under this section include dislocated workers as defined in section 268.975, subdivision 3.

(b) Worker adjustment services available under this section shall also be available to additional dislocated workers as defined in section 268.975, subdivision 3a, when they can be provided without adversely affecting delivery of services to all dislocated workers.

Subd. 4. [SUBSTATE GRANTEE FUNDING.] (a) Funds allocated to substate grantees under section 268.022 for expeditious response activities and worker adjustment services under this section shall be allocated as follows:

(1) one-half of available funds shall be allocated to substate grantees based on an allocation formula prescribed by the commissioner, in consultation with the governor's job training council; and

(2) one-half of available funds shall be allocated based on need as demonstrated to the commissioner in consultation with the governor's job training council.

(b) The formula for allocating substate grantee funds must utilize the most appropriate information available to the commissioner to distribute funds in order to address the state's worker adjustment assistance needs. Information for the formula allocation may include, but is not limited to:

- (1) insured unemployment data;
- (2) unemployment concentrations;
- (3) plant closing and mass layoff data;
- (4) declining industries data;
- (5) farmer-rancher economic hardship data; and
- (6) long-term unemployment data.

(c) The commissioner shall establish a uniform procedure for reallocating substate grantee funds. The criteria for reallocating funds from substate grantees not expending their allocations consistent with their worker adjustment services plans to other substate grantees shall be developed by the commissioner in consultation with the governor's job training council.

## Sec. 18. [268.9782] [DISLOCATION EVENT SERVICES GRANTS.]

Subdivision 1. [DISLOCATION EVENT SERVICES GRANTS.] The commissioner shall establish and fund dislocation event services grants designed to provide worker adjustment services to workers displaced as a result of larger plant closings and substantial layoffs. Grantees shall apply for a dislocation event services grant by submitting a proposal to the commissioner in a form and manner prescribed by the commissioner. The application must describe the demonstrated need for intervention, including the need for retraining, the workers to be served, the coordination of available local resources, the services to be provided, and the budget plan.

Subd. 2. [GRANTEES.] (a) Entities authorized to submit dislocation event services grants include substate grantees and other eligible organizations. Nonsubstate grantees shall demonstrate they meet criteria established by the commissioner, in consultation with the governor's job training council. The criteria include, but are not limited to:

- (1) the capacity to deliver worker adjustment services;
- (2) an ability to coordinate its activities with substate grantees in whose geographic area the organization will be operating;
- (3) the capability to coordinate delivery of worker adjustment services with other appropriate programs and agencies, including educational institutions, employment service, human service agencies, and economic development agencies; and
- (4) sufficient administrative controls to ensure fiscal accountability.

(b) For purposes of this section, the state job service may apply directly to the commissioner for a dislocation event services grant only if the effect of a plant closing or substantial layoff is statewide or results in the termination from employment of employees of the state of Minnesota.

Subd. 3. [COVERAGE.] Persons who may receive worker adjustment services under this section are limited to dislocated workers affected by plant closings and substantial layoffs involving at least 50 workers from a single employer.

Subd. 4. [FUNDING.] The commissioner, in consultation with the governor's job training council, may establish an emergency funding process for dislocation event services grants. No more than 20 percent of the estimated budget of the proposed grant may be awarded through this procedure. The grantee shall submit a formal dislocation event services grant application within 90 days of the initial award of emergency funding.

Sec. 19. Minnesota Statutes 1992, section 268.98, is amended to read:

## 268.98 [PERFORMANCE STANDARDS, REPORTING, COST LIMITATIONS.]

(a) Subdivision 1. [PERFORMANCE STANDARDS.] The commissioner shall establish performance standards for the programs and activities administered or funded through the rapid response program under section 268.977 sections 268.975 to 268.98. The commissioner may use, when appropriate, existing federal performance standards or, if the commissioner determines that the federal standards are inadequate or not suitable, may formulate new performance standards to ensure that the programs and activities of the rapid response program dislocated worker program are effectively administered.

(b) Not less than 20 percent of the funds expended under this section must be used to provide needs-related payments and other supportive services as those terms are used in subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1661d(b). This requirement does not apply to the extent that a program proposal requests less than 20 percent of such funds. At the end of the fiscal year, each substate grantee and each grant recipient shall report to the commissioner on the types of services funded under this paragraph and the amounts expended for such services. By January 15 of each year, the commissioner shall provide a summary report to the legislature.

Subd. 2. [REPORTS.] (a) Grantees receiving funds under sections 268.9771, 268.978, 268.9781, and 268.9782 shall report to the commissioner information on program participants, activities funded, and utilization of funds in a form and manner prescribed by the commissioner.

(b) The commissioner shall report quarterly to the governor's job training council information on prefeasibility study grants awarded, rapid response and expeditious response activities, worker adjustment services plans, and dislocation event services grants. Specific information to be reported shall be by agreement between the commissioner and the governor's job training council.

(c) The commissioner shall provide an annual report to the governor, legislature, and the governor's job training council on the administration of the programs funded under sections 268.9771, 268.978, 268.9781, and 268.9782.

Subd. 3. [COST LIMITATIONS.] (a) For purposes of sections 268.9781 and 268.9782, funds allocated to a grantee are subject to the following limitations:

(1) a maximum of 15 percent for administration in a worker adjustment services plan and ten percent in a dislocation event services grant;

(2) a minimum of 50 percent for provision of training assistance;

(3) a minimum of ten percent and maximum of 30 percent for provision of support services; and

(4) the balance used for provision of basic readjustment assistance.

(b) A waiver of the cost limitation on providing training assistance may be requested. The waiver may not permit less than 30 percent of the funds be spent on training assistance.

(c) The commissioner shall prescribe the form and manner for submission of an application for a waiver under paragraph (b). Criteria for granting a waiver shall be established by the commissioner in consultation with the governor's job training council.

Sec. 20. [REPEALER.]

Minnesota Statutes 1992, sections 268.977 and 268.978, subdivision 3, are repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 20 are effective July 1, 1993."

Amend the title as follows:

Page 1, line 13, after "sections" insert "268.977; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

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.

Reported the same back with the following amendments:

Page 2, line 22, strike "one-half of"

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.

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

H. F. No. 1151, A bill for an act relating to employment; requiring wage payments at certain times; amending Minnesota Statutes 1992, section 181.101.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 181.101, is amended to read:

181.101 [WAGES; HOW OFTEN PAID.]

Every employer shall must pay all wages due earned by an employee at least once every 30 days on a regular pay day designated in advance by the employer, ~~except that an employer may withhold an employee's check until the signed statement for that pay period stating the amount of gratuities is received, as provided in section 177.28, subdivision 4 regardless of whether the employee requests payment at longer intervals. Unless paid earlier, the wages earned during the first half of the first 30-day period become due on the first regular payday following the first day of work.~~ If wages due earned are not paid, the commissioner of labor and industry or the commissioner's representative may demand payment on behalf of an employee. If payment is not made within ten days of demand, the commissioner may charge and collect the wages due earned and a penalty in the amount of the employee's average daily earnings at the rate agreed upon in the contract of employment, not exceeding 15 days in all, for each day beyond the ten-day limit following the demand. Money collected by the commissioner must be paid to the employee concerned. This subdivision does not prevent an employee from prosecuting a claim for wages. For purposes of this section, "employee" includes a person who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of this section, wages are earned on the day an employee works."

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. 1156, A bill for an act relating to health; modifying provisions relating to infectious waste; amending Minnesota Statutes 1992, sections 116.76, subdivision 14; 116.78, subdivisions 4 and 7; 116.79, subdivisions 1 and 4; 116.80, subdivisions 1 and 2; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83, subdivisions 1 and 3; repealing Minnesota Statutes 1992, sections 116.76, subdivision 7; 116.79, subdivision 3; 116.81, subdivision 2; and 116.83, subdivision 2; Minnesota Rules, parts 4622.0100; 4622.0300; 4622.0400; 4622.0600; 4622.0700, subparts 10 and 12; 4622.1000; 4622.1050; 4622.1100; 4622.1150; and 4622.1200.

Reported the same back with the following amendments:

Page 6, line 27, after "12;" insert "4622.0900;"

Amend the title as follows:

Page 1, line 12, after "12;" insert "4622.0900;"

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. 1187, A bill for an act relating to labor and employment; advisory councils; extending the expiration date of labor and employment related advisory councils; amending Minnesota Statutes 1992, sections 79.51, subdivision 4; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 268.363; and 326.41.

Reported the same back with the following amendments:

Page 3, line 17, delete "1995" and insert "1997"

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

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1269, A bill for an act relating to housing; appropriating money for housing-related grants.

Reported the same back with the following amendments:

Page 1, lines 8 and 9, delete "housing partnership" and insert "Minnesota Housing Partnership"

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.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 151, 152, 323, 349, 373, 383, 418, 560, 739, 784, 812, 826, 836, 1008, 1151 and 1156 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark, Klinzing and Brown, K., introduced:

H. F. No. 1371, A bill for an act relating to community social services; establishing a pilot project of social support services for persons living in certain public high-rise communities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256E.

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

Dehler introduced:

H. F. No. 1372, A bill for an act proposing an amendment to the Minnesota Constitution, article X, by adding a section; dedicating part of the sales tax to a local government trust fund.

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

Evans, Simoneau, Opatz and Anderson, I., introduced:

H. F. No. 1373, A bill for an act relating to taxation; providing alternative requirements for designation of assessors as accredited Minnesota assessors or senior accredited Minnesota assessors; proposing coding for new law in Minnesota Statutes, chapter 270.

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

Johnson, A., and Beard introduced:

H. F. No. 1374, A bill for an act relating to child labor standards; setting minimum age, maximum hour, curfew, permit, and other standards; appropriating money; amending Minnesota Statutes 1992, sections 181.85, subdivision 3; 181A.03, by adding a subdivision; 181A.06, subdivision 1; 181A.07; 181A.08, subdivision 1; 181A.09, subdivisions 1 and 2; 181A.12; proposing coding for new law in Minnesota Statutes, chapter 181A; repealing Minnesota Statutes 1992, sections 181A.04; 181A.05; 181A.09, subdivision 3; and 181A.11.

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

Simoneau, Pelowski, Gutknecht, Sviggum and Kalis introduced:

H. F. No. 1375, A bill for an act relating to workers' compensation; establishing individual security accounts; requiring certain information; imposing an individual security account assessment; establishing a revolving fund; determining reimbursable expenses; proposing coding for new law in Minnesota Statutes, chapter 79.

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

Carruthers; Anderson, I.; Osthoff; Pugh and Knickerbocker introduced:

H. F. No. 1376, A bill for an act relating to the metropolitan council; redrawing the boundaries of council districts; amending Minnesota Statutes 1992, sections 473.123, subdivision 3a, and by adding a subdivision; 473.141, subdivisions 2 and 4a; 473.373, subdivision 4a; 473.604, subdivision 1; and 473.703, subdivisions 1 and 2; repealing Minnesota Statutes 1992, section 473.123, subdivision 3b.

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

Carruthers, Long, Solberg and Rest introduced:

H. F. No. 1377, A bill for an act relating to state government; making certain telephone records and budgets public information; amending Minnesota Statutes 1992, section 3.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time.



## SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Carruthers moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1377 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

On the motion of Johnson, R., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	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	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanisus	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

Trimble moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Carruthers motion and the roll was called. There were 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bishop                  Davids                  Kahn

The motion prevailed.

Carruthers moved that the Rules of the House be so far suspended that H. F. No. 1377 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1377 was read for the second time.

Weaver moved to amend H. F. No. 1377, as follows:

Page 2, line 3, delete "and" and insert a comma and after the second "expenses" insert ", and itemized expenses of each legislative committee"

The motion prevailed and the amendment was adopted.

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

Sviggum moved to amend H. F. No. 1377, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 2. [3.125] [LEGISLATURE; APPROPRIATIONS.]

The budget of and each appropriation to all constitutional officers, the legislature, the house of representatives, the senate, or their committees or commissions shall be submitted to and considered by the appropriate committees of the legislature in the same manner as the budget and appropriations for an executive department."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Carruthers moved to amend the Sviggum amendment to H. F. No. 1377, as amended, as follows:

Page 1, line 5, of the Sviggum amendment, delete "committees or"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called.

Trimble moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cooper	Jacobs	Krueger	Neary	Pugh	Steensma
Anderson, R.	Dauner	Jaros	Lasley	Nelson	Reding	Tomassoni
Asch	Dawkins	Jefferson	Lieder	Olson, E.	Rest	Trimble
Battaglia	Delmont	Jennings	Lourey	Olson, K.	Rice	Tunheim
Bauerly	Dorn	Johnson, A.	Luther	Opatz	Rodosovich	Vellenga
Beard	Evans	Johnson, R.	Mahon	Orenstein	Rukavina	Wagenius
Bertram	Farrell	Kahn	Mariani	Orfield	Sarna	Wejcman
Brown, C.	Garcia	Kalis	McCollum	Osthoff	Sekhon	Wenzel
Brown, K.	Greenfield	Kelley	McGuire	Ostrom	Simoneau	Winter
Carlson	Greiling	Kelso	Milbert	Pelowski	Skoglund	Spk. Long
Carruthers	Hasskamp	Kinkel	Mosel	Perlt	Solberg	
Clark	Huntley	Klinzing	Murphy	Peterson	Sparby	

Those who voted in the negative were:

Abrams	Dehler	Gutknecht	Leppik	Ness	Seagren	Vickerman
Bergson	Dempsey	Haukoos	Limmer	Olson, M.	Smith	Waltman
Bettermann	Erhardt	Holsten	Lindner	Onnen	Stanis	Weaver
Bishop	Frerichs	Hugoson	Lynch	Ozment	Sviggum	Wolf
Blatz	Girard	Johnson, V.	Macklin	Pauly	Swenson	Worke
Commers	Goodno	Knickerbocker	Molnau	Pawlenty	Tompkins	Workman
Davids	Gruenes	Koppendraye	Morrison	Rhodes	Van Dellen	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Sviggum amendment, as amended, and the roll was called.

Trimble moved that those not voting be excused from voting. The motion prevailed.

There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment, as amended, was adopted.

Worke and Asch moved to amend H. F. No. 1377, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 2. [3.105] [TELEPHONE USE; APPROVAL.]

Each representative, senator, constitutional officer, judge, and head of an executive department or agency shall approve the person's own telephone bill each month by signing the bill as evidence of the person's approval of the accuracy of the bill."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Weaver moved to amend H. F. No. 1377, as amended, as follows:

Page 2, after line 32, insert:

"Sec. 7. Minnesota Statutes 1992, section 16A.281, is amended to read:

16A.281 [APPROPRIATIONS TO LEGISLATURE EXEMPT.]

Except as provided in this section, section 16A.28 does not apply applies to appropriations made to the legislature, the senate, the house of representatives or its committees or commissions. An appropriation made to the legislature, the senate, the house of representatives, or a legislative commission or committee other than a standing committee, if not spent during the first year, may be spent during the second year of a biennium. An unexpended balance remaining at the end of a biennium lapses and shall be returned to the fund from which appropriated. An appropriation made to the legislature, the senate, the house of representatives, or a standing committee for all or part of a biennium may be spent in either year of the biennium or the year before or after the biennium."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Haukoos moved to amend the Weaver amendment to H. F. No. 1377, as amended, as follows:

Page 1, line 18, of the Weaver amendment, strike "or the year before or after the biennium"

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

CALL OF THE HOUSE LIFTED

Trimble moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The question recurred on the Weaver amendment and the roll was called. There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Holsten	Lindner	Ornen	Seagren	Waltman
Bergson	Farrell	Hugoson	Lynch	Orenstein	Smith	Weaver
Bettermann	Frerichs	Jennings	Macklin	Ozment	Sparby	Winter
Bishop	Girard	Johnson, V.	Milbert	Pauly	Stanius	Wolf
Blatz	Goodno	Klinzing	Molnau	Pawlenty	Sviggum	Worke
Commers	Gruenes	Knickerbocker	Morrison	Pelowski	Swenson	Workman
Dauner	Gutknecht	Koppendrayner	Mosel	Peterson	Tompkins	
Dauids	Hasskamp	Leppik	Ness	Rest	Van Dellen	
Dehler	Haukoos	Lieder	Olson, E.	Rhodes	Vellenga	
Dempsey	Hausman	Limmer	Olson, M.	Rodosovich	Vickerman	

Those who voted in the negative were:

Anderson, I.	Carruthers	Huntley	Kinkel	Murphy	Reding	Trimble
Anderson, R.	Clark	Jacobs	Krueger	Neary	Rice	Tunheim
Asch	Cooper	Jaros	Lasley	Nelson	Rukavina	Wagenius
Battaglia	Dawkins	Jefferson	Lourey	Olson, K.	Sarna	Wejcman
Bauerly	Delmont	Johnson, A.	Luther	Opatz	Sekhon	Wenzel
Beard	Dorn	Johnson, R.	Mahon	Orfield	Simoneau	Spk. Long
Bertram	Evans	Kahn	Mariani	Osthoff	Skoglund	
Brown, C.	Garcia	Kalis	McCollum	Ostrom	Solberg	
Brown, K.	Greenfield	Kelley	McGuire	Perlt	Steensma	
Carlson	Greiling	Kelso	Munger	Pugh	Tomassoni	

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

Smith moved to amend H. F. No. 1377, as amended, as follows:

Page 2, after line 32 insert:

"Sec. 7. Minnesota Statutes 1992, section 16A.18, is amended to read:

16A.18 [ACCOUNTING, PAYROLL FOR COURTS, ~~LEGISLATURE.~~]

The judicial ~~and legislative branches are~~ branch is not required to use the state accounting system or a computerized payroll system."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Smith amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Molnau	Pauly	Sviggum	Worke
Bettermann	Girard	Knickerbocker	Morrison	Pawlenty	Swenson	Workman
Blatz	Goodno	Koppendraye	Mosel	Pelowski	Tompkins	
Commers	Gruenes	Leppik	Nelson	Rhodes	Van Dellen	
Dauids	Gutknecht	Limmer	Ness	Seagren	Vickerman	
Dehler	Haukoos	Lindner	Olson, M.	Smith	Waltman	
Dempsey	Holsten	Lynch	Ornen	Stanisus	Weaver	
Erhardt	Hugoson	Macklin	Ozment	Steensma	Wolf	

Those who voted in the negative were:

Anderson, I.	Clark	Hausman	Kinkel	Munger	Pugh	Tomassoni
Anderson, R.	Cooper	Huntley	Klinzing	Murphy	Reding	Trimble
Asch	Dauner	Jacobs	Krueger	Neary	Rest	Tunheim
Battaglia	Dawkins	Jaros	Lasley	Olson, E.	Rice	Vellenga
Bauerly	Delmont	Jefferson	Lieder	Olson, K.	Rodosovich	Wagenius
Beard	Dorn	Jennings	Lourey	Opatz	Rukavina	Wejcmán
Bergson	Evans	Johnson, A.	Luther	Orenstein	Sarna	Wenzel
Bertram	Farrell	Johnson, R.	Mahon	Orfield	Sekhon	Winter
Brown, C.	Garcia	Kahn	Mariani	Osthoff	Simoneau	Spk. Long
Brown, K.	Greenfield	Kalis	McCollum	Ostrom	Skoglund	
Carlson	Greiling	Kelley	McGuire	Perlt	Solberg	
Carruthers	Hasskamp	Kelso	Milbert	Peterson	Sparby	

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

Swenson; Johnson, V.; Weaver; Pugh and Carruthers moved to amend H. F. No. 1377, as amended, as follows:

Page 2, line 36, delete "Ramsey"

Page 3, line 1, delete "county attorney or the" and after "general" insert ", any county attorney, or the United States attorney under the appropriate federal rules of procedure,"

The motion prevailed and the amendment was adopted.

H. F. No. 1377, A bill for an act relating to state government; making certain telephone records and budgets public information; amending Minnesota Statutes 1992, section 3.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; and 10.

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

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

Those who voted in the affirmative were:

Abrams	Blatz	Dawkins	Girard	Hugoson	Kalis	Lieder
Anderson, I.	Brown, C.	Dehler	Goodno	Huntley	Kelley	Limmer
Anderson, R.	Brown, K.	Delmont	Greenfield	Jacobs	Kelso	Lindner
Asch	Carlson	Dempsey	Greiling	Jaros	Kinkel	Lourey
Battaglia	Carruthers	Dorn	Gruenes	Jefferson	Klinzing	Luther
Bauerly	Clark	Erhardt	Gutknecht	Jennings	Knickerbocker	Lynch
Beard	Commers	Evans	Hasskamp	Johnson, A.	Koppendraye	Macklin
Bergson	Cooper	Farrell	Haukoos	Johnson, R.	Krueger	Mahon
Bertram	Dauner	Frerichs	Hausman	Johnson, V.	Lasley	Mariani
Bettermann	Dauids	Garcia	Holsten	Kahn	Leppik	McCollum

McGuire	Ness	Ostrom	Rest	Skoglund	Tompkins	Wejman
Milbert	Olson, E.	Ozmient	Rhodes	Smith	Trimble	Wenzel
Molnau	Olson, K.	Pauly	Rice	Solberg	Tunheim	Winter
Morrison	Olson, M.	Pawlenty	Rodosovich	Sparby	Van Dellen	Wolf
Mosel	Onnen	Pelowski	Rukavina	Stanius	Vellenga	Worke
Munger	Opatz	Perlt	Sarna	Steensma	Vickerman	Workman
Murphy	Orenstein	Peterson	Seagren	Sviggum	Wagenius	Spk. Long
Neary	Orfield	Pugh	Sekhon	Swenson	Waltman	
Nelson	Osthoff	Reding	Simoneau	Tomassoni	Weaver	

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

## INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Carruthers introduced:

H. F. No. 1378, A bill for an act relating to courts; authorizing district courts to transfer civil actions to courts outside this state upon consent of those courts; enacting the uniform transfer of litigation act; proposing coding for new law as Minnesota Statutes, chapter 552.

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

Bertram introduced:

H. F. No. 1379, A bill for an act relating to retirement; judges' retirement fund; eliminating the offset of social security benefits for certain retired judges.

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

Bertram introduced:

H. F. No. 1380, A bill for an act relating to animal health; appropriating money for study of paratuberculosis in cattle.

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

Steensma, Girard, Winter, Vickerman and Peterson introduced:

H. F. No. 1381, A bill for an act relating to capital improvements; appropriating money for the southern Minnesota rivers basin area II program; authorizing the sale of state bonds.

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

Ness, Beard, Rukavina, Rhodes and Sarna introduced:

H. F. No. 1382, A bill for an act relating to insurance; workers' compensation; requiring disclosure of premium calculation and policy history figures and claims experience to employers; amending Minnesota Statutes 1992, section 79.60, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 79.

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

Lasley, Bauerly, Hausman, Seagren and Tunheim introduced:

H. F. No. 1383, A resolution memorializing the Congress of the United States to fund special education costs in the amount originally intended under Public Law Number 94-142.

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

Asch, Huntley, Rhodes, Evans and Greiling introduced:

H. F. No. 1384, A bill for an act relating to local government; regulating tanning facilities; requiring warning notices; authorizing local units of government to license and otherwise regulate these facilities; establishing record keeping and reporting requirements; prescribing penalties and providing remedies; proposing coding for new law in Minnesota Statutes, chapter 461.

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

Steensma, Hugoson, Kalis, Mosel and Trimble introduced:

H. F. No. 1385, A bill for an act relating to agriculture; renaming the commissioner and department of agriculture as the commissioner and department of agriculture, food, and land stewardship; clarifying the commissioner's authority and responsibilities; appropriating money for a study; amending Minnesota Statutes 1992, sections 17.01; and 17.013; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Simoneau introduced:

H. F. No. 1386, A bill for an act relating to civil actions; including arbitration awards under the collateral source statute; amending Minnesota Statutes 1992, section 548.36, subdivisions 1, 2, 3, and 4.

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

Anderson, I.; Rukavina; Osthoff; Vellenga and Ozment introduced:

H. F. No. 1387, A bill for an act relating to employment; independent contractors; requiring contractors to treat certain independent contractors as employees; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Peterson; Olson, E., and Johnson, V., introduced:

H. F. No. 1388, A bill for an act relating to taxation; property; allowing the reduced class rate on commercial and industrial property to apply to the first \$100,000 of market value on property in each county; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

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

McGuire, Swenson, Mariani, Macklin and Pugh introduced:

H. F. No. 1389, A bill for an act relating to data practices; providing that donor information from the University of Minnesota and state universities is private or nonpublic data; providing that information on a donor's financial circumstances or gift giving is private or nonpublic data; amending Minnesota Statutes 1992, section 13.792.

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



Jaros introduced:

H. F. No. 1390, A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1992, section 2.021.

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

Peterson, Munger, Trimble, Reding and Stanius introduced:

H. F. No. 1391, A bill for an act relating to state parks; camping facilities adjacent to wildlife management areas; proposing coding for new law in Minnesota Statutes, chapter 85.

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

Waltman introduced:

H. F. No. 1392, A bill for an act relating to human services; requiring a pilot project in Wabasha county to downsize two existing intermediate care facilities for persons with mental retardation and related conditions.

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

Workman introduced:

H. F. No. 1393, A bill for an act relating to taxation; sales and use; exempting vegetable seeds; amending Minnesota Statutes 1992, section 297A.25, by adding a subdivision.

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

Beard, Stanius, Pelowski, Workman and Orenstein introduced:

H. F. No. 1394, A bill for an act relating to taxation; allowing cities and towns to appeal to the county for review of certain county levies; proposing coding for new law in Minnesota Statutes, chapter 275.

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

Klinzing, Simoneau, Clark and Louréy introduced:

H. F. No. 1395, A bill for an act relating to housing; appropriating money for the housing trust fund.

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

Simoneau introduced:

H. F. No. 1396, A bill for an act relating to public employment; providing that the local government pay equity act does not limit the ability of public employees to strike; requiring the commissioner of employee relations to consider the effects of strikes in determining whether political subdivisions are in conformity with the act; amending Minnesota Statutes 1992, sections 471.992, subdivision 1; and 471.9981, subdivision 6.

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

Mariani, Reding, Trimble and Dawkins introduced:

H. F. No. 1397, A bill for an act relating to retirement; St. Paul police relief association; authorizing an increase in the service pension and disability benefit amounts; authorizing a change in certain actuarial assumptions; amending Minnesota Statutes 1992, sections 69.77, subdivision 2b; 353B.07, subdivision 3; and 353B.08, subdivisions 6 and 7; Laws 1955, chapter 151, section 9, as amended.

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

Evans introduced:

H. F. No. 1398, A bill for an act relating to traffic regulations; defining residential roadways and establishing speed limits; amending Minnesota statutes 1992, sections 169.01, by adding a subdivision; 169.06, by adding a subdivision; and 169.14, subdivision 2.

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

Smith introduced:

H. F. No. 1399, A bill for an act relating to consumer protection; regulating contracts for solid waste collection services; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Lourey and Solberg introduced:

H. F. No. 1400, A bill for an act relating to education; extending time for school districts to transfer nonoperating funds; amending Laws 1991, chapter 265, article 8, section 14, as amended.

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

Lourey and Jennings introduced:

H. F. No. 1401, A bill for an act relating to human services; establishing an alternative grant application process for categorical social service programs in Pine county.

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

Anderson, I.; Battaglia; Sparby and Johnson, V., introduced:

H. F. No. 1402, A bill for an act relating to natural resources; amending requirements to mitigate wetlands; adding exemptions; extending interim rules; amending Minnesota Statutes 1992, sections 103G.222; 103G.2241; 103G.2242, subdivisions 1 and 2; 103G.2369, subdivision 2; and Laws 1991, chapter 354, article 7, section 2.

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

Hausman introduced:

H. F. No. 1403, A bill for an act relating to energy conservation; providing alternative financing methods for municipalities to pay the costs of energy conservation investments; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Evans, McCollum, Trimble, Wejman and McGuire introduced:

H. F. No. 1404, A bill for an act relating to the city of New Brighton; permitting the city to acquire granular carbon without a bond.

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

Bertram and Winter introduced:

H. F. No. 1405, A bill for an act relating to wetlands; extending dates for rule adoption and the prohibition on draining and filling; amending Minnesota Statutes 1992, section 103G.2369, subdivision 2; and Laws 1991, chapter 354, articles 6, section 22; and 7, section 2.

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

Olson, K.; Greiling; Ness; Carlson and Vellenga introduced:

H. F. No. 1406, A bill for an act relating to education; directing school districts to provide challenging instructional activities and experiences to students; amending Minnesota Statutes 1992, section 124A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Milbert, McGuire, Knickerbocker, Kahn and Osthoff introduced:

H. F. No. 1407, A bill for an act relating to occupations and professions; board of architecture, engineering, land surveying, landscape architecture, and certified interior designer; establishing a procedure for issuance, denial, revocation, and suspension of licenses; imposing penalties; 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.

Limmer introduced:

H. F. No. 1408, A bill for an act relating to agriculture; redefining terms in the plant pest act; amending Minnesota Statutes 1992, section 18.46, subdivisions 3 and 9, and by adding a subdivision.

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

Dehler introduced:

H. F. No. 1409, A bill for an act relating to public employment; extending eligibility for insurance continuation for certain former public employees.

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

Jacobs introduced:

H. F. No. 1410, A bill for an act relating to liquor; identification required for purchase or consumption; amending Minnesota Statutes 1992, section 340A.503, subdivision 6.

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

Johnson, A.; Vellenga; Tomassoni; Bauerly and Kelley introduced:

H. F. No. 1411, A bill for an act relating to the legislative commission on children, youth, and their families; authorizing the commission to hire staff; prescribing duties of other state officers; changing certain reporting requirements; directing the governor to consult with the commission when making certain program transfers; providing grants for community-based programs; appropriating money; amending Minnesota Statutes 1992, section 3.873, subdivisions 4, 5, 6, 7, and 9; proposing coding for new law in Minnesota Statutes, chapter 4.

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

Kelley; Johnson, A.; Vellenga; Greenfield and Klinzing introduced:

H. F. No. 1412, A bill for an act relating to children; coordinating county social services and school district services for children; expanding the target groups of children that must be served by community social service programs; requiring minimum expenditures by counties on social services for children and a separate children's plan; requiring the county board to collaborate with local school boards and community health boards in developing the children's social service plan; appropriating money; amending Minnesota Statutes 1992, sections 124A.29, subdivision 1; 256E.03, subdivision 2, and by adding a subdivision; 256E.08, subdivisions 1 and 5; and 256E.09; proposing coding for new law in Minnesota Statutes, chapter 124A.

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

Wenzel; Anderson, I.; Mosel and Nelson introduced:

H. F. No. 1413, A bill for an act relating to local government aids; establishing a separate formula for cities with a population of less than 2,500; amending Minnesota Statutes 1992, sections 477A.011, subdivision 1a, and by adding subdivisions; 477A.013, subdivisions 3, 5, and by adding a subdivision; and 477A.03, subdivision 1.

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

Sparby and Lieder introduced:

H. F. No. 1414, A bill for an act relating to human services; requiring a pilot project to downsize an existing intermediate care facility for persons with mental retardation and related conditions; appropriating money.

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

Sparby, Tunheim, Lieder, Dauner and Johnson, V., introduced:

H. F. No. 1415, A bill for an act relating to agriculture; modifying certain provisions relating to wheat and barley promotion orders; amending Minnesota Statutes 1992, sections 17.53, subdivisions 2, 8, and 13; 17.59, subdivision 2; and 17.63.

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

Reding introduced:

H. F. No. 1416, A bill for an act relating to retirement; Austin fire department relief association; modifying health insurance coverage for spouses of certain retired firefighters; excluding Austin part-time on-call firefighters from the application of certain laws; permitting the reinstatement of certain survivor benefits; amending Laws 1992, chapter 455, section 2.

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

Winter introduced:

H. F. No. 1417, A bill for an act relating to health; providing podiatrists with equal access to hospitals and outpatient surgical centers; allowing podiatrists and dentists to use the designations "physician" and "surgeon"; amending Minnesota Statutes 1992, section 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Winter, Garcia, Lasley and Steensma introduced:

H. F. No. 1418, A bill for an act relating to motor carriers; specifying responsibility for workers' compensation coverage for certain persons who load or unload freight; prohibiting coercion of motor carriers in the loading and unloading of freight; providing for civil penalties; amending Minnesota Statutes 1992, section 221.036, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapters 176; and 221.

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

Battaglia, Rukavina and Anderson, I., introduced:

H. F. No. 1419, A bill for an act relating to Cook county; providing for the imposition of a sales tax and motor vehicle excise tax on sales transactions in Cook county; providing for the use of the sales tax revenues; authorizing the issuance of bonds to finance the expansion of and improvements to the North Shore hospital.

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

McGuire introduced:

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivision 3; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

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

Johnson, A.; Brown, K., and Kelso introduced:

H. F. No. 1421, A bill for an act relating to health; requiring radon testing in schools and day cares; requiring a radon mitigation report by the commissioner of health; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Rhodes, Murphy, Bergson, Delmont and Macklin introduced:

H. F. No. 1422, A bill for an act relating to crime; expanding the scope of the requirement that sex offenders provide a DNA specimen; amending Minnesota Statutes 1992, section 609.3461.

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

Farrell, Beard, Goodno and Bettermann introduced:

H. F. No. 1423, A bill for an act relating to unemployment compensation; modifying definitions; changing provisions relating to eligibility for and administration of unemployment compensation; amending Minnesota Statutes 1992, sections 268.04, subdivisions 4 and 12; 268.08, subdivisions 3 and 6; 268.09, subdivisions 1, 2, and 8; 268.10, subdivisions 2 and 6; 268.12, subdivision 12; 268.16, subdivision 4; and 268.161, subdivision 9.

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

Munger, Murphy, Ozment, Sparby and Jaros introduced:

H. F. No. 1424, A bill for an act relating to pollution control; exempting certain storage tanks from notification, environmental protection, and tank installer training and certification requirements; amending Minnesota Statutes 1992, section 116.47.

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

Johnson, V., and Munger introduced:

H. F. No. 1425, A bill for an act relating to game and fish; authorizing a program of agricultural crop protection assistance; expanding the use of deer license fees; authorizing the issuance of additional deer licenses to certain landowners and tenants; authorizing the commissioner of natural resources to allow the taking of multiple deer; authorizing an expanded firearms deer season; providing a license exemption for dark houses and fish houses on certain boundary waters; amending Minnesota Statutes 1992, sections 97A.075, subdivision 1; 97A.441, by adding a subdivision; 97B.301, subdivision 4; 97B.311; and 97C.355, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Greiling, Carlson, Vellenga, Long and Weaver introduced:

H. F. No. 1426, A bill for an act relating to education; establishing the coalition for education reform and accountability; appropriating money.

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

Hasskamp, Dawkins, Simoneau, Kahn and Stanius introduced:

H. F. No. 1427, A bill for an act relating to health; requiring the commissioner of health to provide information to the public regarding the effects of secondhand smoke on children; prohibiting smoking in family day care facilities; prohibiting the sale or furnishing of candy tobacco look-alike products to children; requiring the posting of signs warning of the effects of secondhand smoke; creating a children and smoking prevention account; appropriating money; amending Minnesota Statutes 1992, sections 144.392; 144.414, subdivision 2, and by adding a subdivision; and 144.416; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Evans, Asch, Bishop, Simoneau and Anderson, R., introduced:

H. F. No. 1428, A bill for an act relating to occupations and professions; dentistry; modifying a certain exception to the licensing requirements; establishing faculty, resident dentist, and specialty licenses; modifying a certain ground for disciplinary action; amending Minnesota Statutes 1992, sections 150A.01, by adding subdivisions; 150A.05, subdivision 2; 150A.06, by adding subdivisions; and 150A.08, subdivision 1.

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

Krueger, Opatz, Abrams and Knickerbocker introduced:

H. F. No. 1429, A bill for an act relating to state government; creating an independent information policy office; transferring certain duties to the office; amending Minnesota Statutes 1992, sections 13.02, by adding a subdivision; 13.05, subdivision 2; 13.06, subdivisions 1, 4, 5, 6, and 7; 13.07; 15.17, subdivision 1; 15.171; 15.172; 15.173; 15.174; 16B.04, subdivision 2; 16B.40; 16B.41; 16B.42; 16B.43; 16B.44; and 16B.92; proposing coding for new law as Minnesota Statutes, chapter 15B; repealing Minnesota Statutes 1992, sections 13.02, subdivision 2; and 16B.41, subdivisions 3 and 4;

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

Johnson, R., and Kahn introduced:

H. F. No. 1430, A bill for an act relating to retirement; correctional employees retirement plan of the Minnesota state retirement system; transferring various employment positions in the departments of corrections and human services from coverage by the general state employees retirement plan to the correctional employees retirement plan; amending Minnesota Statutes 1992, sections 352.91, by adding subdivisions; and 352.92, subdivision 2.

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

Stanius and Vickerman introduced:

H. F. No. 1431, A bill for an act relating to human services; providing legislative findings concerning funding of services for persons with mental disabilities; requiring disclosure of certain information; mandating certain actions relating to competitive bidding and delivery of services; establishing an advisory council.

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

Dempsey, Bettermann, Holsten and Battaglia introduced:

H. F. No. 1432, A bill for an act relating to pollution control; defining the qualified recipients for combined sewer overflow abatement assistance; providing for the issuance of bonds; appropriating money; amending Minnesota Statutes 1992, section 116.162, subdivision 2.

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

Murphy, Pugh and Carruthers introduced:

H. F. No. 1433, A bill for an act relating to jury management; increasing the fee for jury trial requests; authorizing the supreme court to set the compensation and travel reimbursement of jurors; amending Minnesota Statutes 1992, sections 357.021, subdivision 2; and 593.48.

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

Rice, Sarna, Jefferson, Kahn and Orfield introduced:

H. F. No. 1434, A bill for an act relating to the city of Minneapolis; requiring the community development agency to expend funds for neighborhood development; amending Laws 1980, chapter 595, by adding a section.

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

Clark; Jefferson; Johnson, A., and Anderson, I., introduced:

H. F. No. 1435, A bill for an act relating to metropolitan government; providing for minority representation on the metropolitan council; amending Minnesota Statutes 1992, section 473.123, subdivisions 1 and 2a.

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

Kelley introduced:

H. F. No. 1436, A bill for an act relating to the environment; appropriating money from the metropolitan landfill contingency trust fund to the commissioner of the pollution control agency for reimbursement to the city of Hopkins for remediation of methane at the city landfill; amending Laws 1991, chapter 182, section 7.

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

Lourey introduced:

H. F. No. 1437, A bill for an act relating to history; appropriating money for the Moose Lake Fire and Heritage Museum.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Skoglund introduced:

H. F. No. 1438, A bill for an act relating to crime; conspiracy and accomplices; increasing penalties for soliciting a juvenile to commit a crime, aiding an offender who has committed a crime of violence, conspiring with two or more others to commit a crime of violence; imposing a penalty for an accomplice after-the-fact to a crime of violence; revising the crime of riot and increasing the penalty; repealing law imposing penalties for committing crimes for benefit of a gang; amending Minnesota Statutes 1992, sections 609.05, subdivision 1; 609.175, subdivision 2, and by adding a subdivision; 609.494; 609.495; and 609.71; repealing Minnesota Statutes 1992, section 609.229.

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

Skoglund introduced:

H. F. No. 1439, A bill for an act relating to crime; creating a commission on nonfelony enforcement to review the proportionality and enforcement of petty misdemeanor, misdemeanor, and gross misdemeanor offenses; requiring a report.

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

Winter and Reding introduced:

H. F. No. 1440, A bill for an act relating to state government; executive council; regulating depositories for state funds; amending Minnesota Statutes 1992, section 9.031, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 9; repealing Minnesota Statutes 1992, section 9.031, subdivisions 1, 2, 3, 4, 5, and 10.

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

Svigum, Weaver, Hugoson, Molnau and Rhodes introduced:

H. F. No. 1441, A bill for an act relating to the legislature; requiring budget information; providing for appropriations; providing for various accounts; making the open meeting law apply to the legislature; amending Minnesota Statutes 1992, sections 16A.18; 16A.281; and 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.055.

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



Simoneau introduced:

H. F. No. 1442, A bill for an act relating to the city of Columbia Heights; exclusions from salary in computing police relief association retirement benefits; permitting a contribution with interest by a member for past service with the city; amending Laws 1977, chapter 374, section 8, subdivision 1.

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

Dawkins introduced:

H. F. No. 1443, A bill for an act relating to controlled substances; requiring the council on Black Minnesotans to study sentencing practices under the sentencing guidelines with respect to controlled substance offenses.

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

Lourey, Jennings, Cooper and Nelson introduced:

H. F. No. 1444, A bill for an act relating to human services; increasing reimbursement rates for day training and habilitation services; requiring salary increases for personnel below top management; amending Minnesota Statutes 1992, section 252.24, by adding a subdivision.

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

Bettermann and Krueger introduced:

H. F. No. 1445, A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide; appropriating money.

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

Jefferson introduced:

H. F. No. 1446, A bill for an act relating to economic development; creating an urban challenge grant program; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

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

Lieder, Trimble, Asch, Mahon and Morrison introduced:

H. F. No. 1447, A bill for an act relating to higher education; eliminating the higher education coordinating board; transferring functions; creating a higher education services office; modifying the higher education advisory council; appropriating money; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; 125.185, subdivision 4a; 126.663, subdivision 3; 126A.02, subdivision 2; 135A.09; 135A.10, subdivision 1; 136A.01; 136A.03; 136A.08; 136A.101, subdivisions 1, 2, and 3; 136A.15, subdivisions 3 and 4; 136A.16, subdivision 1; 136A.233, subdivision 2; 136A.62, subdivision 2; 136C.042, subdivision 1; and 298.2214, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136A; repealing Minnesota Statutes 1992, sections 135A.05; 135A.052, subdivision 3; 135A.06, subdivisions 2, 3, 4, 5, and 6; 135A.061; 135A.08; 135A.12, subdivision 5; 136A.02; 136A.04; 136A.041; 136A.043; 136A.134; 136A.234; 136A.70; 136A.85; 136A.86; 136A.87; and 136A.88.

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

## HOUSE ADVISORIES

The following House Advisory was introduced:

Solberg, Rice, Krueger, Kahn and Bishop introduced:

H. A. No. 4, A proposal to study the ratio of managers and supervisors to other employees in state government.

The advisory was referred to the Committee on Governmental Operations and Gambling.

## MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 29 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Bertram	Cooper	Erhardt	Greiling	Huntley	Kahn
Anderson, I.	Bettermann	Dauner	Evans	Gruenes	Jacobs	Kalis
Anderson, R.	Blatz	Davids	Farrell	Gutknecht	Jaros	Kelley
Asch	Brown, K.	Dawkins	Frerichs	Hasskamp	Jefferson	Kelso
Battaglia	Carlson	Dehler	Garcia	Haukoos	Jennings	Kinkel
Bauerly	Carruthers	Delmont	Girard	Hausman	Johnson, A.	Klinzing
Beard	Clark	Dempsey	Goodno	Holsten	Johnson, R.	Knickerbocker
Bergson	Commers	Dorn	Greenfield	Hugoson	Johnson, V.	Koppendray

Krueger	Mariani	Olson, E.	Pelowski	Seagren	Tompkins	Winter
Lasley	McCollum	Olson, M.	Perlt	Sekhon	Trimble	Wolf
Leppik	McGuire	Onnen	Peterson	Simoneau	Tunheim	Worke
Lieder	Milbert	Opatz	Pugh	Skoglund	Van Dellen	Workman
Limmer	Molnau	Orenstein	Reding	Smith	Vellenga	Spk. Long
Lindner	Morrison	Orfield	Rest	Solberg	Vickerman	
Lourey	Mosel	Osthoff	Rhodes	Sparby	Wagenius	
Luther	Munger	Ostrom	Rice	Stanius	Waltman	
Lynch	Neary	Ozment	Rodosovich	Steensma	Weaver	
Macklin	Nelson	Pauly	Rukavina	Swenson	Wejzman	
Mahon	Ness	Pawlenty	Sarna	Tomassoni	Wenzel	

Those who voted in the negative were:

Sviggum

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

### CONSENT CALENDAR

Trimble moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

### CALENDAR

Trimble moved that the bills on the Calendar for today be continued. The motion prevailed.

### GENERAL ORDERS

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

### MOTIONS AND RESOLUTIONS

Tunheim moved that the name of Bauerly be stricken and the name of Dauner be added as an author on H. F. No. 634. The motion prevailed.

Jennings moved that the names of Kalis and Dempsey be added as authors on H. F. No. 795. The motion prevailed.

Reding moved that the name of Haukoos be added as an author on H. F. No. 964. The motion prevailed.

McGuire moved that the name of Munger be added as an author on H. F. No. 1067. The motion prevailed.

Johnson, A., moved that the name of Greiling be added as an author on H. F. No. 1197. The motion prevailed.

Greenfield moved that the name of Luther be added as an author on H. F. No. 1262. The motion prevailed.

Peterson moved that the name of Greiling be added as an author on H. F. No. 1270. The motion prevailed.

Orenstein moved that the name of Mariani be added as an author on H. F. No. 1319. The motion prevailed.

Skoglund and Long introduced:

House Resolution No. 5, A house resolution relating to management and administrative practices of the House of Representatives.

#### SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that House Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

#### HOUSE RESOLUTION NO. 5

A house resolution relating to management and administrative practices of the House of Representatives.

*Whereas*, there has been a serious breakdown in controls over the use of WATS lines made available to members; and

*Whereas*, the breakdown led to fraudulent charges to the state of Minnesota; and

*Whereas*, the Attorney General and others are investigating matters relating to the WATS lines; and

*Whereas*, the House of Representatives is responsible for maintaining effective controls over its own business; and

*Whereas*, the House of Representatives is determined to maintain and institute administrative practices that meet high standards for integrity, reliability, and accountability; *Now, Therefore*,

*Be It Resolved* by the House of Representatives of the State of Minnesota that the Speaker of the House shall appoint a special committee of six members, three from each caucus, which shall:

- (1) review management and administrative practices of the house;
- (2) report to the House by April 14, 1993, on the practices which permitted the breakdown in controls and the extent to which such practices have been changed;
- (3) recommend additional improvements in management practices that it deems are necessary;
- (4) develop a plan for future oversight of the management and practices of the House; and
- (5) recommend actions to be taken by the House to implement the recommendation and plan developed by the committee, no later than December 31, 1993.

Skoglund moved to amend House Resolution No. 5, as follows:

Page 1, line 19, delete "six" and "three" and insert "eight" and "four"

The motion prevailed and the amendment was adopted.

Goodno moved to amend House Resolution No. 5, as amended, as follows:

Page 1, line 18, delete "a"

Page 1, line 19, delete everything before ", which" and insert "four members from the majority caucus and the minority leader shall appoint four members from the minority caucus, to a special committee of eight members"

A roll call was requested and properly seconded.

The question was taken on the Goodno amendment and the roll was called. There were 40 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Haukoos	Limmer	Olson, M.	Stanisus	Waltman
Bettermann	Erhardt	Holsten	Lindner	Onnen	Swiggum	Wolf
Blatz	Frerichs	Hugoson	Lynch	Ozment	Swenson	Worke
Commers	Girard	Johnson, V.	Macklin	Pawlenty	Tompkins	Workman
Davids	Goodno	Koppendrayner	Molnau	Seagren	Van Dellen	
Dehler	Gutknecht	Leppik	Ness	Smith	Vickerman	

Those who voted in the negative were:

Anderson, I.	Cooper	Huntley	Knickerbocker	Munger	Perlt	Solberg
Anderson, R.	Dauner	Jacobs	Krueger	Murphy	Peterson	Sparby
Asch	Dawkins	Jaros	Lasley	Neary	Pugh	Steensma
Battaglia	Delmont	Jefferson	Lieder	Nelson	Reding	Tomassoni
Bauerly	Dorn	Jennings	Lourey	Olson, E.	Rest	Trimble
Beard	Evans	Johnson, A.	Luther	Olson, K.	Rhodes	Tunheim
Bergson	Farrell	Johnson, R.	Mahon	Opatz	Rice	Vellenga
Bertram	Garcia	Kahn	Mariani	Orenstein	Rodosovich	Wagenius
Brown, C.	Greenfield	Kalis	McCollum	Orfield	Rukavina	Wejzman
Brown, K.	Greiling	Kelley	McGuire	Osthoff	Sarna	Wenzel
Carlson	Gruenes	Kelso	Milbert	Ostrom	Sekhon	Winter
Carruthers	Hasskamp	Kinkel	Morrison	Pauly	Simoneau	Spk. Long
Clark	Hausman	Klinzing	Mosel	Pelowski	Skoglund	

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

Skoglund moved that House Resolution No. 5, as amended, be now adopted.

The question was taken on House Resolution No. 5, as amended, and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and House Resolution No. 5, as amended, was adopted.

Dawkins moved that H. F. No. 2 be recalled from the Committee on Education and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Bertram moved that H. F. No. 1405 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture. The motion prevailed.

Wenzel moved that H. F. No. 1393 be recalled from the Committee on Taxes and be re-referred to the Committee on Agriculture. The motion prevailed.

Skoglund moved that the names of Kelley and Asch be added as authors on House Resolution No. 5. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

Pursuant to House Resolution No. 5, the Speaker announced the appointment of the following members to the Special Committee on House Management and Administrative Practices:

Pugh, Chair; Asch; Bishop; Dorn; Gruenes; Pauly; Pawlenty and Rest.

#### ADJOURNMENT

Trimble moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 25, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives