

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FORTIETH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 21, 1993

The House of Representatives convened at 1:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Jerry Schommer, New Church Pastor, Wooddale Church, Eden Prairie, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Girard was excused.

Mahon was excused until 5:40 p.m.

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

REPORTS OF CHIEF CLERK

S. F. No. 1407 and H. F. No. 1727, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rodosovich moved that the rules be so far suspended that S. F. No. 1407 be substituted for H. F. No. 1727 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 10, A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

Reported the same back with the following amendments:

Page 7, after line 21, insert:

"Sec. 4. [REPEALER.]

Sections 1 and 2 are repealed June 30, 1997."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Capital Investment to which was referred:

H. F. No. 218, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds and canceling previous authorizations; appropriating money, with certain conditions and reducing certain appropriations.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [MINNESOTA ZOOLOGICAL GARDEN MARINE EDUCATION CENTER.]

(a) \$3,000,000 is appropriated from the bond proceeds fund to the Minnesota zoological garden to plan, design, and prepare schematics and detailed plans for a marine education center, and to design and construct related visitor improvements at the zoo. All of the debt service costs on the bonds sold to finance this project must be paid from dedicated receipts of the Minnesota zoological garden to the commissioner of finance as required under Minnesota Statutes, section 16A.643.

(b) To provide the money appropriated by this act from the bond proceeds fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$3,000,000 in the manner, on the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Amend the title as follows:

Page 1, line 5, after the semicolon insert "authorizing a marine education center at the Minnesota zoological garden,"

Page 1, line 6, delete "and canceling previous authorizations"

Page 1, line 7, delete "and" and insert a period

Page 1, delete line 8

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 272, A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.30, subdivision 1; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01, subdivisions 2 and 4; 299C.06; 299C.13; 299C.50; 299F.01, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; 299A.01; 299C.01, subdivision 1; and 299F.01, subdivisions 1 and 3; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEPARTMENT OF PUBLIC SAFETY ABOLISHED; RESPONSIBILITIES TRANSFERRED.]

Subdivision 1. [DEPARTMENT ABOLISHED, RESPONSIBILITIES TRANSFERRED.] The department of public safety is abolished. The responsibilities held by the department are transferred to a receiving agency as designated in this act. Except as otherwise provided by this act, the responsibilities of the department must be transferred pursuant to Minnesota Statutes, section 15.039. For purposes of this act "responsibilities" includes the powers, duties, rights, obligations, rules, court actions, contracts, records, property of every description, unexpended funds, personnel, and authority imposed by law, of the department of public safety. For the purposes of this act, "receiving agency" has the meaning given to "new agency" in Minnesota Statutes, section 15.039, subdivision 1.

Subd. 2. [SPECIFIC POSITIONS ABOLISHED.] (a) The following positions in the department of public safety are not transferred to a receiving agency and are specifically abolished:

- (1) commissioner;
- (2) deputy commissioner;
- (3) assistant commissioners;
- (4) assistants to the commissioner;
- (5) office of the commissioner (all positions);
- (6) affirmative action officer;
- (7) eight positions from finance and administrative services;
- (8) personnel, training, employee relations (all positions);
- (9) 12 positions from information systems management;
- (10) public education and media relations (all positions); and

(11) liquor control (all positions not specifically transferred to the department of commerce).

(b) After the day of enactment of this act, the department of public safety shall not fill any position listed in paragraph (a), clauses (7), (9), and (11), that is vacant or becomes vacant. This paragraph is effective the day following final enactment.

(c) In determining the remaining positions listed in paragraph (a), clauses (7), (9), and (11), that are to be transferred to a receiving agency, the positions abolished under that paragraph must first include the positions vacant on July 1, 1993. Positions abolished under paragraph (a), clauses (7), (9), and (11), that are occupied by employees must then be determined first by any applicable law, then any applicable collective bargaining agreement, and only then by determination of the receiving agency.

Subd. 3. [SPECIFIC RESPONSIBILITIES ABOLISHED, NOT TRANSFERRED.] The responsibilities of the following offices of the department are abolished and not transferred to a receiving agency:

- (1) office of affirmative action;
- (2) office of personnel, training, employee relations; and
- (3) office of public education and media relations.

Subd. 4. [DEPARTMENT OF TRANSPORTATION.] The responsibilities of the following units are transferred to the department of transportation:

- (1) traffic safety division;
- (2) driver and vehicle services division;
- (3) capitol security division;
- (4) state patrol division;
- (5) seven positions from information systems management; and
- (6) 22 positions from the office of finance and administrative services.

Subd. 5. [OFFICE OF THE GOVERNOR.] The responsibilities of the following units are transferred to the office of the governor:

- (1) office of drug policy; and
- (2) office of violence prevention.

Subd. 6. [DEPARTMENT OF CORRECTIONS.] The responsibilities of the following units are transferred to the department of corrections:

- (1) crime victim and witness advisory council;
- (2) crime victim ombudsman; and
- (3) crime victims reparations board.

Subd. 7. [POLLUTION CONTROL AGENCY.] The responsibilities of the office of pipeline safety are transferred to the pollution control agency.

Subd. 8. [DEPARTMENT OF PUBLIC SERVICE.] The responsibilities of the following units are transferred to the department of public service:

- (1) emergency management division; and

(2) emergency response commission.

Subd. 9. [DEPARTMENT OF EMPLOYEE RELATIONS.] The responsibilities related to public safety officer's survivor benefits in Minnesota Statutes, sections 299A.41 to 299A.47 are transferred to the department of employee relations.

Subd. 10. [DEPARTMENT OF COMMERCE.] The responsibilities of the liquor control division are transferred to the department of commerce. Four positions from the liquor control licensing activity and six positions from the liquor enforcement activity of the liquor control division are transferred to the department of commerce.

Subd. 11. [BUREAU OF CRIMINAL APPREHENSION.] All powers, duties, and responsibilities formerly held by the commissioner of public safety with respect to the bureau of criminal apprehension are transferred to the superintendent of the bureau of criminal apprehension. The bureau is established as an agency of the executive branch of state government pursuant to section 35. The responsibilities of the following units are also transferred to the bureau:

- (1) gambling enforcement division;
- (2) the division of the state fire marshal;
- (3) seven positions from the office of finance and administrative services;
- (4) 17 positions from the office of information systems management; and
- (5) the Minnesota advisory council on fire protection systems.

Possession of the department's minicomputer system and equipment is transferred to the bureau of criminal apprehension. Computer applications supporting functions not transferred to the bureau of criminal apprehension are transferred to the applicable receiving agencies. For programs not transferred to the bureau of criminal apprehension, the commissioner of transportation shall make the necessary arrangements for the effective management of the department's information systems. The commissioner of transportation may lease time and services on the minicomputer system transferred to the bureau, and shall compensate the superintendent of the bureau for the leased time and services from funds appropriated to the commissioner for driver and vehicle services.

CONFORMING AMENDMENTS

Sec. 2. Minnesota Statutes 1992, section 3.732, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section and section 3.736 the terms defined in this section have the meanings given them.

(1) "State" includes each of the departments, boards, agencies, commissions, courts, and officers in the executive, legislative, and judicial branches of the state of Minnesota and includes but is not limited to the housing finance agency, the higher education coordinating board, the higher education facilities authority, the armory building commission, the zoological board, the iron range resources and rehabilitation board, the state agricultural society, the University of Minnesota, state universities, community colleges, state hospitals, and state penal institutions. It does not include a city, town, county, school district, or other local governmental body corporate and politic.

(2) "Employee of the state" means all present or former officers, members, directors, or employees of the state, members of the Minnesota national guard, members of a bomb disposal unit approved by the ~~commissioner of public safety~~ superintendent of the bureau of criminal apprehension and employed by a municipality defined in section 466.01 when engaged in the disposal or neutralization of bombs outside the jurisdiction of the municipality but within the state, or persons acting on behalf of the state in an official capacity, temporarily or permanently, with or without compensation. It does not include either an independent contractor or members of the Minnesota national guard while engaged in training or duty under United States Code, title 10, or title 32, section 316, 502, 503, 504, or 505, as amended through December 31, 1983. "Employee of the state" includes a public defender appointed by the state board of public defense.

(3) "Scope of office or employment" means that the employee was acting on behalf of the state in the performance of duties or tasks lawfully assigned by competent authority.

(4) "Judicial branch" has the meaning given in section 43A.02, subdivision 25.

Sec. 3. Minnesota Statutes 1992, section 13.99, subdivision 82, is amended to read:

Subd. 82. [EMERGENCY JOBS PROGRAM.] Data maintained by the commissioner of ~~public safety~~ jobs and training for the emergency jobs program are classified under section 268.673, subdivision 5.

Sec. 4. Minnesota Statutes 1992, section 15.01, is amended to read:

15.01 [DEPARTMENTS OF THE STATE.]

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; the department of education; the department of jobs and training; the department of trade and economic development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; ~~the department of public safety~~; the department of public service; the department of human services; the department of revenue; the department of transportation; the department of veterans affairs; and their successor departments.

Sec. 5. Minnesota Statutes 1992, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY RANGES.] The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

Salary Range

Effective

July 1, 1987

\$57,500-\$78,500

Commissioner of finance;

Commissioner of education;

Commissioner of transportation;

Commissioner of human services;

Commissioner of revenue;

~~Commissioner of public safety;~~

Executive director, state board of investment;

Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;

Commissioner of agriculture;

Commissioner of commerce;

Commissioner of corrections;

Commissioner of jobs and training;

Commissioner of employee relations;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of trade and economic development;
Chief administrative law judge; office of administrative hearings;
Commissioner, pollution control agency;
Director, office of waste management;
Commissioner, housing finance agency;
Executive director, public employees retirement association;
Executive director, teacher's retirement association;
Executive director, state retirement system;
Chair, metropolitan council;
Chair, regional transit board;
Superintendent, bureau of criminal apprehension

\$42,500-\$60,000

Commissioner of human rights;
Commissioner, department of public service;
Commissioner of veterans affairs;
Commissioner, bureau of mediation services;
Commissioner, public utilities commission;
Member, transportation regulation board;
Ombudsman for corrections;
Ombudsman for mental health and retardation.

Sec. 6. Minnesota Statutes 1992, section 16B.14, is amended to read:

16B.14 [CERTAIN VEHICLES.]

Upon the written request of the commissioner of public safety superintendent of the bureau of criminal apprehension, motor vehicles for specific use by investigative and undercover agents of the department of public safety bureau of criminal apprehension must be purchased by the brand make and model. Upon the written request of the commissioner of transportation, motor vehicles for specific use as specially marked patrol vehicles pursuant

to section 169.98 must be purchased by the brand make and model. All other provisions of this chapter relating to competitive bidding apply to purchases covered by this section.

Sec. 7. Minnesota Statutes 1992, section 16B.46, is amended to read:

16B.46 [TELECOMMUNICATION; POWERS.]

The commissioner shall supervise and control all state telecommunication facilities including any transmission, emission, or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems. Nothing in this section modifies, amends, or abridges any powers and duties presently vested in or imposed upon the commissioner of transportation ~~or the commissioner of public safety, commissioner of commerce, or superintendent of the bureau of criminal apprehension~~ relating to telecommunications facilities or the commissioner of transportation relating only to radio air navigation facilities or other air navigation facilities.

Sec. 8. Minnesota Statutes 1992, section 16B.54, subdivision 2, is amended to read:

Subd. 2. [VEHICLES.] (a) [ACQUISITION FROM AGENCY; APPROPRIATION.] The commissioner may direct an agency to make a transfer of a passenger motor vehicle or truck currently assigned to it. The transfer must be made to the commissioner for use in the central motor pool. The commissioner shall reimburse an agency whose motor vehicles have been paid for with funds dedicated by the constitution for a special purpose and which are assigned to the central motor pool. The amount of reimbursement for a motor vehicle is its average wholesale price as determined from the midwest edition of the National Automobile Dealers Association official used car guide.

(b) [PURCHASE.] To the extent that funds are available for the purpose, the commissioner may purchase or otherwise acquire additional passenger motor vehicles and trucks necessary for the central motor pool. The title to all motor vehicles assigned to or purchased or acquired for the central motor pool is in the name of the department of administration.

(c) [TRANSFER AT AGENCY REQUEST.] On the request of an agency, the commissioner may transfer to the central motor pool any passenger motor vehicle or truck for the purpose of disposing of it. The department or agency transferring the vehicle or truck must be paid for it from the motor pool revolving account established by this section in an amount equal to two-thirds of the average wholesale price of the vehicle or truck as determined from the midwest edition of the National Automobile Dealers Association official used car guide.

(d) [VEHICLES; MARKING.] The commissioner shall provide for the uniform marking of all motor vehicles. Motor vehicle colors must be selected from the regular color chart provided by the manufacturer each year. The commissioner may further provide for the use of motor vehicles without marking by the governor, the lieutenant governor, the division bureau of criminal apprehension, division of liquor control, division of gambling enforcement, arson investigators of the division of fire marshal in the department of public safety, financial institutions division of the department of commerce, state lottery board, criminal investigators of the department of revenue, state-owned community service facilities in the department of human services, the investigative staff of the department of jobs and training, and the office of the attorney general.

Sec. 9. Minnesota Statutes 1992, section 43A.05, subdivision 4, is amended to read:

Subd. 4. [TIME OFF IN EMERGENCIES.] The commissioner shall authorize appointing authorities to pay for time off in emergencies. The commissioner, after consultation with the ~~commissioner of public safety commissioners of~~ transportation and public service, may excuse employees from duty with full pay in the event of a natural or other emergency, if continued operation would involve a threat to the health or safety of individuals. Absence with pay shall not exceed 16 working hours at any one time unless the commissioner authorizes a longer duration.

Sec. 10. Minnesota Statutes 1992, section 43A.34, subdivision 4, is amended to read:

Subd. 4. [STATE PATROL, CONSERVATION AND CRIME BUREAU OFFICERS EXEMPTED.] Notwithstanding any provision to the contrary, (a) conservation officers and crime bureau officers who were first employed on or after July 1, 1973, and who are members of the state patrol retirement fund by reason of their employment, and members of the Minnesota state patrol division of the department of transportation and gambling enforcement divisions of the department of public safety division of the bureau of criminal apprehension who are members of the state patrol retirement association by reason of their employment, shall not continue employment after attaining the age of 60

years, except for a fractional portion of one year that will enable the employee to complete the employee's next full year of allowable service as defined pursuant to section 352B.01, subdivision 3; and (b) conservation officers and crime bureau officers who were first employed and are members of the state patrol retirement fund by reason of their employment before July 1, 1973, shall not continue employment after attaining the age of 70 years.

Sec. 11. Minnesota Statutes 1992, section 65B.28, subdivision 2, is amended to read:

Subd. 2. [ACCIDENT PREVENTION COURSE; RULES.] The commissioner of ~~public safety~~ transportation shall, ~~by January 1, 1985,~~ adopt rules establishing and regulating a motor vehicle accident prevention course for persons 55 years old and older. The rules must, at a minimum, include provisions:

- (1) establishing curriculum requirements;
- (2) establishing the number of hours required for successful completion of the course;
- (3) providing for the issuance of a course completion certification and requiring its submission to an insured as evidence of completion of the course; and
- (4) requiring persons 55 years old and older to retake the course every three years to remain eligible for a premium reduction.

Sec. 12. Minnesota Statutes 1992, section 161.125, subdivision 3, is amended to read:

Subd. 3. [SOUND ABATEMENT MEASURES.] For the purpose of this section, sound abatement measures include but are not limited to the following:

- (a) traffic management measures, including reduced speed limits or exclusion and rerouting of excessively noisy vehicles;
- (b) design and construction measures, including use of sound absorbing road surface materials, landscaping and planning, acquisition of buffer zones or noise insulation of buildings on abutting property;
- (c) enforcement of the motor vehicle source noise limits of the pollution control agency and of the federal bureau of motor carrier safety; and
- (d) other measures designed for the purpose of reducing motor vehicle source noise or reducing the effects of that noise. The ~~commissioner of public safety shall cooperate with the commissioner of transportation in implementing~~ any may implement sound abatement measures that include law enforcement activities.

Sec. 13. Minnesota Statutes 1992, section 161.20, subdivision 4, is amended to read:

Subd. 4. [DEBT COLLECTION.] The commissioner shall make reasonable and businesslike efforts to collect money owed for licenses, fines, penalties, and permit fees or arising from damages to state-owned property or other causes related to the activities of the department of transportation. The commissioner may contract for debt collection services for the purpose of collecting a money judgment or legal indebtedness. The commissioner may ~~enter into an agreement with the commissioner of public safety to use debt collection services authorized by this subdivision when civil penalties relating to the use of highways have been reduced to money judgment.~~ Money received as full or partial payment shall be deposited to the appropriate fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contractual collection costs is appropriated from the fund in which money so collected is deposited.

Sec. 14. Minnesota Statutes 1992, section 161.465, is amended to read:

161.465 [REIMBURSEMENT FOR FIRE SERVICES.]

Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a grass fire within the right-of-way of a trunk highway must be reimbursed upon certification to the commissioner of transportation from the trunk highway fund. In addition, ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire outside the right-of-way of any trunk highway if the fire originated within the right-of-way, upon approval of a police officer ~~or an officer or, state trooper,~~ employee of the ~~department of public safety~~ state fire

marshal, or arson investigator of the bureau of criminal apprehension must, upon certification to the commissioner of transportation by the proper official of the municipality or fire department within 60 days after the completion of the service, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of transportation shall take action practicable to secure reimbursement to the trunk highway fund of money expended under this section from the person, firm, or corporation responsible for the fire or danger of fire.

The provisions of this section shall not be construed to admit state liability for damage or destruction to private property or for injury to persons resulting from a fire originating within a trunk highway right-of-way.

Sec. 15. Minnesota Statutes 1992, section 168.011, is amended by adding a subdivision to read:

Subd. 37. [COMMISSIONER.] "Commissioner" means the commissioner of transportation.

Sec. 16. Minnesota Statutes 1992, section 168.011, is amended by adding a subdivision to read:

Subd. 38. [DEPARTMENT.] "Department" means the department of transportation.

Sec. 17. Minnesota Statutes 1992, section 168.126, subdivision 3, is amended to read:

~~Subd. 3. [ELIGIBILITY CRITERIA; COMMISSIONER OF PUBLIC SAFETY.] The commissioner of public safety, in cooperation with the commissioner of transportation,~~ shall establish criteria and procedures governing applications for and issuance of plates permitted by this section. The criteria and procedures may include:

- (1) certification of vehicle use as a commuter van;
- (2) provision for transfer of special license plates; and
- (3) deposit of fees for the registration, sale, and transfer of commuter vans.

The special plate must be designed to specifically identify the vehicle as a commuter van.

Sec. 18. Minnesota Statutes 1992, section 168.325, is amended to read:

168.325 [DIVISION OF MOTOR VEHICLES DRIVER AND VEHICLE SERVICES.]

Subdivision 1. [CREATION.] A division in the department of ~~public safety~~ transportation to be known as the division of ~~motor vehicles driver and vehicle services~~ is created hereby established, under the supervision and control of the director. The commissioner of transportation may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Subd. 2. [VEHICLE REGISTRATION RESPONSIBILITIES.] All the functions, powers, and duties now vested in or imposed upon the ~~secretary of state as registrar of motor vehicles as prescribed in Minnesota Statutes 1967, chapter 168, or any other by law,~~ relating to the registration of motor vehicles, the issuance of motor vehicle licenses, the licensing of motor vehicle dealers, and other related matters therein contained not otherwise provided for in this section, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. ~~The duties of the secretary of state in relation thereto as heretofore constituted are abolished~~ transportation.

~~Subd. 4. All the powers and duties now vested in or imposed upon the secretary of state in the issuance of chauffeurs' licenses and school bus drivers' licenses as prescribed in Minnesota Statutes 1967, chapter 168, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties of the secretary of state in connection with the issuance of such licenses are hereby abolished.~~

Sec. 19. Minnesota Statutes 1992, section 169.751, is amended to read:

169.751 [DEFINITIONS.]

For the purposes of sections 169.751 to 169.754 the following words shall have the meaning ascribed to them in this section:

(a) "First aid equipment" shall mean equipment for the purpose of rendering first aid to sick or injured persons as prescribed by the department of public safety for its state patrol vehicles, such equipment to include materials for the application of splints to fractures.

(b) "Patrol motor vehicles" shall mean the state patrol motor vehicles used in law enforcement of the department of public safety, the county sheriffs, and the various city, town, and other local police departments.

Sec. 20. Minnesota Statutes 1992, section 169.783, subdivision 1, is amended to read:

Subdivision 1. [POSTCRASH INSPECTION.] A peace officer responding to an accident involving a commercial motor vehicle must immediately notify the state patrol if the accident results in death, personal injury, or property damage to an apparent extent of more than \$4,400. It is a misdemeanor for a person to drive or cause to be driven a commercial motor vehicle after such an accident unless the vehicle: (1) has been inspected by a state trooper or other person authorized to conduct inspections under section 169.781, subdivision 3, paragraph (a), who is an employee of the department of public safety or transportation, and the person inspecting the vehicle has determined that the vehicle may safely be operated; or (2) a waiver has been granted under subdivision 2.

Sec. 21. Minnesota Statutes 1992, section 170.23, is amended to read:

170.23 [ABSTRACTS; FEE; ADMISSIBLE IN EVIDENCE.]

The commissioner of transportation shall upon request furnish any person a certified abstract of the operating record of any person subject to the provisions of this chapter, and, if there shall be no record of any conviction of such person of violating any law relating to the operation of a motor vehicle or of any injury or damage caused by such person, the commissioner shall so certify. Such abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident. A fee of \$5 shall be paid for each such abstract. The commissioner shall permit a person to inquire into the operating record of any person by means of the inquiring person's own computer facilities for a fee to be determined by the commissioner of at least \$2 for each inquiry. The commissioner shall furnish an abstract that is not certified for a fee to be determined by the commissioner in an amount less than the fee for a certified abstract but more than the fee for an inquiry by computer. Fees collected under this section must be paid into the state treasury with 90 percent of the money credited to the trunk highway fund and ten percent credited to the general fund.

Sec. 22. Minnesota Statutes 1992, section 170.24, is amended to read:

170.24 [SUSPENSION OF LICENSE FOR NEGLECT TO REPORT ACCIDENT.]

The commissioner of transportation may suspend the license, or any nonresident's operating privilege, of any person who willfully fails, refuses or neglects to make report of a traffic accident as required by the laws of this state.

Sec. 23. Minnesota Statutes 1992, section 171.015, is amended to read:

171.015 [DRIVER'S LICENSE DRIVER AND VEHICLE SERVICES DIVISION.]

Subdivision 1. [CREATED; DIRECTOR.] A division in the department of public safety to be known as the driver's license division is hereby created, under the supervision and control of a director. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a. The director shall be assigned the duties and responsibilities prescribed in this section.

Subd. 2. [POWERS AND DUTIES TRANSFERRED.] All the powers and duties now vested in or imposed upon the department of transportation and the commissioner of transportation in regard to drivers' licensing, drivers' training, and safety responsibility as prescribed by this chapter and chapters 169 and 170, are hereby transferred to, vested in, and imposed upon the commissioner of public safety transportation, through the department's division of driver and vehicle services. The duties and responsibilities of the department of transportation and the commissioner of transportation, in relation to such matters as heretofore constituted, are hereby abolished.

Subd. 3. [LICENSING CHAUFFEURS AND SCHOOL BUS DRIVERS.] The commissioner of ~~public safety, with the approval of the governor,~~ transportation may transfer and assign to the ~~driver's license~~ driver and vehicle services division duties and responsibilities in relation to chauffeurs' licensing and school bus drivers' licensing ~~as vested in and imposed upon the division of motor vehicles.~~

Subd. 5. [POWERS AND DUTIES TRANSFERRED.] All the powers and duties now vested in or imposed upon the department of education and the department of transportation relating to drivers' training as prescribed by section 171.04, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties of the department of education and the department of transportation with reference to such training as heretofore constituted are hereby abolished.

Subd. 6. [FACILITIES FOR LICENSING ACTIVITIES.] The commissioner of transportation shall provide space as required for driver and chauffeur license activities at ~~such~~ locations and under ~~such contractual~~ conditions as ~~may be determined with the commissioner of public safety~~ may determine.

Sec. 24. Minnesota Statutes 1992, section 216C.19, subdivision 1, is amended to read:

Subdivision 1. [ROADWAY LIGHTING; RULES.] After consultation with the commissioner ~~and the commissioner of public safety,~~ the commissioner of transportation shall adopt rules under chapter 14 establishing minimum energy efficiency standards for street, highway, and parking lot lighting. The standards must be consistent with overall protection of the public health, safety and welfare. No new highway, street or parking lot lighting may be installed in violation of these rules. Existing lighting equipment, excluding roadway sign lighting, with lamps with initial efficiencies less than 70 lumens per watt must be replaced when worn out with light sources using lamps with initial efficiencies of at least 70 lumens per watt.

Sec. 25. Minnesota Statutes 1992, section 218.031, subdivision 2, is amended to read:

Subd. 2. [INFORMATION FURNISHED COMMISSIONER.] Every common carrier shall furnish to the commissioner:

(1) All schedules of rates, fares and charges, every part and classification thereof, together with minimum weights and rules with respect thereto, and any and all amendments, modifications or changes therein.

(2) All information duly required in blanks and forms furnished by the commissioner.

(3) A copy of all annual reports and valuation data furnished to the Interstate Commerce Commission not later than June 30th, covering the preceding calendar year, together with any additional information regarding valuation of its properties requested by the commissioner.

(4) A report of accidents, wrecks and casualties occurring in this state in such manner and form and at such times as prescribed by the commissioner. ~~When received,~~ all such reports ~~administered by the department of public safety~~ shall be ~~received and~~ administered in accordance with the provisions of section 169.09, subdivision 13. All other reports shall be open to public inspection but shall not be admissible in evidence in any suit or action for damages growing out of such accident, wreck or casualty.

(5) All tariff agreements or arrangements with other carriers.

(6) All joint schedules of rates, fares or classifications.

Sec. 26. Minnesota Statutes 1992, section 270.73, subdivision 1, is amended to read:

Subdivision 1. [POSTING, NOTICE.] ~~Pursuant to the authority to disclose under section 270B.12, subdivision 4,~~ The commissioner shall, by the 15th of each month, submit to the commissioner of ~~public safety~~ commerce a list of all taxpayers who are required to withhold or collect the tax imposed by section 290.92 or 297A.02, or local sales and use tax payable to the commissioner of revenue, or a local option tax administered and collected by the commissioner of revenue, and who are 30 days or more delinquent in either filing a tax return or paying the tax.

The commissioner of revenue is under no obligation to list a taxpayer whose business is inactive. At least ten days before notifying the commissioner of ~~public safety~~ commerce, the commissioner of revenue shall notify the taxpayer of the intended action.

The commissioner of public safety commerce shall post the list in the same manner as provided in section 340A.318, subdivision 3. The list will prominently show the date of posting. If a taxpayer previously listed cures the delinquency by filing all returns and paying all taxes, the commissioner shall notify the commissioner of public safety commerce within two business days that the delinquency was cured.

Sec. 27. Minnesota Statutes 1992, section 297B.01, subdivision 3, is amended to read:

Subd. 3. [MOTOR VEHICLE REGISTRAR.] "Motor vehicle registrar" shall mean the registrar of motor vehicles who is the officer in charge of the motor driver and vehicle services division, department of public safety transportation, of this state and who shall act as the agent of the commissioner of revenue in administering the provisions of this chapter.

Sec. 28. Minnesota Statutes 1992, section 297C.09, is amended to read:

297C.09 [IMPORTATION BY INDIVIDUALS.]

A person, other than a person under the age of 21 years, entering Minnesota from another state may have in possession one liter of intoxicating liquor or 288 ounces of malt liquor and a person entering Minnesota from a foreign country may have in possession four liters of intoxicating liquor or ten quarts (320 ounces) of malt liquor without the required payment of the Minnesota excise tax. A collector of commemorative bottles, other than a person under the age of 21 years, entering Minnesota from another state may have in possession 12 or fewer commemorative bottles without the required payment of the Minnesota excise tax. A person who imports or has in possession untaxed intoxicating liquor or malt liquor in excess of the quantities provided for in this section is guilty of a misdemeanor. This section does not apply to the consignments of alcoholic beverages shipped into this state by holders of Minnesota import licenses or Minnesota manufacturers and wholesalers when licensed by the commissioner of public safety commerce or to common carriers with licenses to sell intoxicating liquor in more than one state. A peace officer, the commissioner of commerce, or their authorized agents, may seize untaxed liquor.

Sec. 29. Minnesota Statutes 1992, section 297C.10, subdivision 1, is amended to read:

Subdivision 1. [ENFORCEMENT RESPONSIBILITY.] The commissioners of public safety commerce and revenue shall enforce and administer the provisions of this chapter.

Sec. 30. Minnesota Statutes 1992, section 299A.02, is amended to read:

299A.02 [COMMISSIONERS OF PUBLIC SAFETY COMMERCE AND REVENUE; LIQUOR CONTROL FUNCTIONS.]

Subdivision 1. [~~DIRECTOR OF DIVISION OF LIQUOR CONTROL~~ CONFLICT OF INTEREST.] No employee of the department of public safety commerce or the department of revenue having any responsibility for the administration or enforcement of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A shall have a direct or indirect interest, except through ownership or investment in pension or mutual funds, in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, nonintoxicating, or commercial or industrial alcohol. The commissioner of public safety commerce or the commissioner of revenue may remove an employee in the unclassified civil service for any intentional violation of any provision in ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A. Intentional violation of the preceding sections by a classified employee of one of the departments may be grounds for removal of that employee pursuant to section 43A.33.

Subd. 2. [GENERAL POWERS.] The commissioner of commerce shall administer and enforce the provisions of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.

Subd. 3. [REPORTS; RULES.] The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale. No rule may require the use of new containers in aging whiskey. No rule may require cordials or liqueurs to contain in excess of 2-1/2 percent by weight of sugar or dextrose or both.

Subd. 4. [SUBPOENAS.] In all matters relating to official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as the commissioner may desire to inspect, and in all things aid the commissioner in the performance of the commissioner's duties.

Sec. 31. Minnesota Statutes 1992, section 299A.30, is amended to read:

299A.30 [OFFICE OF DRUG POLICY AND VIOLENCE PREVENTION.]

Subdivision 1. [OFFICE; ASSISTANT COMMISSIONER DIRECTOR.] The office of drug policy and violence prevention is ~~an office established in the department of public safety~~ office of the governor headed by ~~an assistant commissioner~~ a director appointed by the ~~commissioner~~ governor to serve in the unclassified service. The ~~assistant commissioner~~ director may appoint other employees. The ~~assistant commissioner~~ director shall coordinate the violence prevention activities and the prevention and supply reduction activities of state and local agencies and provide one professional staff member to assist on a full-time basis the work of the chemical abuse prevention resource council.

Subd. 2. [DUTIES.] (a) The ~~assistant commissioner~~ director shall:

(1) gather, develop, and make available throughout the state information and educational materials on preventing and reducing violence in the family and in the community, both directly and by serving as a clearinghouse for information and educational materials from schools, state and local agencies, community service providers, and local organizations;

(2) foster collaboration among schools, state and local agencies, community service providers, and local organizations that assist in violence intervention or prevention;

(3) assist schools, state and local agencies, service providers, and organizations, on request, with training and other programs designed to educate individuals about violence and reinforce values that contribute to ending violence;

(4) after consulting with all state agencies involved in preventing or reducing violence within the family or community, develop a statewide strategy for preventing and reducing violence that encompasses the efforts of those agencies and takes into account all money available for preventing or reducing violence from any source;

(5) submit the strategy to the governor and the legislature by January 15 of each calendar year, along with a summary of activities occurring during the previous year to prevent or reduce violence experienced by children, young people, and their families; and

(6) assist appropriate professional and occupational organizations, including organizations of law enforcement officers, prosecutors, and educators, in developing and operating informational and training programs to improve the effectiveness of activities to prevent or reduce violence within the family or community.

(b) The ~~assistant commissioner~~ director shall gather and make available information on prevention and supply reduction activities throughout the state, foster cooperation among involved state and local agencies, and assist agencies and public officials in training and other programs designed to improve the effectiveness of prevention and supply reduction activities.

(c) The ~~assistant commissioner~~ director shall coordinate the distribution of funds received by the state of Minnesota through the federal Anti-Drug Abuse Act. The ~~assistant commissioner~~ director shall recommend to the commissioner recipients of grants under sections 299A.33 and 299A.34, after consultation with the chemical abuse prevention resource council.

(d) The ~~assistant commissioner~~ director shall:

(1) after consultation with all state agencies involved in prevention or supply reduction activities, develop a state chemical abuse and dependency strategy encompassing the efforts of those agencies and taking into account all money available for prevention and supply reduction activities, from any source;

(2) submit the strategy to the governor and the legislature by January 15 of each year, along with a summary of prevention and supply reduction activities during the preceding calendar year;

(3) assist appropriate professional and occupational organizations, including organizations of law enforcement officers, prosecutors, and educators, in developing and operating informational and training programs to improve the effectiveness of prevention and supply reduction activities;

(4) provide information, including information on drug trends, and assistance to state and local agencies, both directly and by functioning as a clearinghouse for information from other agencies;

(5) facilitate cooperation among drug program agencies; and

(6) in coordination with the chemical abuse prevention resource council, review, approve, and coordinate the administration of prevention, criminal justice, and treatment grants.

Sec. 32. Minnesota Statutes 1992, section 299A.31, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; MEMBERSHIP.] A chemical abuse prevention resource council consisting of 19 members is established. The commissioners of ~~public safety~~ transportation, education, health, corrections, and human services, the director of the office of strategic and long-range planning, the superintendent of the bureau of criminal apprehension, and the attorney general shall each appoint one member from among their employees. The speaker of the house of representatives and the subcommittee on committees of the senate shall each appoint a legislative member. The governor shall appoint an additional ten members who shall represent the demographic and geographic composition of the state and, to the extent possible, shall represent the following: public health; education including preschool, elementary, and higher education; social services; financial aid services; chemical dependency treatment; law enforcement; prosecution; defense; the judiciary; corrections; treatment research professionals; drug abuse prevention professionals; the business sector; religious leaders; representatives of racial and ethnic minority communities; and other community representatives. The members shall designate one of the governor's appointees as chair of the council. Compensation and removal of members are governed by section 15.059.

Sec. 33. Minnesota Statutes 1992, section 299A.331, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] The advisory council on drug abuse resistance education consists of:

(1) the attorney general who shall serve as chair;

(2) the ~~commissioner of public safety~~ superintendent of the bureau of criminal apprehension;

(3) the commissioner of education;

(4) three representatives of law enforcement appointed by the ~~commissioner of public safety~~ governor;

(5) three representatives of education appointed by the commissioner of education;

(6) a representative of the DARE officers association appointed by the peace officer standards and training board from among recommendations of the association; and

(7) seven citizens appointed by the attorney general.

Sec. 34. Minnesota Statutes 1992, section 299A.38, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "~~Commissioner~~" means the ~~commissioner of public safety~~.

(b) "Peace officer" means a person who is licensed under section 626.84, subdivision 1, paragraph (c).

(b) "Superintendent" means the superintendent of the bureau of criminal apprehension.

(c) "Vest" means bullet-resistant soft body armor that is flexible, concealable, and custom fitted to the peace officer to provide ballistic and trauma protection.

Sec. 35. Minnesota Statutes 1992, section 299C.01, is amended to read:

299C.01 [~~CRIMINAL BUREAU OF CRIMINAL APPREHENSION.~~]

Subdivision 1. [RESPONSIBILITIES TRANSFERRED.] All the powers and duties ~~now~~ formerly vested in or imposed upon the commissioner of public safety before the effective date of this act, relating to the bureau of criminal apprehension or the superintendent of the bureau of criminal apprehension as prescribed by chapter 626, or any other law, are hereby transferred to, vested in, and imposed upon the commissioner of public safety superintendent of the bureau of criminal apprehension. The bureau of criminal apprehension and the office of the superintendent of the bureau of criminal apprehension as heretofore constituted as a division of the department of public safety are abolished and the bureau is created as an independent agency in the executive branch of state government.

Subd. 2. [CREATED AS INDEPENDENT AGENCY.] ~~A division in the department of public safety to be known as~~ The bureau of criminal apprehension is hereby created, under the supervision and control of the superintendent of criminal apprehension, who shall be appointed by the ~~commissioner~~ governor, with the advice and consent of the senate, and serve ~~at the commissioner's pleasure in the unclassified service of the state civil service, to whom a term coterminous with the term of the governor under whom appointed.~~ The position of deputy superintendent, or similar position, is not authorized. Except when contrary to this subdivision, the provisions of section 15.06 apply to the position of superintendent of the bureau of criminal apprehension. The superintendent shall be assigned the duties and responsibilities described in this section chapter and chapters 299F and 299L.

Subd. 4. [DUTIES, GENERALLY.] ~~The division of the bureau of criminal apprehension shall perform such functions and duties as relate to statewide and nationwide crime information systems as the commissioner~~ superintendent may direct.

Sec. 36. Minnesota Statutes 1992, section 299C.03, is amended to read:

299C.03 [SUPERINTENDENT; RULES.]

The superintendent, ~~with the approval of the commissioner of public safety,~~ from time to time, shall make such rules and adopt such measures as the superintendent deems necessary, within the provisions and limitations of sections 299C.03 to 299C.08, 299C.10, 299C.11, 299C.17, 299C.18, and 299C.21, and chapters 299F and 299L, to secure the efficient operation of the bureau. The bureau shall cooperate with the respective sheriffs, constables, marshals, police, and other peace officers of the state in the detection of crime and the apprehension of criminals throughout the state, and shall have the power to conduct such investigations as the superintendent, ~~with the approval of the commissioner of public safety,~~ may deem necessary to secure evidence which may be essential to the apprehension and conviction of alleged violators of the criminal laws of the state. The various members of the bureau shall have and may exercise throughout the state the same powers of arrest possessed by a sheriff, but they shall not be employed to render police service in connection with strikes and other industrial disputes.

Sec. 37. Minnesota Statutes 1992, section 299C.06, is amended to read:

299C.06 [DIVISION POWERS AND DUTIES; LOCAL OFFICERS TO COOPERATE.]

It shall be the duty of all sheriffs, chiefs of police, city marshals, constables, prison wardens, superintendents of insane hospitals, reformatories and correctional schools, probation and parole officers, school attendance officers, coroners, county attorneys, court clerks, ~~the commissioner of public safety,~~ the commissioner of transportation, and the state fire marshal to furnish to the division statistics and information regarding the number of crimes reported and discovered, arrests made, complaints, informations, and indictments, filed and the disposition made of same, pleas, convictions, acquittals, probations granted or denied, receipts, transfers, and discharges to and from prisons, reformatories, correctional schools, and other institutions, paroles granted and revoked, commutation of sentences and pardons granted and rescinded, and all other data useful in determining the cause and amount of crime in this state and to form a basis for the study of crime, police methods, court procedure, and penal problems. Such statistics and information shall be furnished upon the request of the division and upon such forms as may be prescribed and furnished by it. The division shall have the power to inspect and prescribe the form and substance of the records kept by those officials from which the information is so furnished.

Sec. 38. Minnesota Statutes 1992, section 299C.13, is amended to read:

299C.13 [INFORMATION FURNISHED TO PEACE OFFICERS.]

Upon receipt of information data as to any arrested person, the bureau shall immediately ascertain whether the person arrested has a criminal record or is a fugitive from justice, and shall at once inform the arresting officer of the facts ascertained. Upon application by any sheriff, chief of police, or other peace officer in the state, or by an officer of the United States or by an officer of another state, territory, or government duly authorized to receive the same and effecting reciprocal interchange of similar information with the ~~division bureau~~, it shall be the duty of the bureau to furnish all information in its possession pertaining to the identification of any person. If the bureau has a sealed record on the arrested person, it shall notify the requesting peace officer of that fact and of the right to seek a court order to open the record for purposes of law enforcement.

Sec. 39. Minnesota Statutes 1992, section 299C.50, is amended to read:

299C.50 [TRANSFER OF FUNCTIONS.]

~~The commissioner of public safety superintendent of the bureau of criminal apprehension shall perform all duties in respect to the state's criminal justice information system which were transferred from the commissioner of finance and the governor's commission on crime prevention and control by executive order of the governor; provided, that a transfer shall not occur if the state is informed by a federal agency that the transfer will result in the loss of federal moneys to which the state would otherwise be entitled pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, Public Law Number 90 351, as amended by the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law Number 93 415, and the Crime Control Act of 1976, Public Law Number 94 503.~~

Sec. 40. Minnesota Statutes 1992, section 299F.01, is amended to read:

299F.01 [FIRE MARSHAL.]

Subdivision 1. [COMMISSIONER'S POWERS AND DUTIES TRANSFERRED.] All the powers and duties ~~now~~ formerly vested in or imposed upon the commissioner of ~~commerce as ex-officio state fire marshal as prescribed in Minnesota Statutes, chapters 73, 74, 75, 76, and any other law~~ public safety before the effective date of this act, are hereby transferred to, vested in, and imposed upon the commissioner of public safety superintendent of the bureau of criminal apprehension. The duties and responsibilities of the commissioner of ~~commerce as ex-officio public safety related to the division of the~~ state fire marshal as heretofore constituted are abolished.

Subd. 2. [DIVISION CREATED; STATE FIRE MARSHAL.] A division in the ~~department of public safety bureau of criminal apprehension~~ to be known as the division of fire marshal is hereby created, under the supervision and control of the state fire marshal, to whom shall be assigned the duties and responsibilities described in this section. The commissioner may place the fire marshal's position in the unclassified service if the position meets the criteria of section 43A.08, subdivision 1a.

Subd. 3. [INCUMBENT; TRANSITIONAL PROVISION.] ~~Upon the effective date of this act~~ On July 1, 1993, the individual occupying the position of ~~assistant commissioner, state fire marshal division~~ on June 30, 1993, shall retain such position for a period of at least 12 months, or until removed for cause.

Sec. 41. Minnesota Statutes 1992, section 299F.05, subdivision 2, is amended to read:

Subd. 2. [INFORMATION SYSTEMS.] The state fire marshal and the superintendent of the bureau of criminal apprehension shall maintain a record of arrests, charges filed, and final disposition of all fires reported and investigated under sections 299F.04 and 299F.05. For this purpose a single reporting system shall be implemented by the ~~department of public safety utilizing the systems operated by the fire marshal and the bureau~~. The system shall be operated in such a way as to minimize duplication and discrepancies in reported figures.

Sec. 42. Minnesota Statutes 1992, section 299L.01, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] (a) For the purposes of this chapter, the terms defined in this subdivision have the meanings given them.

.(b) "Division" means the division of gambling enforcement.

(c) ~~"Commissioner" means the commissioner of public safety.~~

(d) "Director" means the director of gambling enforcement.

(e) ~~(d)~~ "Manufacturer" means a person who assembles from raw materials or subparts a gambling device for sale or use in Minnesota.

~~(f)~~ (e) "Distributor" means a person who sells, offers to sell, or otherwise provides a gambling device to a person in Minnesota.

Sec. 43. Minnesota Statutes 1992, section 340A.201, is amended to read:

340A.201 [LIQUOR CONTROL AUTHORITY.]

Effective July 1, 1993, the commissioner of public safety commerce is the successor to the commissioner of liquor control public safety with respect to the powers and duties related to liquor regulation vested in the latter as of February 6, 1976, except for those powers and duties transferred to the commissioner of revenue June 30, 1993. Any proceeding, court action, prosecution, or other business undertaken or commenced as of February 6, 1976 June 30, 1993, by the commissioner of liquor control public safety is assigned to and may be completed by the commissioners of public safety and revenue as appropriate and may be completed by them commissioner of commerce.

Sec. 44. Minnesota Statutes 1992, section 347.51, subdivision 2a, is amended to read:

Subd. 2a. [WARNING SYMBOL.] If a county issues a certificate of registration to the owner of a dangerous dog pursuant to subdivision 2, the county must provide, for posting on the owner's property, a copy of a warning symbol to inform children that there is a dangerous dog on the property. The design of the warning symbol must be uniform and specified by the commissioner of public safety health, after consultation with animal control professionals. The design specification process is exempt from rulemaking under chapter 14 and is exempt from section 14.38. The commissioner shall provide the number of copies of the warning symbol requested by each county and shall charge the county the actual cost of the warning symbols received. The county may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.

Sec. 45. Minnesota Statutes 1992, section 349.151, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] (a) ~~Until July 1, the board consists of six members appointed by the governor with the advice and consent of the senate and the commissioner of gaming as a voting member.~~

~~(b)~~ On and after July 1, 1991, the board consists of seven members, as follows: (1) those members appointed by the governor before July 1, 1991, whose terms expire June 30, 1992, June 30, 1993, and June 30, 1994; (2) one member appointed by the governor for a term expiring June 30, 1994; (3) one member appointed by the commissioner of public safety ~~governor~~ for a term expiring June 30, 1995; and (4) one member appointed by the attorney general for a term expiring June 30, 1995.

(e) ~~(b)~~ All appointments under this subdivision are with the advice and consent of the senate.

~~(d)~~ (c) After expiration of the initial terms, appointments are for four years.

(e) ~~(d)~~ The board shall select one of its members to serve as chair. No more than three members appointed by the governor under this subdivision may belong to the same political party.

Sec. 46. Minnesota Statutes 1992, section 352B.01, subdivision 2, is amended to read:

Subd. 2. [MEMBER.] "Member" means:

(a) persons referred to and employed after June 30, 1943, under Laws 1929, chapter 355, as amended or supplemented, currently employed by the state, whose salaries or compensation is paid out of state funds;

(b) a conservation officer employed under section 97A.201, currently employed by the state, whose salary or compensation is paid out of state funds;

(c) a crime bureau officer who was employed by the crime bureau and was a member of the highway patrolmen's retirement fund on July 1, 1978, whether or not that person has the power of arrest by warrant after that date, or who is employed as police personnel, with powers of arrest by warrant under section 299C.04, and who is currently employed by the state, and whose salary or compensation is paid out of state funds;

(d) a person who is employed by the state in the department of public safety or a successor state agency in a data processing management position with salary or compensation paid from state funds, who was a crime bureau officer covered by the state patrol retirement plan on August 15, 1987, and who was initially hired in the data processing management position within the department during September 1987, or January 1988, with membership continuing for the duration of the person's employment in that position, whether or not the person has the power of arrest by warrant after August 15, 1987; and

(e) ~~public safety~~ employees of the bureau of criminal apprehension defined as peace officers in section 626.84, subdivision 1, paragraph (c), and employed with the division of gambling enforcement under section 299L.01.

Sec. 47. Minnesota Statutes 1992, section 360.0752, subdivision 7, is amended to read:

Subd. 7. [PRELIMINARY SCREENING TEST.] When a peace officer has reason to believe that a person may be violating or has violated subdivision 2, the officer may require the person to provide a sample of the person's breath for a preliminary screening test using a device approved by the commissioner of ~~public safety or the commissioner of~~ transportation for this purpose. The results of this preliminary screening test shall be used for the purpose of deciding whether to require the tests authorized in section 360.0753, but shall not be used in any court action except to prove that a test was properly required of a person pursuant to section 360.0753. Following the screening test, additional tests may be required of the person pursuant to the provisions of section 360.0753.

A person who refuses to furnish a sample of the person's breath is subject to the provisions of section 360.0753 unless, in compliance with section 360.0753, the person submits to a blood, breath, or urine test to determine the presence of alcohol or a controlled substance.

Sec. 48. Minnesota Statutes 1992, section 360.0753, subdivision 6, is amended to read:

Subd. 6. [MANNER OF MAKING TEST; ADDITIONAL TESTS.] Only a physician, medical technician, physician's trained mobile intensive care paramedic, registered nurse, medical technologist, or laboratory assistant acting at the request of a peace officer may withdraw blood for the purpose of determining the presence of alcohol or controlled substance. This limitation does not apply to the taking of a breath or urine sample. The person tested has the right to have someone of the person's own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test sample on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state. The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer. The physician, medical technician, physician's trained mobile intensive care paramedic, medical technologist, laboratory assistant, or registered nurse drawing blood at the request of a peace officer for the purpose of determining alcohol concentration shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering a breath test shall be fully trained in the administration of breath tests pursuant to training given by the commissioner of ~~public safety or the commissioner of~~ transportation or the superintendent of the bureau of criminal apprehension.

Sec. 49. Minnesota Statutes 1992, section 611A.20, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF NOTICE.] The ~~commissioners of public safety and commissioner of~~ corrections, in consultation with sexual assault victim advocates and health care professionals, shall develop the notice required by subdivision 1. The notice must inform the victim of:

- (1) the risk of contracting sexually transmitted diseases as a result of a sexual assault;
- (2) the symptoms of sexually transmitted diseases;
- (3) recommendations for periodic testing for the diseases, where appropriate;
- (4) locations where confidential testing is done and the extent of the confidentiality provided;

(5) information necessary to make an informed decision whether to request a test of the offender under section 611A.19; and

(6) other medically relevant information.

Sec. 50. Minnesota Statutes 1992, section 624.7151, is amended to read:

624.7151 [STANDARDIZED FORMS.]

~~By December 1, 1992, the commissioner of public safety~~ The superintendent of the bureau of criminal apprehension shall adopt statewide standards governing the form and contents, as required by sections 624.7131 to 624.714, of every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is granted or renewed on or after January 1, 1993. The adoption of these standards is not subject to the rulemaking provisions of chapter 14.

Every application for a pistol transferee permit, pistol transferee permit, report of transfer of a pistol, application for a permit to carry a pistol, and permit to carry a pistol that is received, granted, or renewed by a police chief or county sheriff on or after January 1, 1993, must meet the statewide standards adopted by the ~~commissioner of public safety~~ superintendent. Notwithstanding the previous sentence, neither failure of the department of public safety to adopt standards nor failure of the police chief or county sheriff to meet them shall delay the timely processing of applications nor invalidate permits issued on other forms meeting the requirements of sections 624.7131 to 624.714.

Sec. 51. Minnesota Statutes 1992, section 626.5531, subdivision 2, is amended to read:

Subd. 2. [USE OF INFORMATION COLLECTED.] The head of a local law enforcement agency or state law enforcement department that employs peace officers licensed under section 626.843 must file a monthly report describing crimes reported under this section with the ~~department of public safety~~, bureau of criminal apprehension. ~~The commissioner of public safety~~ superintendent of the bureau of criminal apprehension must summarize and analyze the information received and file an annual report with the department of human rights and the legislature. ~~The commissioner~~ superintendent may include information in the annual report concerning any additional criminal activity motivated by bias that is not covered by this section.

Sec. 52. Minnesota Statutes 1992, section 626.562, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT OF TELEPHONE LINE.] The commissioner of ~~public safety~~ human services shall contract for at least one statewide toll-free 24-hour telephone line for the purpose of providing consultative and training services for physicians, therapists, child protection workers, and other professionals involved in child protection. Services provided must include emergency and longer term consultation on individual child protection cases.

Sec. 53. Minnesota Statutes 1992, section 634.16, is amended to read:

634.16 [ADMISSION INTO EVIDENCE OF RESULTS OF INFRARED BREATH-TESTS.]

In any civil or criminal hearing or trial, the results of an infrared breath-test, when performed by a person who has been fully trained in the use of an infrared breath-testing instrument, as defined in section 169.01, subdivision 68, pursuant to training given or approved by the ~~commissioner of public safety~~ superintendent of the bureau of criminal apprehension or the ~~commissioner's~~ superintendent's acting agent, are admissible in evidence without antecedent expert testimony that an infrared breath-testing instrument provides a trustworthy and reliable measure of the alcohol in the breath.

Sec. 54. [WORKER PARTICIPATION.]

Subdivision 1. [RESTRUCTURING PROVISIONS.] The restructuring of agencies required by this act shall be conducted under Minnesota Statutes, section 43A.045.

Subd. 2. [WORKER PARTICIPATION COMMITTEES.] (a) Before the restructuring of executive branch agencies under this act, a committee including representatives of employees and employers within each affected agency must be established and be given adequate time to perform the functions prescribed by paragraph (b). Each exclusive representative of employees shall select a committee member from each of its bargaining units in each affected agency.

The head of each agency shall select an employee member from each unit of employees not represented by an exclusive representative. The agency head shall also appoint one or more committee members to represent the agency. The number of members appointed by the agency head, however, may not exceed the total number of members representing bargaining units.

(b) A committee established under paragraph (a) shall:

- (1) identify tasks related to agency reorganization and adopt plans for addressing those tasks;
- (2) identify other employer and employee issues related to reorganization and adopt plans for addressing those issues;
- (3) adopt plans for implementing this act, including detailed plans for providing retraining for affected employees; and
- (4) guide the implementation of the reorganization.

Sec. 55. [REPEALER.]

Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; and 299A.01, are repealed.

Laws 1987, chapter 315, section 4, subdivision 2, is repealed. Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7, are repealed.

Sec. 56. [INSTRUCTION TO REVISOR.]

Subdivision 1. [DEPARTMENT OF CORRECTIONS.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "commissioner of corrections" (or "commissioner" when referring to commissioner of corrections), "department of corrections" (or "department" when referring to the department of corrections), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 611A.55; 611A.56; 611A.71; 611A.74; 611A.75; and 611A.76.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 2. [DEPARTMENT OF EMPLOYEE RELATIONS.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "commissioner of employee relations" (or "commissioner" when referring to commissioner of employee relations), "department of employee relations" (or "department" when referring to the department of employee relations), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 299A.41 to 299A.47, as renumbered by this subdivision.

(b) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall renumber each section of Minnesota Statutes specified in column A with the number set forth in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

Column A

Column B

<u>299A.41</u>	<u>176B.011</u>
<u>299A.42</u>	<u>176B.06</u>
<u>299A.43</u>	<u>176B.07</u>
<u>299A.44</u>	<u>176B.08</u>
<u>299A.45</u>	<u>176B.09</u>
<u>299A.46</u>	<u>176B.10</u>
<u>299A.47</u>	<u>176B.11</u>

(c) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 3. [BUREAU OF CRIMINAL APPREHENSION.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "superintendent of the bureau of criminal apprehension" (or "superintendent" when referring to the superintendent of the bureau of criminal apprehension), "bureau of criminal apprehension" (or "bureau" when referring to the bureau of criminal apprehension), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 10A.01, subdivision 18; 123.75; 123.751; 144.653; 144A.10; 144B.10; 169.123, subdivision 3; 176.192; 214.04, subdivision 1; 242.31; 243.166; 270.062; 299A.28; 299A.33; 299A.34; 299A.35; 299A.38; 299C.065; 299C.17; 299C.23; 299C.46; 299C.48; 299C.49; 299C.52; 299C.53; 299C.54; 299C.55; 299F.011; 299F.19; 299F.362; 299F.46; 299F.73; 299F.75; 299F.78; 299L.02, subdivision 2; 299L.03; 299L.07; 299M.01 to 299M.12; 325F.04; 349.162; 349.163; 349.19; 471.471; 477A.0121; 604.09; 611A.02, subdivision 2; 611A.0311; 611A.07; 624.7131; 624.714; 624.7161; 626.553; 626.5532; and 634.15.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 4. [OFFICE OF THE GOVERNOR.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "governor" or "office of the governor," or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, section 326.33.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 5. [DEPARTMENT OF COMMERCE.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "commissioner of commerce" (or "commissioner" when referring to commissioner of commerce), "department of commerce" (or "department" when referring to the department of commerce), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 85.34; 297C.03; 297C.10, subdivision 2; 297C.12; 297C.13, subdivision 1; 340A.101; 340A.301 to 340A.909; 383C.28; and 383C.29.

(b) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall renumber Minnesota Statutes, section 299A.02, as 340A.2011 and make necessary cross-reference changes consistent with the renumbering.

(c) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 6. [DEPARTMENT OF PUBLIC SERVICE.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "commissioner of public service" (or "commissioner" when referring to commissioner of public service), "department of public service" (or "department" when referring to the department of public service), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 12.01 to 12.46; 115E.01 to 115E.09; 136C.70; 216D.01; 221.034; 299A.49 to 299A.52; 299F.092 to 299F.098; and 299K.02 to 299K.07.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 7. [POLLUTION CONTROL AGENCY.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety), or similar terms to "commissioner of pollution control agency" (or "commissioner" when referring to commissioner of pollution control agency), "department of pollution control agency" (or "department" when referring to the department of pollution control agency), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 299F.56; and 299J.01 to 299J.18.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Subd. 8. [DEPARTMENT OF TRANSPORTATION.] (a) In Minnesota Statutes 1993 Supplement, the revisor of statutes shall change the terms "commissioner of public safety" (or "commissioner" when referring to the commissioner of public safety), "department of public safety" (or "department" when referring to the department of public safety),

or similar terms to "commissioner of transportation" (or "commissioner" when referring to commissioner of transportation), "department of transportation" (or "department" when referring to the department of transportation), or similar terms, as appropriate and consistent with this act, where they appear in Minnesota Statutes 1992, sections 13.69; 13.99, subdivisions 54 to 57; 14.50 (editorial note); 16B.48; 48.512; 65B.02; 65B.13; 84.82; 84.86; 84.87; 84.872; 84.88; 84.91; 84.922; 84.924; 84.925; 84.9256; 84.928; 86B.005; 86B.331; 86B.335; 86B.401; 86B.415; 86B.820; 97B.065; 116.60; 116C.731; 126.112; 126.115; 126.15; 145.927; 152.18; 161.041; 161.242; 168.012 to 168.125; 168.126, subdivisions 1 and 2; 168.127 to 168.321; 168.33 to 168.846; 168C.01 to 168C.13; 169.01 to 169.122; 169.123, subdivisions 4, 5, 5a, 5b, 5c, 6, and 8; 169.125 to 169.75; 169.752 to 169.782; 169.79 to 169.99; 170.55; 171.01; 171.02 to 171.27; 171.30 to 171.56; 201.022; 201.161; 221.031; 221.034; 260.151; 260.161; 260.185; 260.191; 260.193; 260.195; 296.026; 296.17; 296.171; 297A.211; 299A.12; 299A.13; 299A.14; 299A.16; 299A.18; 299D.01 to 299D.09; 299E.01; 299E.02; 325F.662; 325F.665; 373.041; 373.35; 480.23; 593.37; 609.135; 609.324; 609.531; 609.5314; 626.88; and 631.40.

(b) The revisor of statutes shall make similar conforming corrections to Minnesota Rules.

Sec. 57. [EFFECTIVE DATE.]

Except for section 1, subdivision 2, paragraph (b), this act takes effect July 1, 1993."

Delete the title and insert:

"A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.46; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.30; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01; 299C.03; 299C.06; 299C.13; 299C.50; 299F.01; 299F.05, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; and 299A.01; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7."

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.

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

H. F. No. 357, A bill for an act relating to traffic regulations; authorizing delayed arrest of driver and penalizing vehicle owner or lessee for failure to yield right-of-way to emergency vehicle; amending Minnesota Statutes 1992, section 169.20, by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 169.20, is amended by adding a subdivision to read:

Subd. 5a. [CITATION.] A peace officer may issue a citation in lieu of arrest to the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has failed to yield the right-of-way to an emergency vehicle in violation of subdivision 5.

Sec. 2. Minnesota Statutes 1992, section 169.20, is amended by adding a subdivision to read:

Subd. 5b. [VIOLATION; PENALTY FOR OWNERS AND LESSEES.] (a) If a motor vehicle is operated in violation of subdivision 5, the owner of the vehicle, or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor.

(b) Paragraph (a) does not apply if (1) a person other than the owner or lessee was operating the vehicle at the time the violation occurred, or (2) the owner presents written evidence that the motor vehicle had been reported to a law enforcement agency as stolen at the time of the violation.

(c) Paragraph (a) does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee.

(d) Paragraph (a) does not prohibit or limit the prosecution of a motor vehicle operator for violating subdivision 5.

(e) A violation under paragraph (a) does not constitute grounds for revocation or suspension of the owner's or lessee's driver's license."

Amend the title as follows:

Page 1, line 2, delete "delayed" and insert "citation in lieu of"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 390, A bill for an act relating to solid waste; requiring the commissioner of revenue to separately account for revenue from sales taxes on solid waste collection services; appropriating money; amending Minnesota Statutes 1992, section 297A.45, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, delete section 2, and insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for revenue collected after January 1, 1994."

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

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. 451, A bill for an act relating to the metropolitan transit commission; authorizing the commission to appoint peace officers and establish a law enforcement agency; amending Minnesota Statutes 1992, sections 473.405, by adding subdivisions; and 626.84, subdivision 1; repealing Minnesota Statutes 1992, section 629.40, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [473.407] [METROPOLITAN TRANSIT COMMISSION POLICE.]

Subdivision 1. [AUTHORIZATION.] The transit commission may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (h), known as the metropolitan transit commission police, to police its property and routes and to make arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is limited to offenses relating to metropolitan transit commission property, equipment, employees, and passengers.

Subd. 2. [LIMITATIONS.] The initial processing of a person arrested by the transit commission police for an offense within the agency's jurisdiction is the responsibility of the metropolitan transit commission police unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction in which the crime was committed. The transit commission police are not authorized to apply for a search warrant as prescribed in section 626.05.

Subd. 3. [POLICIES.] Before the metropolitan transit commission begins to operate its law enforcement agency within a city or county with an existing law enforcement agency, the metropolitan transit commission police shall develop, in conjunction with the law enforcement agencies, written policies that describe how the issues of joint jurisdiction will be resolved. The policies must also address the operation of emergency vehicles by transit commission police responding to commission emergencies. These policies must be filed with the board of peace officer standards and training by August 1, 1993. Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The metropolitan transit commission shall train all of its peace officers regarding the application of these policies.

Subd. 4. [CHIEF LAW ENFORCEMENT OFFICER.] The commission shall appoint a peace officer employed full time to be the chief law enforcement officer and to be responsible for the management of the law enforcement agency. The person shall possess the necessary police and management experience and have the title of chief of metropolitan transit commission police services. All other police management and supervisory personnel must be employed full time by the commission. Supervisory personnel must be on duty and available any time transit commission police are on duty. The commission may not hire part-time peace officers as defined in section 626.84, subdivision 1, paragraph (f), except that the commission may appoint peace officers to work on a part-time basis not to exceed 30 full-time equivalents.

Subd. 5. [EMERGENCIES.] (a) The commission shall ensure that all emergency vehicles used by transit commission police are equipped with radios capable of receiving and transmitting on the same frequencies utilized by the law enforcement agencies that have primary jurisdiction.

(b) When the transit commission police receive an emergency call they shall notify the public safety agency with primary jurisdiction and coordinate the appropriate response.

(c) Transit commission police officers shall notify the primary jurisdictions of their response to any emergency.

Subd. 6. [COMPLIANCE.] Except as otherwise provided in this section, the transit commission police shall comply with all statutes and administrative rules relating to the operation and management of a law enforcement agency.

Sec. 2. [INSTRUCTION TO REVISOR.]

The revisor shall substitute the reference "473.407" for the reference "629.40, subdivision 5" in Minnesota Statutes, section 352.01, subdivision 2b, clause (34).

Sec. 3. [REPEALER.]

Minnesota Statutes 1992, section 629.40, subdivision 5, is repealed.

Sec. 4. [APPLICATION.]

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

Amend the title as follows:

Page 1, line 4, delete "amending"

Page 1, delete line 5

Page 1, line 6, delete everything before "repealing" and insert "proposing coding for new law in Minnesota Statutes, chapter 473;"

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.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 483, A bill for an act relating to trusts; making certain trust provisions related to public assistance eligibility unenforceable as against public policy; clarifying availability of trusts in determining eligibility for medical assistance and other benefit programs; defining supplemental needs trusts; clarifying enforceability of supplemental needs trusts; amending Minnesota Statutes 1992, section 501B.89.

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 573, A bill for an act relating to crimes; modifying requirements for the dispensing of controlled substance; amending Minnesota Statutes 1992, sections 152.01, by adding a subdivision; and 152.11.

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 726, A bill for an act relating to health; modifying provisions relating to asbestos abatement, licenses, and fees; consolidating and modifying enforcement remedies; providing penalties; amending Minnesota Statutes 1992, sections 103L.345, subdivision 1; 116.75; 116.76, subdivision 1; 116.77; 116.82, subdivision 3; 144.71, subdivision 1; 144.876, by adding a subdivision; 145A.07, subdivision 1; 326.37, subdivision 1; 326.71, subdivisions 3, 4, 5, 6, 8, and by adding subdivisions; 326.72; 326.73; 326.74; 326.75; 326.76; 326.78; 326.785; 326.79; 326.80; 326.81; 327.16, subdivision 6; and 327.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1992, sections 103L.701; 103L.705; 116.83; 144.1211; 144.386, subdivision 4; 144.73, subdivisions 2, 3, and 4; 144.76; 157.081; 326.43; 326.53, subdivision 2; 326.63; 326.71, subdivision 7; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

Reported the same back with the following amendments:

Page 8, line 32, after "326.78," insert "subdivision 1,"

Page 8, delete line 34

Page 9, after line 24, insert:

"Sec. 17. Minnesota Statutes 1992, section 326.78, subdivision 2, is amended to read:"

Delete page 9, line 32 to page 13, line 26

Pages 13 to 15, delete sections 18 and 19

Renumber the sections in article 1

Page 20, line 1, delete the second comma and insert "; if the applicant has violated Minnesota laws that indicate that the person is not fit to hold a permit, license, registration, or certificate; if the person has been convicted of a criminal violation in another state or jurisdiction in connection with the activity for which the person is seeking a permit, license, registration, or certificate;"

Page 21, line 9, after "violations" insert "including the history of any previous violations by the person licensed as a different entity"

Page 25, line 13, before "A" insert "Subdivision 1. [SUBMITTING FALSE INFORMATION.]"

Page 25, after line 19, insert:

"Subd. 2. [POSSESSION OF FALSIFIED LICENSE.] A person required to have a permit, license, registration, or certificate under the statutes listed in section 144.99, subdivision 1, may not use or possess a permit, license, registration, or certificate that has been falsified and may not forge or alter a permit, license, registration, or certificate."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after "326.78" insert ", subdivisions 1 and 2" and delete "326.79; 326.80;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 898, A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4, and by adding a subdivision; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535, subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a

subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

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

The report was adopted.

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

H. F. No. 931, A bill for an act relating to motor fuels; increasing oxygenate level requirements for gasoline; enhancing capital access program; appropriating money; amending Minnesota Statutes 1992, sections 116.07, subdivision 4a; 116J.876, subdivisions 1, 12, and by adding a subdivision; and 239.791, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN CONTENT REQUIRED.] A person responsible for the product shall comply with the following requirements:

(a) After October 31, ~~1992~~ 1993, gasoline sold or offered for sale in a carbon monoxide control area, and during a carbon monoxide control period, must contain at least ~~two~~ 2.7 percent oxygen by weight.

(b) After October 31, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least ~~two~~ 2.7 percent ~~by~~ oxygen by weight.

(c) After October 31, 1997, all gasoline sold or offered for sale in Minnesota must contain at least ~~two~~ 2.7 percent oxygen by weight.

Sec. 2. Minnesota Statutes 1992, section 239.791, subdivision 2, is amended to read:

Subd. 2. [AVERAGE OXYGEN CONTENT REQUIRED.] After October 31, ~~1992~~ 1993, the total amount of gasoline distributed, transported, delivered, sold, or offered for sale by a registered oxygenate blender, during each annual carbon monoxide control period, in each carbon monoxide control area, must contain ~~an average a~~ a minimum of 2.7 percent oxygen by weight."

Delete the title and insert:

"A bill for an act relating to motor fuels; increasing minimum oxygen content in certain areas at certain times; amending Minnesota Statutes 1992, section 239.791, subdivisions 1 and 2."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 986, A bill for an act relating to metropolitan government; establishing a metropolitan radio systems planning committee under the metropolitan council.

Reported the same back with the following amendments:

Page 1, line 19, delete everything after "area"

Page 1, line 20, delete everything before the period and insert "defined in Minnesota Statutes, section 473.121, subdivision 2"

Page 2, line 1, delete "shall" and insert "consists"

Page 2, line 2, delete "consist" and after the period insert "No more than 16 members may be of one gender, unless there are not enough qualified persons of the underrepresented gender. Appointing authorities must consult with each other to assure compliance with this requirement." and delete "shall" and insert "must"

Page 2, lines 4, 7, 11, 13, 14, 16, 18, 20, 22, and 24, delete "shall" and insert "must"

Page 2, line 27, delete "shall" and insert "must"

Page 3, line 32, delete ". This"

Page 3, delete lines 33 and 34

Page 3, line 35, delete everything before the semicolon

Page 4, after line 2, insert:

"The analysis required by clause (6) must include, at a minimum, obtaining responses to "requests for information" for budgetary cost estimates for the options from at least two private vendors."

Page 4, line 7, delete ", and which" and insert ". The" and delete "shall" and insert "must"

Page 4, lines 13 and 19, delete "shall" and insert "must"

Page 4, line 23, delete "must" and insert "shall"

Page 4, line 34, delete "continue to" and after "borrow" insert "more than \$200,000"

Page 5, line 2, delete "metropolitan area" and insert "counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1106, A bill for an act relating to the environment; changing methods for assessing and collecting hazardous waste administration fees; providing for rulemaking; amending Minnesota Statutes 1992, section 116.12.

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1206, A bill for an act relating to commerce; trade practices; regulating transfers and sales of recordings; prescribing penalties; amending Minnesota Statutes 1992, sections 325E.17; 325E.18; and 325E.19; proposing coding for new law in Minnesota Statutes, chapter 325E; repealing Minnesota Statutes 1992, section 325E.20.

Reported the same back with the following amendments:

Page 1, line 11, delete "325E.203" and insert "325E.201"

Page 2, line 4, before "knowingly" insert "for commercial purposes"

Page 2, line 5, strike "to"

Page 2, line 6, strike "for commercial purposes" and insert "to"

Page 2, line 7, reinstate "~~sounds~~" and insert "or images from one recording to another recording"

Page 2, line 10, delete "recordings"

Page 2, line 11, after "(2)" insert "to"

Page 2, line 24, before "to" insert "for commercial purposes"

Page 2, line 36, delete "325E.203" and insert "325E.201"

Page 3, line 9, delete "sections 325E.169 to 325E.203" and insert "section 325E.17 or 325E.18"

Pages 3 and 4, delete sections 6 and 7

Page 4, after line 2, insert:

"Sec. 6. Minnesota Statutes 1992, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5317, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a weapon used in the furtherance of a crime and defined as a dangerous weapon under section 609.02, subdivision 6.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the Minnesota state patrol, a county sheriff's department, the suburban Hennepin regional park district park rangers, the department of natural resources division of enforcement, the University of Minnesota police department, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter;

(2) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322;

609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 617.246; or a gross misdemeanor or felony violation of section 609.891.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4."

Page 4, line 3, delete "8" and insert "7"

Page 4, after line 4, insert:

"Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective October 1, 1993, and apply to crimes committed on or after that date."

Amend the title as follows:

Page 1, line 5, delete "and" and before "proposing" insert "and 609.531, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1245, A bill for an act relating to data practices; providing for the collection, classification, and dissemination of data; proposing classifications of data as private and nonpublic; classifying certain licensing data, security service data, motor carrier operating data, and retirement data; amending Minnesota Statutes 1992, sections 13.32, subdivision 1; 13.41, subdivision 4; 13.42, subdivision 2; 13.46, subdivision 4; 13.643, by adding a subdivision; 13.72, by adding a subdivision; and 13.82, subdivisions 6 and 10; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [6.715] [CLASSIFICATION OF STATE AUDITOR'S DATA.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, "audit" means an examination, financial audit, compliance audit, or investigation performed by the state auditor.

(b) The definitions in section 13.02 apply to this section.

Subd. 2. [CLASSIFICATION.] Data relating to an audit are protected nonpublic data or confidential data on individuals, until the final report of the audit has been published or the audit is no longer being actively pursued. Data that support the conclusions of the report and that the state auditor reasonably believes will result in litigation are protected nonpublic data or confidential data on individuals, until the litigation has been completed or is no longer being actively pursued. Data on individuals that could reasonably be used to determine the identity of an individual supplying data for an audit are private if the data supplied by the individual were needed for an audit and the individual would not have provided the data to the state auditor without an assurance that the individual's identity would remain private, or the state auditor reasonably believes that the subject would not have provided the data. Data that could reasonably be used to determine the identity of an individual supplying data pursuant to section 609.456 are private.

Subd. 3. [LAW ENFORCEMENT.] Notwithstanding any provision to the contrary in subdivision 2, the state auditor may share data relating to an audit with appropriate local law enforcement agencies.

Sec. 2. Minnesota Statutes 1992, section 13.32, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "Educational data" means data on individuals maintained by a public educational agency or institution or by a person acting for the agency or institution which relates to a student.

Records of instructional personnel which are in the sole possession of the maker thereof and are not accessible or revealed to any other individual except a substitute teacher, and are destroyed at the end of the school year, shall not be deemed to be government data.

Records of a law enforcement unit of a public educational agency or institution which are maintained apart from education data and are maintained solely for law enforcement purposes, and are not disclosed to individuals other than law enforcement officials of the jurisdiction are ~~confidential~~ not educational data; provided, that education records maintained by the educational agency or institution are not disclosed to the personnel of the law enforcement unit. The University of Minnesota police department is a law enforcement agency for purposes of section 13.82 and other sections of Minnesota Statutes dealing with law enforcement records. Records of organizations providing security services to a public educational agency or institution shall be administered consistent with section 13.861.

Records relating to a student who is employed by a public educational agency or institution which are made and maintained in the normal course of business, relate exclusively to the individual in that individual's capacity as an employee, and are not available for use for any other purpose are classified pursuant to section 13.43.

(b) "Student" means an individual currently or formerly enrolled or registered, applicants for enrollment or registration at a public educational agency or institution, or individuals who receive shared time educational services from a public agency or institution.

(c) "Substitute teacher" means an individual who performs on a temporary basis the duties of the individual who made the record, but does not include an individual who permanently succeeds to the position of the maker of the record.

Sec. 3. Minnesota Statutes 1992, section 13.32, subdivision 3, is amended to read:

Subd. 3. [PRIVATE DATA; WHEN DISCLOSURE IS PERMITTED.] Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to section 13.05;

(b) Pursuant to a valid court order;

(c) Pursuant to a statute specifically authorizing access to the private data;

(d) To disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36 which are in effect on July 1, 1989 1993;

(e) Pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, and 99.35 which are in effect on July 1, 1989 1993; ~~or~~

(f) To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted; or

(g) When disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, chapter 1092, in effect on July 1, 1993.

Sec. 4. Minnesota Statutes 1992, section 13.41, subdivision 4, is amended to read:

Subd. 4. [PUBLIC DATA.] Licensing agency minutes, application data on licensees, orders for hearing, findings of fact, conclusions of law and specification of the final disciplinary action contained in the record of the disciplinary action are classified as public, pursuant to section 13.02, subdivision 15. The entire record concerning the disciplinary proceeding is public data pursuant to section 13.02, subdivision 15, in those instances where there is a public hearing concerning the disciplinary action. If the licensee and the licensing agency agree to resolve a complaint without a hearing, the agreement and the specific reasons for the agreement are public data. The license numbers, the license status, and continuing education records issued or maintained by the board of peace officer standards and training are classified as public data, pursuant to section 13.02, subdivision 15.

Sec. 5. Minnesota Statutes 1992, section 13.43, subdivision 2, is amended to read:

Subd. 2. [PUBLIC DATA.] (a) Except for employees described in subdivision 5, the following personnel data on current and former employees, volunteers, and independent contractors of a state agency, statewide system, or political subdivision and members of advisory boards or commissions is public: name; actual gross salary; salary range; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, whether or not the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the terms of any agreement settling ~~administrative or judicial proceedings~~ any dispute arising out of the employment relationship; work location; a work telephone number; badge number; honors and awards received; payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data; and city and county of residence.

(b) For purposes of this subdivision, a final disposition occurs when the state agency, statewide system, or political subdivision makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or upon the failure of the employee to elect arbitration within the time provided by the collective bargaining agreement. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the state agency, statewide system, political subdivision, or arbitrator.

(c) The state agency, statewide system, or political subdivision may display a photograph of a current or former employee to a prospective witness as part of the state agency's, statewide system's, or political subdivision's investigation of any complaint or charge against the employee.

Sec. 6. Minnesota Statutes 1992, section 13.46, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "Individual" means an individual pursuant to section 13.02, subdivision 8, but does not include a vendor of services.

(b) "Program" includes all programs for which authority is vested in a component of the welfare system pursuant to statute or federal law, including, but not limited to, aid to families with dependent children, medical assistance, general assistance, work readiness, and general assistance medical care.

(c) "Welfare system" includes the department of human services, county welfare boards, county welfare agencies, human services boards, community mental health center boards, state hospitals, state nursing homes, the ombudsman for mental health and mental retardation, and persons, agencies, institutions, organizations, and other entities under contract to any of the above agencies to the extent specified in the contract.

(d) "Mental health data" means data on individual clients and patients of community mental health centers, established under section 245.62, mental health divisions of counties and other providers under contract to deliver mental health services, or the ombudsman for mental health and mental retardation.

Sec. 7. Minnesota Statutes 1992, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

- (1) pursuant to section 13.05;
- (2) pursuant to court order;
- (3) pursuant to a statute specifically authorizing access to the private data;
- (4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;
- (5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (6) to administer federal funds or programs;
- (7) between personnel of the welfare system working in the same program;
- (8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names and social security numbers, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the income tax;
- (9) to the Minnesota department of jobs and training for the purpose of monitoring the eligibility of the data subject for unemployment compensation, for any employment or training program administered, supervised, or certified by that agency, or for the purpose of administering any rehabilitation program, whether alone or in conjunction with the welfare system, and to verify receipt of energy assistance for the telephone assistance plan;
- (10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;
- (11) data maintained by residential facilities as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;
- (12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person; or
- (13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education coordinating board to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5);
- (14) participant social security numbers and names collected by the telephone assistance program may be disclosed to the department of revenue to conduct an electronic data match with the property tax refund database to determine eligibility under section 237.70, subdivision 4a;
- (15) the current address of a recipient of aid to families with dependent children or medical assistance may be disclosed to law enforcement officers in accordance with the requirements of Code of Federal Regulations, title 45, section 205.50, under the following circumstances: (i) the recipient is a fugitive felon; (ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and (iii) the request is made in the proper exercise of those duties;
- (16) the current address of a recipient of general assistance, work readiness, or general assistance medical care may be disclosed to law enforcement officers who are investigating the recipient in connection with a gross misdemeanor or felony level offense; or

(17) information obtained from food stamp applicant or recipient households may be disclosed to local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the food stamp act, in accordance with Code of Federal Regulations, title 7, section 272.1(c).

(b) Information on persons who have been treated for drug or alcohol abuse may only be disclosed in accordance with the requirements of Code of Federal Regulations, title 42, sections 2.1 to 2.67.

(c) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but is not subject to the access provisions of subdivision 10, paragraph (b).

Sec. 8. Minnesota Statutes 1992, section 13.46, subdivision 4, is amended to read:

Subd. 4. [LICENSING DATA.] (a) As used in this subdivision:

(1) "licensing data" means all data collected, maintained, used, or disseminated by the welfare system pertaining to persons licensed or registered or who apply for licensure or registration or who formerly were licensed or registered under the authority of the commissioner of human services;

(2) "client" means a person who is receiving services from a licensee or from an applicant for licensure; and

(3) "personal and personal financial data" means social security numbers, identity of and letters of reference, insurance information, reports from the bureau of criminal apprehension, health examination reports, and social/home studies.

(b) Except as provided in paragraph (c), the following data on current and former licensees are public: name, address, telephone number of licensees, licensed capacity, type of client preferred, variances granted, type of dwelling, name and relationship of other family members, previous license history, class of license, and the existence and status of complaints. When disciplinary action has been taken against a licensee or the complaint is resolved, the following data are public: the substance of the complaint, the findings of the investigation of the complaint, the record of informal resolution of a licensing violation, orders of hearing, findings of fact, conclusions of law, and specifications of the final disciplinary action contained in the record of disciplinary action.

In addition, the following data are public in the case of persons licensed under Minnesota Rules, parts 9502.0300 to 9502.0445 to provide family day care for children; 9545.0010 to 9545.0260 to provide foster care for children in the provider's own home; or 9555.5050 to 9555.6265 to provide foster care or day care services for adults in the provider's own home: the nature of any disqualification set aside under section 245A.04, subdivision 3b, and the reasons for setting aside the disqualification; and the reasons for granting any variance under section 245A.04, subdivision 9.

(c) The following are private data on individuals under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9: personal and personal financial data on family day care program and family foster care program applicants and licensees and their family members who provide services under the license.

(d) The following are private data on individuals: the identity of persons who have made reports concerning licensees or applicants that appear in inactive investigative data, and the records of clients or employees of the licensee or applicant for licensure whose records are received by the licensing agency for purposes of review or in anticipation of a contested matter. The names of reporters under sections 626.556 and 626.557 may be disclosed only as provided in section 626.556, subdivision 11, or 626.557, subdivision 12.

(e) Data classified as private, confidential, nonpublic, or protected nonpublic under this subdivision become public data if submitted to a court or administrative law judge as part of a disciplinary proceeding in which there is a public hearing concerning the disciplinary action.

(f) Data generated in the course of licensing investigations that relate to an alleged violation of law are investigative data under subdivision 3.

(g) Data that are not public data collected, maintained, used, or disseminated under this subdivision that relate to or are derived from a report as defined in section 626.556, subdivision 2, are subject to the destruction provisions of section 626.556, subdivision 11.

Sec. 9. [13.63] [MINNEAPOLIS EMPLOYEES RETIREMENT FUND DATA.]

Subdivision 1. [BENEFICIARY AND SURVIVOR DATA.] The following data on beneficiaries and survivors of Minneapolis employees retirement fund members are private data on individuals: home address, date of birth, direct deposit account number, and tax withholding data.

Subd. 2. [LIMITS ON DISCLOSURE.] Required disclosure of data about members, survivors, and beneficiaries is limited to name, gross pension, and type of benefit awarded.

Sec. 10. Minnesota Statutes 1992, section 13.643, is amended to read:

13.643 [DEPARTMENT OF AGRICULTURE DATA.]

Subdivision 1. [LOAN AND GRANT APPLICANT DATA.] The following data on applicants, collected by the department of agriculture in its sustainable agriculture revolving loan and grant programs under sections 17.115 and 17.116, are private or nonpublic: nonfarm income; credit history; insurance coverage; machinery and equipment list; financial information; and credit information requests.

Subd. 2. [FARM ADVOCATE DATA.] The following data supplied by farmer clients to Minnesota farm advocates and to the department of agriculture are private data on individuals: financial history, including listings of assets and debts, and personal and emotional status information.

Sec. 11. Minnesota Statutes 1992, section 13.692, is amended to read:

13.692 [DEPARTMENT OF PUBLIC SERVICE DATA.]

Subdivision 1. [TENANT.] Data collected by the department of public service that reveals the identity of a tenant who makes a complaint regarding energy efficiency standards for rental housing are private data on individuals.

Subd. 2. [UTILITY OR TELEPHONE COMPANY EMPLOYEE OR CUSTOMER.] (a) The following are private data on individuals: data collected by the department of public service or the public utilities commission, including the names or any other data that would reveal the identity of either an employee or customer of a telephone company or public utility who files a complaint or provides information regarding a violation or suspected violation by the telephone company or public utility of any federal or state law or rule; except this data may be released as needed to law enforcement authorities. If the complainant is a utility or telephone customer seeking relief for harm suffered personally from the alleged violation, the name of the complainant may be released to the utility for the purpose of investigating the complaint.

(b) The following are private data on individuals: data collected by the commission or the department of public service on individual public utility or telephone company customers or prospective customers, including copies of tax forms, needed to administer federal or state programs that provide relief from telephone company bills, public utility bills, or cold weather disconnection. The names, addresses, and other information identifying the customers or prospective customers may be released to public utilities or telephone companies to administer the programs.

Sec. 12. Minnesota Statutes 1992, section 13.72, is amended by adding a subdivision to read:

Subd. 8. [MOTOR CARRIER OPERATING DATA.] The following data submitted by Minnesota intrastate motor carriers to the department of transportation are nonpublic: all payroll reports including wages, hours or miles worked, hours earned, employee benefit data, and terminal and route-specific operating data including percentage of revenues paid to agent operated terminals, line-haul load factors, pickup and delivery (PUD) activity, and peddle driver activity.

Sec. 13. Minnesota Statutes 1992, section 13.792, is amended to read:

13.792 [MINNESOTA ZOOLOGICAL GARDEN PRIVATE DONOR GIFT DATA.]

The following data maintained by the Minnesota zoological garden, any community college, technical college, the University of Minnesota, a Minnesota state university, and any related entity subject to chapter 13 are classified as private or nonpublic:

(1) research information about prospects and donors gathered to aid in determining appropriateness of solicitation and level of gift request;

(2) specific data in prospect lists that would identify prospects to be solicited, dollar amounts to be requested, and name of solicitor;

(3) portions of solicitation letters and proposals that identify the prospect being solicited and the dollar amount being requested;

(4) letters, pledge cards, and other responses received from donors regarding prospective donors gifts in response to solicitations;

(5) portions of thank-you letters and other gift acknowledgment communications that would identify the name of the donor and the specific amount of the gift, pledge, or pledge payment; and

(6) donor financial or estate planning information, or portions of memoranda, letters, or other documents commenting on any donor's financial circumstances; and

(7) data detailing dates of gifts, payment schedule of gifts, form of gifts, and specific gift amounts made by donors to the Minnesota zoo.

Names of donors and gift ranges are public data.

Sec. 14. Minnesota Statutes 1992, section 13.82, subdivision 4, is amended to read:

Subd. 4. [RESPONSE OR INCIDENT DATA.] The following data created or collected by law enforcement agencies which documents the agency's response to a request for service including, but not limited to, responses to traffic accidents, or which describes actions taken by the agency on its own initiative shall be public government data:

(a) date, time and place of the action;

(b) agencies, units of agencies and individual agency personnel participating in the action unless the identities of agency personnel qualify for protection under subdivision 10;

(c) any resistance encountered by the agency;

(d) any pursuit engaged in by the agency;

(e) whether any weapons were used by the agency or other individuals;

(f) a brief factual reconstruction of events associated with the action;

(g) names and addresses of witnesses to the agency action or the incident unless the identity of any witness qualifies for protection under subdivision 10;

(h) names and addresses of any victims or casualties unless the identities of those individuals qualify for protection under subdivision 10;

(i) the name and location of the health care facility to which victims or casualties were taken;

(j) response or incident report number; and

(k) dates of birth of the parties involved in a traffic accident; and

(l) whether the parties involved were wearing seat belts, and the blood alcohol content of each driver.

Sec. 15. Minnesota Statutes 1992, section 13.82, subdivision 6, is amended to read:

Subd. 6. [ACCESS TO DATA FOR CRIME VICTIMS.] On receipt of a written request, the prosecuting authority shall release investigative data collected by a law enforcement agency to the victim of a criminal act or alleged

criminal act or to the victim's legal representative upon written request unless the prosecuting authority reasonably believes:

- (a) That the release of that data will interfere with the investigation; or
- (b) That the request is prompted by a desire on the part of the requester to engage in unlawful activities.

Sec. 16. Minnesota Statutes 1992, section 13.82, subdivision 10, is amended to read:

Subd. 10. [PROTECTION OF IDENTITIES.] A law enforcement agency or a law enforcement dispatching agency working under direction of a law enforcement agency may withhold public access to data on individuals to protect the identity of individuals in the following circumstances:

- (a) when access to the data would reveal the identity of an undercover law enforcement officer;
- (b) when access to the data would reveal the identity of a victim of criminal sexual conduct or of a violation of section 617.246, subdivision 2;
- (c) when access to the data would reveal the identity of a paid or unpaid informant being used by the agency if the agency reasonably determines that revealing the identity of the informant would threaten the personal safety of the informant;
- (d) when access to the data would reveal the identity of a victim of or witness to a crime if the victim or witness specifically requests not to be identified publicly, and the agency reasonably determines that revealing the identity of the victim or witness would threaten the personal safety or property of the individual;
- (e) when access to the data would reveal the identity of a deceased person whose body was unlawfully removed from a cemetery in which it was interred; or
- (f) when access to the data would reveal the identity of a person who placed a call to a 911 system or the identity or telephone number of a service subscriber whose phone is used to place a call to the 911 system and: (1) the agency determines that revealing the identity may threaten the personal safety or property of any person; or (2) the object of the call is to receive help in a mental health emergency. For the purposes of this paragraph, a voice recording of a call placed to the 911 system is deemed to reveal the identity of the caller. Data concerning individuals whose identities are protected by this subdivision are private data about those individuals. Law enforcement agencies shall establish procedures to acquire the data and make the decisions necessary to protect the identity of individuals described in clause (d).

Sec. 17. [13.861] [SECURITY SERVICE DATA.]

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "Security service" means an organization that provides security services to a state agency or political subdivision as either a part of the governmental entity or under contract to it. Security service does not include a law enforcement agency.

(b) "Security service data" means all data collected, created, or maintained by a security service for the purpose of providing security services.

Subd. 2. [CLASSIFICATION.] Security service data that is similar to the data described as request for service data and response or incident data in section 13.82, subdivisions 3 and 4, is public. If personnel of a security service make a citizen's arrest then any security service data that is similar to the data described as arrest data in section 13.82, subdivision 2, is public. If a security service participates in but does not make an arrest it shall, upon request, provide data that identifies the arresting law enforcement agency. All other security service data is security information pursuant to section 13.37.

Sec. 18. Minnesota Statutes 1992, section 13.99, is amended by adding a subdivision to read:

Subd. 3a. [STATE AUDITOR DATA.] Data relating to an audit under chapter 6 are classified under section 6.715.

Sec. 19. Minnesota Statutes 1992, section 13.99, subdivision 24, is amended to read:

Subd. 24. ~~[SOLID WASTE FACILITY RECORDS.]~~ (a) Records of solid waste facilities received, inspected, or copied by a county pursuant to section 115A.882 are classified pursuant to section 115A.882, subdivision 3.

(b) Customer lists provided to counties or cities by solid waste collectors are classified under section 115A.93.

Sec. 20. Minnesota Statutes 1992, section 13.99, is amended by adding a subdivision to read:

Subd. 92a. [GAMBLING ENFORCEMENT INVESTIGATIVE DATA.] Data provided to the director of the division of gambling enforcement by a governmental entity located outside Minnesota for use in an authorized investigation, audit, or background check are governed by section 299L.03, subdivision 11.

Sec. 21. Minnesota Statutes 1992, section 115A.93, is amended by adding a subdivision to read:

Subd. 5. [CUSTOMER DATA.] Customer lists provided to counties or cities by solid waste collectors are private data on individuals as defined in section 13.02, subdivision 12, with regard to data on individuals, or nonpublic data as defined in section 13.02, subdivision 9, with regard to data not on individuals.

Sec. 22. Minnesota Statutes 1992, section 144.335, subdivision 3a, is amended to read:

Subd. 3a. [PATIENT CONSENT TO RELEASE OF RECORDS; LIABILITY.] (a) A provider, or a person who receives health records from a provider, may not release a patient's health records to a person without a signed and dated consent from the patient or the patient's legally authorized representative authorizing the release, unless the release is specifically authorized by law. Except as provided in paragraph (c), a consent is valid for one year or for a lesser period specified in the consent or for a different period provided by law.

(b) This subdivision does not prohibit the release of health records for a medical emergency when the provider is unable to obtain the patient's consent due to the patient's condition or the nature of the medical emergency.

(c) Notwithstanding paragraph (a), if a patient explicitly gives informed consent to the release of health records for the purposes and pursuant to the restrictions in clauses (1) and (2), the consent does not expire after one year for:

(1) the release of health records to a provider who is being advised or consulted with in connection with the current treatment of the patient;

(2) the release of health records to an accident and health insurer, health service plan corporation, health maintenance organization, or third-party administrator for purposes of payment of claims, fraud investigation, or quality of care review and studies, provided that:

(i) the use or release of the records complies with sections 72A.49 to 72A.505;

(ii) further use or release of the records in individually identifiable form to a person other than the patient without the patient's consent is prohibited; and

(iii) the recipient establishes adequate safeguards to protect the records from unauthorized disclosure, including a procedure for removal or destruction of information that identifies the patient.

(d) Until June 1, 1994, paragraph (a) does not prohibit the release of health records to qualified personnel solely for purposes of medical or scientific research, if the patient has not objected to a release for research purposes and the provider who releases the records makes a reasonable effort to determine that:

(i) the use or disclosure does not violate any limitations under which the record was collected;

(ii) the use or disclosure in individually identifiable form is necessary to accomplish the research or statistical purpose for which the use or disclosure is to be made;

(iii) the recipient has established and maintains adequate safeguards to protect the records from unauthorized disclosure, including a procedure for removal or destruction of information that identifies the patient; and

(iv) further use or release of the records in individually identifiable form to a person other than the patient without the patient's consent is prohibited.

(e) A person who negligently or intentionally releases a health record in violation of this subdivision, or who forges a signature on a consent form, or who obtains under false pretenses the consent form or health records of another person, or who, without the person's consent, alters a consent form, is liable to the patient for compensatory damages caused by an unauthorized release, plus costs and reasonable attorney's fees.

(f) Upon the written request of a spouse, parent, child, or sibling of a patient being evaluated for or diagnosed with mental illness, a provider shall inquire of a patient whether the patient wishes to authorize a specific individual to receive information regarding the patient's current and proposed course of treatment. If the patient so authorizes, the provider shall communicate to the individual the patient's current and proposed course of treatment. Paragraph (a) applies to consents given under this paragraph.

Sec. 23. Minnesota Statutes 1992, section 144.335, is amended by adding a subdivision to read:

Subd. 3b. [INDEPENDENT MEDICAL EXAMINATION.] The provisions of this section which apply to a patient and a patient's health records also apply to the subject of an independent medical examination and the subject's health records. Notwithstanding subdivision 3a, a provider may release health records created as part of an independent medical examination to the third party who requested or paid for the examination.

Sec. 24. [144.6581] [DETERMINATION OF WHETHER DATA IDENTIFIES INDIVIDUALS.]

The commissioner of health may: (1) withhold access to health or epidemiologic data if the commissioner determines the data are data on an individual, as defined in section 13.02, subdivision 5; or (2) grant access to health or epidemiologic data, if the commissioner determines the data are summary data as defined in section 13.02, subdivision 19. In the exercise of this discretion, the commissioner shall consider whether the data requested, along or in combination, may constitute information from which an individual subject of data may be identified using epidemiologic methods. In making this determination, the commissioner shall consider disease incidence, associated risk factors for illness, and similar factors unique to the data by which it could be linked to a specific subject of the data. This discretion is limited to health or epidemiologic data maintained by the commissioner of health or a board of health, as defined in section 145A.02.

Sec. 25. Minnesota Statutes 1992, section 151.06, is amended by adding a subdivision to read:

Subd. 5. [CONFIDENTIALITY.] Upon the written request of a licensee or applicant, the board shall not release to any individual member of the public the home address or home telephone number of any licensed pharmacist or applicant without the express written permission of the licensee or applicant. The board is not prohibited from releasing a list of the names of all licensees, including addresses and telephone numbers, to other governmental units and private organizations that demonstrate a legitimate use for the information.

Sec. 26. Minnesota Statutes 1992, section 169.09, subdivision 7, is amended to read:

Subd. 7. [ACCIDENT REPORT TO COMMISSIONER.] The driver of a vehicle involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of \$500 or more, shall forward a written report of the accident to the commissioner of public safety within ten days thereof. On the required report, the driver shall provide the commissioner with the name and policy number of the insurer providing vehicle liability coverage at the time of the accident. On determining that the original report of any driver of a vehicle involved in an accident of which report must be made as provided in this section is insufficient, the commissioner of public safety may require the driver to file supplementary reports.

Sec. 27. Minnesota Statutes 1992, section 169.09, subdivision 13, is amended to read:

Subd. 13. [ACCIDENT REPORTS CONFIDENTIAL; FEE, PENALTY.] (a) All written reports and supplemental reports required under this section to be provided to the department of public safety shall be without prejudice to the individual so reporting and shall be for the confidential use of the department commissioner of public safety and

other appropriate state, federal, county, and municipal governmental agencies for accident analysis purposes, except that the department:

(1) the commissioner of public safety or any law enforcement department of any municipality or county in this state agency shall, upon written request of any person involved in an accident or upon written request of the representative of the person's estate, surviving spouse, or one or more surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, the requester's legal counsel or a representative of the requester's insurer any information contained therein except the parties' version of the accident as set out in the written report filed by the parties or may disclose identity of a person involved in an accident when the identity is not otherwise known or when the person denies presence at the accident. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department of public safety shall furnish upon the demand of any person who has, or claims to have, made a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department of public safety solely to prove a compliance or a failure to comply with the requirements that the report be made to the department of public safety. Disclosing any information contained in any accident report, except as provided herein, is unlawful and a misdemeanor.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this chapter from providing information to any persons involved in an accident or their representatives or from testifying in any trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required but it is not intended to prohibit proof of the facts to which the reports relate. Response or incident data may be released pursuant to section 13.82, subdivision 4.

When these reports are released for accident analysis purposes the identity of any involved person shall not be revealed. Data contained in these reports shall only be used for accident analysis purposes, except as otherwise provided by this subdivision. Accident reports and data contained therein which may be in the possession or control of departments or agencies other than the department of public safety shall not be discoverable under any provision of law or rule of court.

Notwithstanding other provisions of this subdivision to the contrary, the report required under subdivision 8;

(2) the commissioner of public safety shall, upon written request, provide the driver filing a report under subdivision 7 with a copy of the report filed by the driver;

(3) the commissioner of public safety may verify with insurance companies vehicle insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

(4) the commissioner of public safety shall may give to the commissioner of transportation the name and address of a carrier subject to section 221.031 that is named in an accident report filed under subdivision 7 or 8. The commissioner of transportation may not release the name and address to any person. The commissioner shall use this information to enforce for use in enforcing accident report requirements under chapter 221. In addition, and

(5) the commissioner of public safety may give to the United States Department of Transportation commercial vehicle accident information in connection with federal grant programs relating to safety.

The department may charge authorized persons a \$5 fee for a copy of an accident report.

(b) Accident reports and data contained in the reports shall not be discoverable under any provision of law or rule of court. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the commissioner of public safety shall furnish upon the demand of any person who has, or claims to have, made a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the commissioner solely to prove compliance or failure to comply with the requirements that the report be made to the commissioner.

(c) Nothing in this subdivision prevents any person who has made a report pursuant to this section from providing information to any persons involved in an accident or their representatives or from testifying in any trial, civil or criminal, arising out of an accident, as to facts within the person's knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which the reports relate.

(d) Disclosing any information contained in any accident report, except as provided in this subdivision, section 13.82, subdivision 3 or 4, or other statutes, is a misdemeanor.

(e) The commissioner of public safety may charge authorized persons a \$5 fee for a copy of an accident report.

(f) The commissioner and law enforcement agencies may charge commercial users who request access to accident report data a fee not to exceed 50 cents per report. "Commercial users" are nonmedia users who request access to data in more than five accident reports per month.

Sec. 28. Minnesota Statutes 1992, section 245A.04, subdivision 3, is amended to read:

Subd. 3. [STUDY OF THE APPLICANT.] (a) Before the commissioner issues a license, the commissioner shall conduct a study of the individuals specified in clauses (1) to (4) according to rules of the commissioner. The applicant, license holder, the bureau of criminal apprehension, and county agencies, after written notice to the individual who is the subject of the study, shall help with the study by giving the commissioner criminal conviction data and reports about abuse or neglect of adults in licensed programs substantiated under section 626.557 and the maltreatment of minors in licensed programs substantiated under section 626.556. The individuals to be studied shall include:

(1) the applicant;

(2) persons over the age of 13 living in the household where the licensed program will be provided;

(3) current employees or contractors of the applicant who will have direct contact with persons served by the program; and

(4) volunteers who have direct contact with persons served by the program to provide program services, if the contact is not directly supervised by the individuals listed in clause (1) or (3).

The juvenile courts shall also help with the study by giving the commissioner existing juvenile court records on individuals described in clause (2) relating to delinquency proceedings held within either the five years immediately preceding the application or the five years immediately preceding the individual's 18th birthday, whichever time period is longer. The commissioner shall destroy juvenile records obtained pursuant to this subdivision when the subject of the records reaches age 23.

For purposes of this subdivision, "direct contact" means providing face-to-face care, training, supervision, counseling, consultation, or medication assistance to persons served by a program. For purposes of this subdivision, "directly supervised" means an individual listed in clause (1) or (3) is within sight or hearing of a volunteer to the extent that the individual listed in clause (1) or (3) is capable at all times of intervening to protect the health and safety of the persons served by the program who have direct contact with the volunteer.

A study of an individual in clauses (1) to (4) shall be conducted on at least an annual basis. No applicant, license holder, or individual who is the subject of the study shall pay any fees required to conduct the study.

(b) The individual who is the subject of the study must provide the applicant or license holder with sufficient information to ensure an accurate study including the individual's first, middle, and last name; home address, city, county, and state of residence; zip code; sex; date of birth; and driver's license number. The applicant or license holder shall provide this information about an individual in paragraph (a), clauses (1) to (4), on forms prescribed by the commissioner. The commissioner may request additional information of the individual, which shall be optional for the individual to provide, such as the individual's social security number or race.

(c) Except for child foster care, adult foster care, and family day care homes, a study must include information from the county agency's record of substantiated abuse or neglect of adults in licensed programs, and the maltreatment of minors in licensed programs, information from juvenile courts as required in paragraph (a) for persons listed in paragraph (a), clause (2), and information from the bureau of criminal apprehension. For child foster care, adult foster care, and family day care homes, the study must include information from the county agency's record of substantiated abuse or neglect of adults, and the maltreatment of minors, information from juvenile courts as required in paragraph (a) for persons listed in paragraph (a), clause (2), and information from the bureau of criminal apprehension. The commissioner may also review arrest and investigative information from the bureau of criminal apprehension, a county attorney, county sheriff, county agency, local chief of police, other states, the courts, or a national criminal record repository if the commissioner has reasonable cause to believe the information is pertinent to the disqualification of an individual listed in paragraph (a), clauses (1) to (4).

(d) An applicant's or license holder's failure or refusal to cooperate with the commissioner is reasonable cause to deny an application or immediately suspend, suspend, or revoke a license. Failure or refusal of an individual to cooperate with the study is just cause for denying or terminating employment of the individual if the individual's failure or refusal to cooperate could cause the applicant's application to be denied or the license holder's license to be immediately suspended, suspended, or revoked.

(e) The commissioner shall not consider an application to be complete until all of the information required to be provided under this subdivision has been received.

(f) No person in paragraph (a), clause (1), (2), (3), or (4) who is disqualified as a result of this section may be retained by the agency in a position involving direct contact with persons served by the program.

(g) Termination of persons in paragraph (a), clause (1), (2), (3), or (4) made in good faith reliance on a notice of disqualification provided by the commissioner shall not subject the applicant or license holder to civil liability.

(h) The commissioner may establish records to fulfill the requirements of this section. ~~The information contained in the records is only available to the commissioner for the purpose authorized in this section.~~

(i) The commissioner may not disqualify an individual subject to a study under this section because that person has, or has had, a mental illness as defined in section 245.462, subdivision 20.

Sec. 29. Minnesota Statutes 1992, section 245A.04, subdivision 3a, is amended to read:

Subd. 3a. [NOTIFICATION TO SUBJECT OF STUDY RESULTS.] The commissioner shall notify the applicant or license holder and the individual who is the subject of the study, in writing, of the results of the study. When the study is completed, a notice that the study was undertaken and completed shall be maintained in the personnel files of the program.

The commissioner shall notify the individual studied if the information in the study indicates the individual is disqualified from direct contact with persons served by the program. The commissioner shall disclose the information to the individual studied. An applicant or license holder who is not the subject of the study shall be informed that the commissioner has found information that disqualifies the subject from direct contact with persons served by the program. ~~However, the applicant or license holder shall not be told what that information is unless the data practices act provides for release of the information and the individual studied authorizes the release of the information.~~

Sec. 30. Minnesota Statutes 1992, section 260.161, subdivision 1, is amended to read:

Subdivision 1. [RECORDS REQUIRED TO BE KEPT.] (a) The juvenile court judge shall keep such minutes and in such manner as the court deems necessary and proper. Except as provided in paragraph (b), the court shall keep and maintain records pertaining to delinquent adjudications until the person reaches the age of 23 years and shall release the records on an individual to the juvenile court in another jurisdiction to which the juvenile has moved, to a requesting adult court for purposes of sentencing, or to an adult court or juvenile court as required by the right of confrontation of either the United States Constitution or the Minnesota Constitution. The juvenile court shall provide, upon the request of any other juvenile court, copies of the records concerning adjudications involving the particular child. The court shall also keep an index in which files pertaining to juvenile matters shall be indexed under the name of the child. After the name of each file shall be shown the file number and, if ordered by the court, the book and page of the register in which the documents pertaining to such file are listed. The court shall also keep a register properly indexed in which shall be listed under the name of the child all documents filed pertaining to the child and in the order filed. The list shall show the name of the document and the date of filing thereof. The juvenile court legal records shall be deposited in files and shall include the petition, summons, notice, findings, orders, decrees, judgments, and motions and such other matters as the court deems necessary and proper. ~~The legal~~ All court records ~~maintained in this file~~ shall be open at all reasonable times to the inspection of any child to whom the records relate, and to the child's parent and guardian.

(b) The court shall retain records of the court finding that a juvenile committed an act that would be a violation of, or an attempt to violate, section 609.342, 609.343, 609.344, or 609.345, until the offender reaches the age of 25. If the offender commits another violation of sections 609.342 to 609.345 as an adult, the court shall retain the juvenile records for as long as the records would have been retained if the offender had been an adult at the time of the juvenile offense. This paragraph does not apply unless the juvenile was represented by an attorney when the petition was admitted or proven.

Sec. 31. Minnesota Statutes 1992, section 260.161, subdivision 3, is amended to read:

Subd. 3. [PEACE OFFICER RECORDS OF CHILDREN.] (a) Except for records relating to an offense where proceedings are public under section 260.155, subdivision 1, peace officers' records of children who are or may be delinquent or who may be engaged in criminal acts shall be kept separate from records of persons 18 years of age or older and shall not be open to public inspection or their contents disclosed to the public except are private but shall be disseminated: (1) by order of the juvenile court, (2) as required by section 126.036, (3) as authorized under section 13.82, subdivision 2, (4) to the child or the child's parent or guardian unless disclosure of a record would interfere with an ongoing investigation, or (5) as provided in paragraph (d). Except as provided in paragraph (c), no photographs of a child taken into custody may be taken without the consent of the juvenile court unless the child is alleged to have violated section 169.121 or 169.129. Peace officers' records containing data about children who are victims of crimes or witnesses to crimes must be administered consistent with section 13.82, subdivisions 2, 3, 4, and 10. Any person violating any of the provisions of this subdivision shall be guilty of a misdemeanor.

In the case of computerized records maintained about juveniles by peace officers, the requirement of this subdivision that records about juveniles must be kept separate from adult records does not mean that a law enforcement agency must keep its records concerning juveniles on a separate computer system. Law enforcement agencies may keep juvenile records on the same computer as adult records and may use a common index to access both juvenile and adult records so long as the agency has in place procedures that keep juvenile records in a separate place in computer storage and that comply with the special data retention and other requirements associated with protecting data on juveniles.

(b) Nothing in this subdivision prohibits the exchange of information by law enforcement agencies if the exchanged information is pertinent and necessary to the requesting agency in initiating, furthering, or completing a criminal investigation.

(c) A photograph may be taken of a child taken into custody pursuant to section 260.165, subdivision 1, clause (b), provided that the photograph must be destroyed when the child reaches the age of 19 years. The commissioner of corrections may photograph juveniles whose legal custody is transferred to the commissioner. Photographs of juveniles authorized by this paragraph may be used only for institution management purposes, case supervision by parole agents, and to assist law enforcement agencies to apprehend juvenile offenders. The commissioner shall maintain photographs of juveniles in the same manner as juvenile court records and names under this section as private data.

~~(d) Traffic investigation reports are open to inspection by a person who has sustained physical harm or economic loss as a result of the traffic accident. Identifying information on juveniles who are parties to traffic accidents may be disclosed as authorized under section 13.82, subdivision 4, and accident reports required under section 169.09 may be released under section 169.09, subdivision 13, unless the information would identify a juvenile who was taken into custody or who is suspected of committing an offense that would be a crime if committed by an adult, or would associate a juvenile with the offense, and the offense is not a minor traffic offense under section 260.193.~~

Sec. 32. Minnesota Statutes 1992, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE TO COMMISSIONER OF HUMAN SERVICES.] (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) At the request of the commissioner of human services, the commissioner of revenue shall electronically match the social security numbers and names of participants in the telephone assistance plan operated under sections 237.69

to 237.711, with those of property tax refund filers, to ensure that eligibility continues for the telephone assistance plan.

Sec. 33. Minnesota Statutes 1992, section 270B.14, is amended by adding a subdivision to read:

Subd. 12. [DISCLOSURE TO OFFICE OF TOURISM.] The commissioner may disclose to the office of tourism in the department of trade and economic development, the name, address, standard industrial classification code, and telephone number of a travel or tourism related business that is authorized to collect sales and use tax. The data may be used only by the office of tourism for the purpose of contacting travel or tourism related businesses.

Sec. 34. Minnesota Statutes 1992, section 299L.03, is amended by adding a subdivision to read:

Subd. 11. [DATA CLASSIFICATION.] Data provided to the director, by a governmental entity located outside Minnesota for use in an authorized investigation, audit, or background check, has the same data access classification or restrictions on access, for the purposes of chapter 13, that it had in the entity providing it. If the classification or restriction on access in the entity providing the data is less restrictive than the Minnesota data classification, the Minnesota classification applies.

Data classified as not public by this section are only discoverable as follows:

(1) the data are subject to discovery in a legal proceeding; and

(2) the data are discoverable in a civil or administrative proceeding if the subject matter of the proceeding is a final agency decision adverse to the party seeking discovery of the data.

Sec. 35. Minnesota Statutes 1992, section 626.556, subdivision 11, is amended to read:

Subd. 11. [RECORDS.] Except as provided in subdivisions 10b, 10d, 10g, and 11b, all records concerning individuals maintained by a local welfare agency under this section, including any written reports filed under subdivision 7, shall be private data on individuals, except insofar as copies of reports are required by subdivision 7 to be sent to the local police department or the county sheriff. Reports maintained by any police department or the county sheriff shall be private data on individuals except the reports shall be made available to the investigating, petitioning, or prosecuting authority, including county medical examiners or county coroners. Section 13.82, subdivisions 5, 5a, and 5b, apply to law enforcement data other than the reports. The welfare board shall make available to the investigating, petitioning, or prosecuting authority, including county medical examiners or county coroners, any records which contain information relating to a specific incident of neglect or abuse which is under investigation, petition, or prosecution and information relating to any prior incidents of neglect or abuse involving any of the same persons. The records shall be collected and maintained in accordance with the provisions of chapter 13. In conducting investigations and assessments pursuant to this section, the notice required by section 13.04, subdivision 2, need not be provided to a minor under the age of ten who is the alleged victim of abuse or neglect. An individual subject of a record shall have access to the record in accordance with those sections, except that the name of the reporter shall be confidential while the report is under assessment or investigation except as otherwise permitted by this subdivision. Any person conducting an investigation or assessment under this section who intentionally discloses the identity of a reporter prior to the completion of the investigation or assessment is guilty of a misdemeanor. After the assessment or investigation is completed, the name of the reporter shall be confidential. The subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith. This subdivision does not alter disclosure responsibilities or obligations under the rules of criminal procedure.

Sec. 36. Minnesota Statutes 1992, section 626.556, subdivision 11c, is amended to read:

Subd. 11c. [WELFARE, COURT SERVICES AGENCY, AND SCHOOL RECORDS MAINTAINED.] Notwithstanding sections 138.163 and 138.17, records maintained or records derived from reports of abuse by local welfare agencies, court services agencies, or schools under this section shall be destroyed as provided in paragraphs (a) to (d) by the responsible authority.

(a) If upon assessment or investigation there is no determination of maltreatment or the need for child protective services, the records may be maintained for a period of four years. After the individual alleged to have maltreated

a child is notified under subdivision 10f of the determinations at the conclusion of the assessment or investigation, upon that individual's request, records shall be destroyed within 30 days.

(b) All records relating to reports which, upon assessment or investigation, indicate either maltreatment or a need for child protective services shall be destroyed seven ten years after the date of the final entry in the case record.

(c) All records regarding a report of maltreatment, including any notification of intent to interview which was received by a school under subdivision 10, paragraph (d), shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation. The agency shall order the destruction of the notification when other records relating to the report under investigation or assessment are destroyed under this subdivision.

(d) Private or confidential data released to a court services agency under subdivision 10h must be destroyed by the court services agency when ordered to do so by the local welfare agency that released the data. The local welfare agency shall order destruction of the data when other records relating to the assessment or investigation are destroyed under this subdivision.

Sec. 37. [HENNEPIN COUNTY FOSTER CARE REVIEW TEAM; DATA ACCESS.]

The foster care policy redesign commission and the foster care review team created by the Hennepin county board of commissioners to review the foster care system shall have access to not public data as defined in Minnesota Statutes, section 13.02, subdivision 8a, as provided in this section. The commission and the team shall have access to not public data on foster care cases. Access is limited to records created, collected, or maintained by any local social services agency that provided services to a child or a child's family during the five years immediately preceding any out-of-home placement of the child and continuing throughout the period of the placement until the child was returned to the custody of a parent, adopted, or otherwise was no longer the subject of a case plan developed by a county social service agency. A county social service agency shall provide the not public data described in this section to the foster care review team or the foster care policy redesign commissioner upon request.

Sec. 38. [REPEALER.]

Minnesota Statutes 1992, sections 13.644; and 13.82, subdivision 5b, are repealed.

Sec. 39. [EFFECTIVE DATE; APPLICATION.]

Sections 8, 25, 28, and 29 are effective the day following final enactment. Section 23 is effective the day following final enactment and applies to health records created before, on, or after that date. Nothing in section 23 creates a physician-patient relationship."

Delete the title and insert:

"A bill for an act relating to data practices; providing for the collection, classification, and dissemination of data; proposing classifications of data as not public; classifying certain licensing data, security service data, motor carrier operating data, retirement data and other forms of data; amending Minnesota Statutes 1992, sections 13.32, subdivisions 1 and 3; 13.41, subdivision 4; 13.43, subdivision 2; 13.46, subdivisions 1, 2, and 4; 13.643; 13.692; 13.72, by adding a subdivision; 13.792; 13.82, subdivisions 4, 6, and 10; 13.99, subdivision 24, and by adding subdivisions; 115A.93, by adding a subdivision; 144.335, subdivision 3a, and by adding a subdivision; 151.06, by adding a subdivision; 169.09, subdivisions 7 and 13; 245A.04, subdivisions 3 and 3a; 260.161, subdivisions 1 and 3; 270B.14, subdivision 1, and by adding a subdivision; 299L.03, by adding a subdivision; and 626.556, subdivisions 11 and 11c; proposing coding for new law in Minnesota Statutes, chapters 6; 13; and 144; repealing Minnesota Statutes 1992, sections 13.644; and 13.82, subdivision 5b."

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

The report was adopted.

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

H. F. No. 1247, A bill for an act relating to motor vehicles; increasing penalty for fraudulently allowing use or possession of certificate of title; establishing automobile theft prevention program and creating board; increasing penalty for falsely reporting crime; amending Minnesota Statutes 1992, sections 168A.30; and 609.505; proposing coding for new law in Minnesota Statutes, chapter 168A.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 1

Page 2, line 15, after "CREATED" insert "; MEMBERSHIP"

Page 2, line 23, after the period insert "The board is governed by section 15.0575 except that the terms of the members are two years."

Page 2, after line 25, insert:

"(1) develop and sponsor the implementation of statewide plans, programs, and strategies to combat automobile theft, improve the administration of the automobile theft laws, and provide a forum for identification of critical problems for those persons dealing with automobile theft;

(2) coordinate the development, adoption, and implementation of plans, programs, and strategies relating to interagency and intergovernmental cooperation with respect to automobile theft enforcement;

(3) audit at its own discretion the plans and programs that it has funded in whole or in part in order to evaluate the effectiveness of the plans and programs, and withdraw funding should the authority determine that a plan or program is ineffective or is no longer in need of further financial support from the fund;"

Page 2, line 26, delete "(1)" and insert "(4)"

Page 2, line 33, delete "(2)" and insert "(5)"

Page 3, delete lines 24 to 32, and insert:

"Subd. 3. [SURCHARGE.] Each insurer engaged in the writing of policies of automobile insurance shall collect a surcharge, at the rate of 50 cents per vehicle for every six months of coverage, on each policy of automobile insurance providing comprehensive insurance coverage issued or renewed in this state. The surcharge may not be considered premium for any purpose, including the computation of premium tax or agents' commissions. The amount of the surcharge must be separately stated on either a billing or policy declaration sent to an insured. Insurers shall remit the revenue derived from this surcharge to the board for purposes of the automobile theft prevention program. For purposes of this subdivision, "policy of automobile insurance" has the meaning given it in section 65B.14, except that no vehicle with a gross vehicle weight in excess of 10,000 pounds is included within this definition."

Page 3, line 35, delete "fee" and insert "surcharge"

Page 4, delete section 3, and insert:

"Sec. 2. [INITIAL TERMS.]

Notwithstanding section 1, subdivision 1, in making the initial appointments to the board established by that subdivision the governor shall appoint four members to two-year terms and three members to one-year terms.

Sec. 3. [COMMENCEMENT OF SURCHARGE.]

Each insurer governed by section 1, subdivision 3, shall begin to collect and remit the surcharge required by that subdivision on January 1, 1994."

Page 4, delete line 12

Page 4, line 13, delete everything before "effective" and insert "Sections 1 to 3 are"

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 4, delete "of title;"

Page 1, line 5, delete everything after the semicolon

Page 1, delete line 6

Page 1, line 7, delete everything before "proposing"

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.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

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.

Reported the same back with the following amendments:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1992, section 326.04, is amended to read:

326.04 [BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, AND INTERIOR DESIGN.]

To carry out the provisions of sections 326.02 to 326.15 there is hereby created a board of architecture, engineering, land surveying, landscape architecture, and interior design (hereinafter called the board) consisting of 20 members, who shall be appointed by the governor. No more than ten members may be of one gender. Three members shall be licensed architects, five members shall be licensed engineers, one member shall be a licensed landscape architect, two members shall be licensed land surveyors, one member shall be a certified interior designer, and eight members shall be public members. Not more than one member of said board shall be from the same branch of the profession of engineering. The first certified interior designer member and seventh and eighth members shall be appointed as soon as possible and no later than 60 days after August 1, 1992, and shall serve for a term to end on January 1, 1994. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214."

Page 8, after line 5, insert:

"Sec. 3. [APPLICABILITY.]

Section 1 applies to appointments made after the effective date of that section. Section 1 does not require displacement of an incumbent member of the board until the end of the member's term."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 4, after the semicolon insert "modifying composition of board;"

Page 1, line 7, after the semicolon insert "amending Minnesota Statutes 1992, section 326.04;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1495, A bill for an act relating to child labor; changing penalty provisions of the child labor law; amending Minnesota Statutes 1992, section 181A.12.

Reported the same back with the following amendments:

Page 2, lines 26 to 29, strike the old language and delete the new language

Page 2, after line 33, insert:

"Subd. 3. [GROSS MISDEMEANOR.] An employer who engages in repeated violations of sections 181A.01 to 181A.12 is also guilty of a gross misdemeanor. An employer who engages in a single violation of sections 181A.01 to 181A.12 is guilty of a gross misdemeanor if the violation results in the death of the minor or substantial bodily harm to the minor. For purposes of this subdivision, "substantial bodily harm" has the meaning given in section 609.02, subdivision 7a."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing penalties;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1514, A bill for an act relating to civil actions; providing that the statute of limitations in section 541.051 governs materials incorporated into an improvement to real property; amending Minnesota Statutes 1992, section 336.2-725.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 336.2-725, is amended to read:

336.2-725 [STATUTE OF LIMITATIONS IN CONTRACTS FOR SALE.]

(1) An action for breach of any contract for sale must be commenced within four years after the cause of action has accrued. By the original agreement the parties may reduce the period of limitation to not less than one year but may not extend it.

(2) A cause of action accrues when the breach occurs, regardless of the aggrieved party's lack of knowledge of the breach. A breach of warranty occurs when tender of delivery is made, except that where a warranty explicitly extends to future performance of the goods and discovery of the breach must await the time of such performance the cause of action accrues when the breach is or should have been discovered.

(3) Where an action commenced within the time limited by subsection (1) is so terminated as to leave available a remedy by another action for the same breach such other action may be commenced after the expiration of the time limited and within six months after the termination of the first action unless the termination resulted from voluntary discontinuance or from dismissal for failure or neglect to prosecute.

(4) This section does not alter the law on tolling of the statute of limitations, nor does it apply to causes of action which have accrued before this chapter becomes effective.

The limitations in this section does do not apply to actions for the breach of any contract for sale of a grain storage structure or other goods that is are incorporated into an improvement to real property, except equipment and machinery. These actions are subject only to the statute of limitations set forth in section 541.051.

This section does not apply to claims against sellers of goods for damages to property caused by the goods where the property that is damaged is not the goods and the sale is not a sale between parties who are each merchants in goods of the kind.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment and applies to all claims commenced on or after that date. For causes of action arising before the effective date of section 1 that would have been permitted under Minnesota Statutes 1992, section 336.2-725, but barred by the limitation in Minnesota Statutes, section 541.051, the limitation under section 1 does not bar the claim if it is commenced before January 1, 1994."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1658, A bill for an act relating to economic development; abolishing Minnesota Project Outreach Corporation and transferring its duties to Minnesota Technology, Inc.; amending Minnesota Statutes 1992, section 116O.091; repealing Minnesota Statutes 1992, section 116O.092.

Reported the same back with the following amendments:

Page 5, line 6, strike everything before "Minnesota"

Page 5, lines 7 and 8, strike the old language

Page 5, line 9, strike everything before "Minnesota"

Page 5, line 10, strike everything after "Inc.,"

Page 5, lines 11 to 13, strike the old language

Page 5, after line 18 insert:

"Sec. 2. [TRANSFER.]

All funds appropriated to Minnesota Project Outreach, and all property and records of Minnesota Project Outreach, are transferred to Minnesota Technology, Inc."

Page 5, line 19, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 3, after "its" insert "funds, property, records, 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. 1720, A bill for an act relating to metropolitan government; requiring at least one member of metropolitan transit commission to be disabled user of transit system; amending Minnesota Statutes 1992, section 473.404, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 473.404, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] The transit commission consists of five members appointed by the transit board. One member must be a resident of the city of Minneapolis, one must be a resident of the city of St. Paul, two must reside in the service area of the commission outside Minneapolis and St. Paul, and one ~~may~~ member must reside anywhere in the metropolitan area and be a user of transit services who is identified by the council on disability, pursuant to section 256.482, as an individual with a disability. The transit board shall consider nominations from the council on disability. At least one of the members from outside of Minneapolis and St. Paul must reside in the commission's full-peak and off-peak service area, as defined for tax purposes in section 473.446. Appointments are subject to the advice and consent of the senate.

Sec. 2. [EFFECTIVE.]

Section 1 is effective for the vacancy on the metropolitan transit commission that occurs in the term of the at-large member. Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

S. F. No. 361, A bill for an act relating to public safety; extending existence of Minnesota advisory council on fire protection systems; amending Minnesota Statutes 1992, section 299M.02, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 13, insert:

"Sec. 2. Minnesota Statutes 1992, section 299M.02, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] The council consists of the commissioner of public safety or the commissioner's designee, the commissioner of labor and industry or the commissioner's designee, and eight members appointed for a term of three years by the governor. No more than four of the eight members may be of one gender, unless there are no qualified persons of the underrepresented gender. Two members must be licensed fire protection contractors or full-time, managing employees actively engaged in a licensed fire protection contractor business. Two members must

be journeyman sprinkler fitters certified as competent under this chapter. One member of the council must be an active member of the Minnesota State Fire Chiefs Association. One member must be an active member of the Fire Marshals Association of Minnesota. One member must be a building official certified by the department of administration, who is professionally competent in fire protection system inspection. One member must be a member of the general public. The commissioners or their designees are nonvoting members."

Page 1, line 14, delete "2" and insert "3"

Page 1, line 15, after the period insert "Section 2 applies only to appointments made after the effective date of the section."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for gender balance on the council;"

Page 1, line 5, delete "subdivision" and insert "subdivisions" and after "1" insert "and 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

S. F. No. 409, A bill for an act relating to retirement; Minneapolis employees retirement fund; amending Minnesota Statutes 1992, sections 422A.05, subdivisions 1 and 2a; 422A.08, subdivision 5, and by adding a subdivision; and 422A.101, subdivision 1.

Reported the same back with the following amendments:

Page 5, after line 30, insert:

"Sec. 6. [DISCLOSURE OF CERTAIN PUBLIC PENSION-PLAN INVESTMENT INFORMATION.]

(a) The state board of investment on behalf of the public pension funds and programs for which it is the investment authority and any public pension plan specified in Minnesota Statutes, section 356.218, subdivision 2, not wholly invested through the state board of investment shall provide the disclosure information specified in paragraph (b).

(b) The required disclosure information is the following amounts:

(1) market value of investments at the end of the period;

(2) contributions received;

(3) other noninvestment plan revenue received;

(4) total investment return, including but not limited to:

(i) interest and dividend income;

(ii) realized capital gains; and

(iii) period change in unrealized capital gain;

(5) benefit payments made;

(6) portfolio management or investment advisor fees paid; and

(7) pension plan administrative salaries and other administrative expenses paid.

The required disclosure information also must include a written statement of the investment policy in effect for the period for which the other investment disclosure information items are provided, including any investment policy changes made during the period and the effective date of each policy change.

(c) The information required under paragraph (b) must be reported separately for each internal investment fund, investment account, or investment portfolio included in the pension fund. The information under paragraph (b) must be provided separately on a monthly basis for the fiscal year of the pension fund ending during calendar year 1992, on or before October 1, 1993, and for the fiscal year of the pension fund ending during calendar year 1993, on or before July 1, 1994.

The information provided for the fiscal year of the pension fund ending during calendar year 1992 also must be accompanied with quarterly aggregations of information amounts required under paragraph (b) for the previous ten pension fund fiscal years, the written investment policy statement in effect at the end of the 1983 fiscal year of the pension fund, and any changes in the investment policy statement, including the effective date of each change, occurring since the end of the 1983 fiscal year.

(d) The disclosure information under this section must be reported to the state auditor, who may prescribe a form or forms for this purpose. A failure to make the information disclosure required under this section on a complete and consistent basis and in a timely fashion subjects the chief administrative officer of the pension fund or of the state board of investment, whichever applies, to personal liability for the payment of a fine, in an amount set by the state auditor, but not to exceed \$100.

Sec. 7. [INVESTMENT DISCLOSURE REPORT.]

(a) Utilizing the information provided under section 6, the state auditor shall prepare a report to the 1994 legislature and a report to the 1995 legislature on the investment performance gain or loss in the most recent prior pension fund fiscal year resulting from various decision-making stages in the investment activities of the various public pension plans required to disclose information under section 6.

(b) The state auditor may contract with a qualified consultant or consulting firm to perform the analysis and prepare the report required under paragraph (a)."

Page 5, line 31, delete "6" and insert "8"

Page 5, line 32, delete "5" and insert "7"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "requiring disclosure of certain public pension plan investment information;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

S. F. No. 700, A bill for an act relating to horse racing; permitting two class A licenses within the seven-county metropolitan area; permitting the state fair to apply for a pari-mutuel horse racing license; permitting distributions from the breeders' fund for Minnesota-bred horses racing in other racing jurisdictions; amending Minnesota Statutes 1992, sections 240.06, subdivisions 5 and 5a; 240.09, subdivision 1; and 240.18, subdivision 1.

Reported the same back with the following amendments:

Page 2, delete sections 3 and 4

Page 3, line 7, delete "5" and insert "3"

Page 3, line 8, delete "to 4" and insert "and 2"

Amend the title as follows:

Page 1, delete lines 4 to 6

Page 1, line 7, delete everything before "amending"

Page 1, line 8, delete "sections" and insert "section" and delete the semicolon and insert a period

Page 1, delete line 9

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 10, 357, 390, 483, 573, 726, 898, 931, 986, 1106, 1206, 1407, 1495, 1514, 1658 and 1720 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 361, 409, 700 and 1407 were read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Rodosovich moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1407 be given its third reading and be placed upon its final passage. The motion prevailed.

Rodosovich moved that the Rules of the House be so far suspended that S. F. No. 1407 be given its third reading and be placed upon its final passage. The motion prevailed.

Rodosovich moved to amend S. F. No. 1407, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

APPROPRIATIONS

Section 1. HIGHER EDUCATION APPROPRIATIONS

The sums in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or other named fund, to the agencies and for the purposes specified in this article. The listing of an amount under the figure "1994" or "1995" in this article indicates that the amount is appropriated to be available for the fiscal year ending June 30, 1994, or June 30, 1995, respectively. "The first year" is fiscal year 1994. "The second year" is fiscal year 1995. "The biennium" is fiscal years 1994 and 1995.

SUMMARY BY FUND

	1994	1995	TOTAL
General	\$1,004,623,000	\$1,042,532,000	\$2,047,155,000

SUMMARY BY AGENCY - ALL FUNDS

	1994	1995	TOTAL
Higher Education Coordinating Board	119,157,000	125,401,000	244,558,000
State Board of Technical Colleges	165,172,000	170,519,000	335,691,000
State Board for Community Colleges	97,170,000	104,248,000	201,418,000
State University Board	176,937,000	179,932,000	356,869,000
Board of Regents of the University of Minnesota	444,948,000	461,187,000	906,135,000
Mayo Medical Foundation	808,000	840,000	1,648,000
Higher Education Board	418,000	418,000	836,000

APPROPRIATIONS
Available for the Year
Ending June 30
1994 1995

Sec. 2. HIGHER EDUCATION COORDINATING BOARD

Subdivision 1. Total Appropriation	119,157,000	125,401,000
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The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Agency Administration

2,942,000	2,892,000
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This appropriation includes funding for .5 of a position to provide technical advice and other support for child care innovation at eligible institutions, and to review the annual plans submitted by the institutions under article 2, section 6.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

The higher education coordinating board shall examine the feasibility of: (1) reducing the minimum amount a student can borrow under the SELF program, and (2) allowing SELF recipients who return to school during their repayment phase to re-enter the in-school phase of payments. The board shall report its recommendations to the education committees by September 1, 1993.

Subd. 3. State Grants

98,799,000

105,092,000

If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available for it.

This appropriation contains money for increasing living allowances for state grants to \$4,154 for the first year and \$4,279 for the second year.

This appropriation includes funding to begin postservice benefit accounts for the youthworks program. Prior to beginning funding, the higher education coordinating board shall design a plan to administer the postservice benefit accounts of the youthworks program. The plan shall include strategies to augment the appropriation by maximizing federal and other nonstate funds. The board shall report the plan to the education committees of the legislature by October 1, 1993. In the event that federal money becomes available for post-secondary initiatives involving community service, the board may use these funds for any state contribution required.

The higher education coordinating board shall meet with the nursing community in order to evaluate the possibility of consolidating all nursing grant programs administered by the state, and report its findings back to the legislature by February 1, 1994.

Subd. 4. Interstate Tuition Reciprocity

5,050,000

5,050,000

If the appropriation in this subdivision for either year is insufficient, the appropriation for the other year is available to meet reciprocity contract obligations.

Subd. 5. State Work Study

10,303,000

10,304,000

Increases in the appropriation for the state work-study program shall be used, to the extent possible, for campus work that is relevant to a student's academic program or that otherwise provides a meaningful academic experience, or for public service work in the community.

Subd. 6. Minitex Library Program

2,063,000

2,063,000

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

Subd. 7. Income Contingent Loans

The higher education coordinating board shall administer an income contingent loan repayment program to assist graduates of Minnesota schools in medicine, dentistry, pharmacy, chiropractic medicine, public health, and veterinary medicine, and Minnesota residents graduating from optometry and osteopathy programs. Applicant data collected by the higher education coordinating board for this program may be disclosed to a consumer credit reporting agency under the same conditions as apply to the supplemental loan program under Minnesota Statutes, section 136A.162.

Subd. 8. Balances Forward

An unencumbered balance in the first year under a subdivision in this section does not cancel but is available for the second year.

Subd. 9. Transfers

The higher education coordinating board may transfer unencumbered balances from the appropriations in this section to the state grant appropriation and the interstate tuition reciprocity appropriation.

Sec. 3. STATE BOARD OF TECHNICAL COLLEGES

Subdivision 1. Total Appropriation

165,172,000

170,519,000

The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$226,101,000 the first year and \$234,462,000 the second year.

The state board of technical colleges is requested to continue its policy of assisting students who are refugees.

In contracting for customized training services, the technical colleges and community colleges shall ensure that a participating business compensates for as much of the cost of the services as possible, in the form of money or in-kind. Business compensation must provide for at least half of the systemwide costs of these services.

Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$1,498,000 the first year and \$1,514,000 the second year.

\$462,000 the first year and \$421,000 the second year are for debt service payments to school districts for technical college buildings financed with district bonds issued before January 1, 1979.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

If the Towerview campus of Red Wing Technical College is sold, the board may spend up to \$500,000 of the proceeds from the sale for remodeling and improving the main Red Wing campus.

Subd. 4. State Council on Vocational Technical Education

This appropriation includes funding in each year to be allocated by the state board to the state council on vocational education.

Sec. 4. STATE BOARD FOR COMMUNITY COLLEGES

Subdivision 1. Total Appropriation

97,170,000

104,248,000

The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$131,120,000 the first year and \$140,982,000 the second year.

Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$22,291,000 the first year and \$22,709,000 the second year.

Subd. 4. Cambridge Center

\$134,000 each year is for instructional costs to provide administrative and instructional support at the Anoka-Ramsey Community College extension center in Cambridge. The legislature intends that Cambridge continue to be operated as an extension center and not be developed into an independent college.

Sec. 5. STATE UNIVERSITY BOARD

Subdivision 1. Total Appropriation

176,937,000

179,932,000

The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Instructional Expenditures

The legislature estimates that instructional expenditures will be \$244,034,000 the first year and \$247,630,000 the second year.

Notwithstanding Minnesota Statutes, section 136.09, subdivision 3, during the biennium neither the state university board nor the state university campuses shall plan or develop doctoral level programs or degrees until after they have received the recommendation of the house and senate committees on education, finance, and ways and means.

This appropriation includes funding for the instructional and noninstructional costs at the Winona State University campus and

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

at the Rochester center associated with the upper division offerings in the 2+2 program. Winona State University, in cooperation with Rochester Community College and the University of Minnesota, shall develop and implement a plan to reduce the duplication and costs of administrative and student services at the Rochester center. All savings that result from implementing the plan may be retained by the three systems in proportion to the amount that each saved and must be used for instruction at the Rochester center.

The state university board shall study the feasibility of selected campuses changing from quarter to semester terms. The board shall report its findings and recommendations to the higher education finance divisions by September 1, 1993.

Subd. 3. Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$26,735,000 the first year and \$27,321,000 the second year.

Sec. 6. BOARD OF REGENTS OF THE UNIVERSITY
OF MINNESOTA

Subdivision 1. Total Appropriation

444,948,000

461,187,000

The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Operations and Maintenance

362,780,000

375,732,000

(a) Instructional Expenditures

The legislature estimates that instructional expenditures will be \$386,510,000 the first year and \$399,787,000 the second year.

(b) Noninstructional Expenditures

The legislature estimates that noninstructional expenditures will be \$114,965,000 the first year and \$119,112,000 the second year.

This appropriation includes money for improving the post-secondary planning efforts of high school students as provided in Laws 1987, chapter 401, section 32. The university, in cooperation with other post-secondary systems, shall consider innovative ways to improve post-secondary planning and forward any recommendations to the education committees by February 15, 1994.

Subd. 3. Special Appropriation

82,168,000

85,455,000

The amounts expended for each program in the four categories of special appropriations shall be separately identified in the 1996-1997 biennial budget document.

(a) Agriculture and Extension Service

43,556,000

45,298,000

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

This appropriation is for the Agricultural Experiment Station and Minnesota Extension Service.

Any salary increases granted by the university to personnel paid from the Minnesota Extension appropriation must not result in a reduction of the county portion of the salary payments.

(b) Health Sciences

16,760,000

17,430,000

This appropriation is for Indigent Patients (County Papers), Rural Physicians Associates Program, Medical Research, Special Hospitals Service and Educational Offset, Veterinary Diagnostic Laboratory, Institute for Human Genetics, and the Biomedical Engineering Center.

(c) Institute of Technology

2,908,000

3,025,000

This appropriation is for the Geological Survey, Underground Space Center, Talented Youth Mathematics Program, Microelectronics and Information Science Center, and the Productivity Center.

(d) System Specials

18,944,000

19,702,000

This appropriation is for Fellowships for Minority and Disadvantaged Students, General Research, Intercollegiate Athletics, Student Loans Matching Money, Industrial Relations Education, Natural Resources Research Institute, Sea Grant College Program, Biological Process Technology Institute, Supercomputer Institute, Center for Urban and Regional Affairs, Museum of Natural History, and the Humphrey Exhibit.

Prior to selling its shares in the supercomputer center, the board of regents shall present its plan for the sale and for meeting its supercomputing needs to the higher education finance divisions. The plan must ensure that the university receives and maintains a reasonable value of the public investment in the center.

This appropriation includes money to improve the programs and resources available to women and to ensure that campuses are in compliance with Title IX of the Education Amendments of 1972 and Minnesota Statutes, section 126.21.

Of this appropriation, no less than the following amounts must be allocated to each campus:

Duluth	\$551,600	\$551,600
Morris	\$ 66,100	\$ 66,100
Crookston	\$ 65,000	\$ 65,000

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

Sec. 7. MAYO MEDICAL FOUNDATION

Subdivision 1. Total Appropriation

808,000

840,000

The amounts that may be spent from this appropriation for each purpose are specified in the following subdivisions.

Subd. 2. Medical School

504,000

493,000

The state of Minnesota shall pay a capitation of \$9,882 in the first year and \$10,270 in the second year for each student who is a resident of Minnesota.

This appropriation provides capitation for 51 Minnesota residents in the first year and 48 in the second year at Mayo Medical School. The appropriation may be transferred between years of the biennium to accommodate enrollment fluctuations.

The legislature intends that during the biennium the Mayo foundation use the capitation money to increase the number of doctors practicing in rural areas in need of doctors, as identified by the higher education coordinating board.

Subd. 3. Family Practice and Graduate Residency Program

304,000

347,000

The state of Minnesota shall pay a capitation of \$15,200 in the first year for a maximum of 20 students and \$15,780 in the second year for a maximum of 22 students.

Sec. 8. POST-SECONDARY SYSTEMS

In each year of the biennium, each post-secondary system shall spend no less on libraries or instructional equipment than it spent in the 1993 fiscal year.

The appropriation to each post-secondary system includes money for the intersystem quality initiative pilot projects, as provided in article 3, section 9.

Each public post-secondary governing board shall examine the fiscal and educational effects of establishing a minimum tuition level so that undergraduate students enrolled for fewer than six credits pay an amount equivalent to the rate for six credits. Each board shall report its recommendations to the higher education finance divisions by February 1, 1994.

The appropriation to each post-secondary system includes money for the intersystem library improvement initiative to fund acquisitions and resource development in all systems and the completion of the PALS system in the community colleges.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

For purposes of determining system budgets and appropriations for 1996-1997, the legislature intends to adopt new funding mechanisms in 1994.

The higher education advisory council shall examine costs and funding of students enrolled in post-secondary enrollment options courses offered by agreement between a college and a school district. The higher education advisory council shall submit recommendations to the higher education financial divisions on fair and fiscally prudent funding for these students by February 1, 1994.

Each campus with a men's varsity level hockey team and women's club level hockey shall analyze the campus responsibility for Title IX equity as it applies to this disparity and shall report its plan to ensure equity to the education committees by January 15, 1994.

Beginning in fiscal year 1996, funding for law enforcement education that is currently provided through the POST board shall be provided through general fund appropriations to be calculated at the same initial base as the previous POST funding, except that the base adjustment for the community colleges shall be \$290,000. The legislature intends that penalty surcharge dollars under Minnesota Statutes, section 626.861, subdivision 1, shall continue to be dedicated to the POST account for other lawful purposes.

Sec. 9. HIGHER EDUCATION BOARD

418,000

418,000

The legislature intends that the higher education board, to the extent possible, rely on the expertise of personnel in the existing post-secondary systems, and elsewhere in state government, rather than employ additional board staff.

By February 1, 1994, the higher education board shall present to the education committees a detailed plan for the merger of the three post-secondary systems. The plan must include at least the following: timelines for all major tasks, a proposed organizational structure at the state and campus levels, costs and savings of each action planned, and necessary statutory changes in laws governing the board and the three systems. The plan also must clearly describe mechanisms that will be used to promote and protect campus missions and autonomy.

ARTICLE 2

ACCESS AND AFFORDABILITY

Section 1. Minnesota Statutes 1992, section 135A.03, subdivision 7, is amended to read:

Subd. 7. [RESIDENCY RESTRICTIONS.] In calculating student enrollment for appropriations, only the following may be included:

- (1) independent students who resided in the state for at least one calendar year prior to applying for admission;
- (2) dependent students whose parents or legal guardians reside in Minnesota at the time the student applies;

(3) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere;

(3) (4) residents of other states who are attending a Minnesota institution under a tuition reciprocity agreement; and

(4) (5) students who have been in Minnesota as migrant farmworkers, as defined in Code of Federal Regulations, title 20, section 633.104, over a period of at least two years immediately before admission or readmission to a Minnesota public post-secondary institution, or students who are dependents of such migrant farmworkers.

Sec. 2. Minnesota Statutes 1992, section 136A.101, subdivision 7, is amended to read:

Subd. 7. ~~Until June 30, 1993, "student" means a person who is enrolled at least half time in a program or course of study that applies to a degree, diploma, or certificate, except that for purposes of section 136A.132, student may include a person enrolled for at least three credits per quarter or semester, or the equivalent, but less than half time.~~

Beginning July 1, 1993, "Student" means a person who is enrolled for at least three credits per quarter or semester, or the equivalent, in a program or course of study that applies to a degree, diploma, or certificate. Credit equivalencies assigned by an institution that are applicable to federal Pell grant calculations shall be counted as part of a student's credit load.

Sec. 3. Minnesota Statutes 1992, section 136A.121, subdivision 6, is amended to read:

Subd. 6. [COST OF ATTENDANCE.] (a) The cost of attendance consists of allowances specified by the board for room and board and miscellaneous expenses, and

(1) for public institutions, tuition and fees charged by the institution; or

(2) for private institutions, an allowance for tuition and fees equal to the lesser of the actual tuition and fees charged by the institution, or the instructional costs per full-year equivalent student in comparable public institutions.

(b) For the purpose of paragraph (a), clause (2), "comparable public institutions" to both two- and four-year, private, residential, liberal arts, degree-granting colleges and universities must be the same.

(c) For a student attending less than full time, the board shall prorate the cost of attendance to the actual number of credits for which the student is enrolled.

Sec. 4. Minnesota Statutes 1992, section 136A.121, subdivision 9, is amended to read:

Subd. 9. ~~[INITIAL AWARDS.] An undergraduate student who has not previously received a grant and who meets the board's requirements is eligible to apply for and receive an initial a grant in any year of undergraduate study unless the student has obtained a baccalaureate degree or previously has been enrolled full time or the equivalent for eight semesters or 12 quarters.~~

Sec. 5. [136A.122] [AKITA GRANTS.]

The higher education coordinating board may provide grants to Minnesota resident students participating in the Akita program. Grants must be awarded on the same basis as other state grants, except that the cost of attendance must be adjusted to incorporate the state university tuition level and the Akita fee level. An individual grant must not exceed the state grant maximum award for a student at a four-year private college.

Sec. 6. Minnesota Statutes 1992, section 136A.125, subdivision 3, is amended to read:

Subd. 3. [ELIGIBLE INSTITUTION.] A Minnesota public post-secondary institution or a private, baccalaureate degree granting college or university located in Minnesota is eligible to receive child care funds from the board and disburse them to eligible students.

To maintain its eligibility, an institution must file an annual plan with the higher education coordinating board setting forth innovative strategies the institution is using to maximize student child care opportunities, including strategies to supplement state funds with community resources.

Sec. 7. Minnesota Statutes 1992, section 136A.1701, subdivision 4, is amended to read:

Subd. 4. [TERMS AND CONDITIONS OF LOANS.] The board may loan money upon such terms and conditions as the board may prescribe. The principal amount of a loan to an undergraduate student for a single academic year may not exceed ~~\$4,000~~ \$4,500. The aggregate principal amount of all loans made under this section to an undergraduate student may not exceed ~~\$16,000~~ \$18,000. The principal amount of a loan to a graduate student for a single academic year shall not exceed ~~\$6,000~~ \$6,500. The aggregate principal amount of all loans made under this section to a student as a graduate student shall not exceed ~~\$25,000~~ \$27,000.

Sec. 8. Minnesota Statutes 1992, section 136A.1701, is amended by adding a subdivision to read:

Subd. 9a. The board shall develop an appeals process for recipients of loans made under this section who believe there is an unresolved error in the servicing of the loan. The board shall provide recipients with a description of the appeals process.

Sec. 9. Minnesota Statutes 1992, section 136A.233, is amended to read:

136A.233 [WORK-STUDY GRANTS.]

Subdivision 1. [ALLOCATION TO INSTITUTIONS.] The higher education coordinating board ~~may offer~~ shall allocate work-study ~~grants funds~~ to eligible post-secondary institutions according to the resident full-time equivalent enrollment of all eligible post-secondary institutions that apply to participate in the program. ~~The board shall seek to equalize work study job opportunities by also taking into account student employment needs at eligible institutions.~~ Each institution wishing to receive a participate in the work-study grant ~~shall~~ program must submit to the board, in accordance with policies and procedures established by the board, an estimate of the amount of funds needed by the institution. ~~The amount allocated to any institution shall not exceed the estimate of need submitted by the institution.~~ Any funds ~~which would be allocated to an institution according to full-time equivalent enrollment but which that exceed the estimate of need by the institution or the actual need of the institution may be reallocated by the board to other institutions for which the estimate of need exceeds the amount of allocation according to enrollment. The institution must not receive less than it would have received under the allocation formula used before fiscal year 1988. No more than one half of any increase in appropriations, attributable to this section, above the level before fiscal year 1988 may be allocated on the basis of identified student employment needs at eligible institutions.~~

Subd. 2. [DEFINITIONS.] For purposes of sections 136A.231 to ~~136A.234~~ 136A.233, the words defined in this subdivision have the meanings ascribed to them.

(a) "Eligible student" means a Minnesota resident enrolled or intending to enroll full time, as defined in section 136A.101, subdivision 7a, in a Minnesota post-secondary institution.

(b) "Minnesota resident" means a student who meets the conditions in section 136A.101, subdivision 8.

(c) "Financial need" means the need for financial assistance in order to attend a post-secondary institution as determined by a post-secondary institution according to guidelines established by the higher education coordinating board.

(d) "Eligible employer" means any eligible post-secondary institution and any nonprofit, nonsectarian agency or state institution located in the state of Minnesota, including state hospitals, and also includes a handicapped person or a person over 65 who employs a student to provide personal services in or about the residence of the handicapped person or the person over 65.

(e) "Eligible post-secondary institution" means any post-secondary institution eligible for participation in the Minnesota state grant program as specified in section 136A.101, subdivision 4.

(f) "Independent student" has the meaning given it in the Higher Education Act of 1965, United States Code, title 20, section 1070a-6, and applicable regulations.

Subd. 3. [PAYMENTS.] Work-study payments shall be made to eligible students by post-secondary institutions as provided in this subdivision.

(a) Students shall be selected for participation in the program by the post-secondary institution on the basis of student financial need.

(b) No eligible student shall be employed under the state work-study program while not a full-time student; provided, with the approval of the institution, a full-time student who becomes a part-time student during an academic year may continue to be employed under the state work-study program for the remainder of the academic year.

(c) Students will be paid for hours actually worked and the maximum hourly rate of pay shall not exceed the maximum hourly rate of pay permitted under the federal college work-study program.

(d) Minimum pay rates will be determined by an applicable federal or state law.

(e) An eligible employer shall pay at least 30 percent of the student's compensation.

(f) Each post-secondary institution receiving money for state work-study grants shall make a reasonable effort to place work-study students in employment with eligible employers outside the institution. However, a public outside employer may not terminate, lay-off, or reduce the working hours of an employee for the purpose of hiring a work-study student, or replace an employee who is on layoff from the same or substantially the same job by hiring a work-study student.

(g) The percent of the institution's work-study allocation provided to graduate students shall not exceed the percent of graduate student enrollment at the participating institution.

Sec. 10. [FINANCIAL AID TASK FORCE.]

Subdivision 1. [PURPOSE.] A task force is established to study and make recommendations on Minnesota's system of financial aid, focusing particularly on the state grant program. The purpose of the task force is to evaluate state financial aid policy, examine alternative policies, and recommend changes within current funding levels to the legislature.

Subd. 2. [MEMBERSHIP.] The speaker of the house and the subcommittee on committees of the committee on rules and administration of the senate shall each appoint six members, including representatives of public and private post-secondary systems and campuses, at least one public member and at least two student members.

Subd. 3. [SUPPORT.] The higher education coordinating board shall provide technical and clerical support to the task force as determined by the task force. The task force, through the board, may contract for consulting services, but is not subject to the provisions of Minnesota Statutes, chapter 16B.

Subd. 4. [CONTENT OF STUDY.] The task force shall consider whether Minnesota's financial aid program, as it operates in conjunction with the federal Pell grant program, is meeting the state goal of removing economic barriers to education for economically disadvantaged citizens of the state. The task force shall further consider whether the state program needs to be made more progressive and, if so, whether this should be accomplished through adjustments to the shared responsibility policy or adoption of a new policy. The study additionally shall consider the advantages and disadvantages of linking the state grant program to federal policies and programs. The task force also shall consider effective ways to integrate grants, loans, work-study, and other aid to create aid packages for students and to deliver different types of aid to students with different needs. Finally, the task force shall consider efficient ways to deliver aid to students, including more rapid decentralization to the campus level.

Subd. 5. [REPORT.] The task force shall report its findings and recommendations to the education committees of the legislature by February 1, 1994. The task force shall expire on June 30, 1994.

Sec. 11. [FEE STATEMENT.]

Beginning in the 1993-1994 academic year, fee statements at all public post-secondary campuses shall indicate the state-paid portion of the cost of an average student's education in that system, by including the following statement: "Your tuition pays for .. % of the actual cost of your education. The state of Minnesota pays \$..... of the cost for you."

Sec. 12. [REPEALER.]

Minnesota Statutes 1992, sections 136A.121, subdivision 10; 136A.134; 136A.234; 136A.70; and Laws 1991, chapter 356, article 8, section 23, are repealed.

Sec. 13. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

ARTICLE 3

EDUCATIONAL QUALITY

Section 1. Minnesota Statutes 1992, section 3.9741, is amended to read:

3.9741 [COST OF EXAMINATION, BILLING, PAYMENT.]

Subdivision 1. [METROPOLITAN COMMISSION.] Upon the audit of the financial accounts and affairs of a commission under section 473.413, 473.595, 473.604, or 473.703, the affected metropolitan commission is liable to the state for the total cost and expenses of the audit, including the salaries paid to the examiners while actually engaged in making the examination. The legislative auditor may bill the metropolitan commission either monthly or at the completion of the audit. All collections received for the audits must be deposited in the general fund.

Subd. 2. [POST-SECONDARY EDUCATION SYSTEMS.] The legislative auditor may contract with the community college system, state university system, or the state board of technical colleges to conduct financial audits, in addition to audits conducted under section 3.972, subdivision 2. Fees for contracted audits shall be deposited in the general fund and are annually appropriated to the legislative auditor. The legislative auditor shall report on fees received as part of the biennial budget request.

Sec. 2. Minnesota Statutes 1992, section 16A.127, subdivision 8, is amended to read:

Subd. 8. [EXEMPTION.] (a) Except for the costs of the legislative auditor to conduct financial audits of federal funds, this section does not apply to the community college system, state universities, or the state board of technical colleges. Indirect cost receipts attributable to financial audits conducted by the legislative auditor of federal funds administered by these post-secondary education systems shall be deposited in the general fund.

(b) Except for federal funds, this section does not apply to the department of natural resources for agency indirect costs.

Sec. 3. Minnesota Statutes 1992, section 136A.1352, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] The higher education coordinating board shall provide grants to students who are entering or enrolled in registered nurse or licensed practical nurse programs, who have no previous nursing training or education, and who either agree to practice in a designated rural area, as defined by the board, or are persons of color.

Sec. 4. Minnesota Statutes 1992, section 136A.1352, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] (a) To be eligible to receive a grant, a student must be:

(1) a resident of the state of Minnesota;

(2) enrolled in a Minnesota school, college, or program of nursing to complete an educational program that would lead to the student's first licensure as a licensed practical nurse or as a registered nurse;

(3)(a) willing to agree to serve at least three of the first five years following licensure in a designated rural area; or

(b) a person of color including an Asian-Pacific-American, African-American, American Indian, or Hispanic-American (Latin, Chicano, or Puerto Rican); and

(4) able to meet the financial need criteria established in section 136A.121 and board rules.

(b) The grant must be awarded for one academic year, but is renewable for a maximum of six semesters or nine quarters of full-time study, or their equivalent, but cannot continue after receipt of the nursing degree or certificate.

Sec. 5. Minnesota Statutes 1992, section 136E.04, subdivision 3, is amended to read:

Subd. 3. [BUDGET.] The board shall submit to the governor and the legislature ~~the three budget request for its several different programs of study requests: one each for the state universities, the community colleges, and the technical colleges.~~

Sec. 6. Minnesota Statutes 1992, section 137.022, subdivision 3, is amended to read:

Subd. 3. [ENDOWED CHAIRS CHAIR ACCOUNT.] (a) For purposes of this section, the permanent university fund has three accounts. The sources of the money in the endowed mineral research and scholarship accounts is set out in paragraph (b) and subdivision 4. All money in the fund that is not otherwise allocated is in the endowed chair account. The income from the ~~permanent university fund~~ endowed chair account must be used, and capital gains ~~of the fund allocated to that account~~ may be used, to provide endowment support for professorial chairs in academic disciplines. The endowment support for the chairs from the income and the capital gains must not total more than six percent per year of the 36-month trailing average market value of the endowed chair account of the fund, as computed quarterly or otherwise as directed by the regents. The endowment support from the income and the capital gains must not provide more than half the sum of the endowment support for all chairs endowed, with nonstate sources providing the remainder. The endowment support from the income and the capital gains may provide more than half the endowment support of an individual chair.

(b) If any portion of the annual appropriation of the income is not used for the ~~purpose~~ purposes specified in paragraph (a) ~~or subdivision 4~~, that portion lapses and must be added to the principal of the three accounts of the permanent university fund in proportion to the market value of each account.

Sec. 7. Minnesota Statutes 1992, section 137.022, is amended by adding a subdivision to read:

Subd. 4. [MINERAL RESEARCH; SCHOLARSHIPS.] (a) All income accruing after July 1, 1991, to the part of the permanent university fund derived from mineral permits and royalties on mining must be allocated as provided in this subdivision.

(b)(1) Fifty percent of the accrual, to a total of \$25,000,000 in accruals must be credited to the mineral research account of the fund to be allocated for the Natural Resources Research Institute-Duluth and Coleraine facilities, for mineral and mineral-related research including mineral-related environmental research; and

(2) Fifty percent of the accrual until the \$25,000,000 accrual amount is reached under clause (1) and thereafter 100 percent of the accrual must be credited to the endowed scholarship account of the fund for distribution annually for scholastic achievement as provided by the board of regents to undergraduates enrolled at the University of Minnesota who are resident students as defined in section 136A.101, subdivision 8.

(c) The annual distribution from the endowed scholarship account must be allocated to the various campuses of the University of Minnesota in proportion to the number of undergraduate resident students enrolled on each campus.

(d) The board of regents must report to the education committees of the legislature biennially at the time of the submission of its budget request on the dispersal of money from the endowed scholarship account and to the environment and natural resources committees on the use of the mineral research account.

(e) Capital gains or losses of the permanent university fund must be credited to its three accounts in proportion to the market value of each account.

(f) The endowment support from the income and capital gains of the endowed mineral research and endowed scholarship accounts of the fund must not total more than six percent per year of the 36-month trailing average market value of the account from which the support is derived.

Sec. 8. [137.41] [INDIRECT COST RECOVERIES.]

Indirect cost recovery money received by the University of Minnesota must be used exclusively for the direct support of research or the financing of support activities directly contributing to the receipt of indirect cost recovery

money. It may be used for debt retirement for research-related buildings. It may not be used for teaching or service.

Sec. 9. [PLANS FOR ACHIEVING EDUCATIONAL EXCELLENCE.]

Subdivision 1. [PLAN.] Each public post-secondary system, with the active involvement of its campuses, shall develop a plan to progress toward achieving the statewide objectives for higher education adopted by the task force on post-secondary funding. These objectives include promoting democratic values, ensuring quality, fostering student success, maintaining access and enhancing the economy. The plans may be linked to other system or campus initiatives.

Subd. 2. [PERFORMANCE INDICATORS.] Each plan will specify indicators that will be used to measure progress toward the objectives. Each campus may choose to place its initial emphasis on some objectives rather than all. Indicators may vary by campus but each system must report on the retention rates and graduation rates of each of its campuses. The systems must work jointly to ensure that retention, graduation, and other common indicators are measured using the same methods to ensure comparability. Each plan shall specify the measurement methods for each indicator.

Subd. 3. [PILOTS.] The task force on post-secondary funding may designate up to two campuses in each system as pilots to test the statewide objectives and the use of different performance indicators. Pilots must be selected on the basis of recommendations of each chancellor, from proposals submitted by interested campuses. Pilots shall begin in the 1993-1994 academic year and continue into the following year. Campuses must internally reallocate funds to at least match state funding.

Subd. 4. [REPORTS.] Each system shall report its plan by February 1, 1994, to the education committees. These reports shall include information on the progress of its campus pilots.

Sec. 10. [CAREER PLANNING OR INFORMATION.]

Subdivision 1. [PLAN.] The state university board, the state board for community colleges, and the state board of technical colleges shall each develop plans to provide career information or counseling to all students enrolled in degree, diploma, or certificate programs no later than the beginning of their second year of enrollment. The board of regents is requested to develop a plan for the same purpose.

Subd. 2. [CAREER INFORMATION OR COUNSELING.] Each system shall determine the ways in which it will deliver career information or counseling to its students, but all systems must include information on types of careers associated with different fields of study as well as the opportunities and prospects for employment in the careers. The systems shall use labor market job forecasting information provided by the department of jobs and training and information on student placement collected by the system or campus, in addition to other relevant information.

Subd. 3. [REPORT.] Each post-secondary system shall report its plan and the estimated costs to the education committees of the legislature by January 15, 1994.

Sec. 11. [USES OF TUITION.]

In each year of the biennium, any revenue raised in the state university, community college, or technical college system, from tuition increases greater than three percent of the previous year's tuition level, must be used for improving the quality of education including, but not limited to, enhancements in libraries, instructional equipment, availability of classes, student services, facilities, and curriculum or teaching innovations. The University of Minnesota is requested to comply with this provision.

Sec. 12. [PERFORMANCE MEASURES.]

Subdivision 1. [TECHNICAL COLLEGES.] For budget considerations in 1995, the technical college system shall:

(1) report to the education committees on administrator/instructor ratios for each technical college;

(2) demonstrate a 60 percent minimum placement rate over two years; and

(3) demonstrate that savings from program closures are recaptured by the technical college closing the program, to the greatest extent possible, and report on how those savings are used.

Subd. 2. [COMMUNITY COLLEGES.] For budget considerations in 1995, the community college system shall:

(1) demonstrate the process used to evaluate occupational programs with less than 60 percent placement;

(2) demonstrate the process used to reduce duplicative nonhealth occupational programs, within a 35-mile radius, with student-teacher ratios below 15-1; and

(3) report on students transferring to four-year colleges and universities, including the percent transferring, the percent retained one year later, and the academic success of those students.

Subd. 3. [COMMUNITY COLLEGES AND TECHNICAL COLLEGES.] The community college and technical college systems shall jointly report to the education committees on their plans regarding duplicative programs at co-located campuses.

Subd. 4. [STATE UNIVERSITIES.] As part of its plan for educational excellence, and for budget considerations in 1995, the state university board shall report on its success in increasing:

(1) the number of graduating students of color;

(2) the number of freshmen who have completed core academic courses in high school; and

(3) the percentage of graduates who have completed a senior project or other capstone experience.

Sec. 13. [REPEALER.]

Minnesota Statutes 1992, section 136A.1352, subdivision 3, is repealed.

Sec. 14. [EFFECTIVE DATE.]

Section 9 is effective the day following final enactment. Sections 6 and 7 are effective retroactive to July 1, 1991, for accruals and allocations into the three accounts of the permanent university fund and July 1, 1993, for distributions from the endowed mineral research account and endowed scholarship accounts of the fund.

ARTICLE 4

STREAMLINING AND RESTRUCTURING

Section 1. Minnesota Statutes 1992, section 135A.06, subdivision 1, is amended to read:

Subdivision 1. [PLANNING REPORTS.] It is the intention of the legislature that the planning efforts of the public post-secondary education systems be summarized and reported to the legislature. It is the further intention that the system missions be differentiated from one another to best serve the needs of the citizens of Minnesota. To accomplish these goals, the University of Minnesota board of regents, the state university board, the state board for community colleges, and the state board of technical colleges shall each submit to the governor and the legislature on December 1 of each even-numbered year a planning report for its system. The report shall contain the mission of the system and short- and long-range plans for programs, staff, and facilities. ~~It shall specify the mission and plans for two, five, and ten years. The assumptions used in developing the plans shall be included. The report shall also include plans for and progress toward achieving mission differentiation while maintaining the state's overall post-secondary objectives.~~

Sec. 2. Minnesota Statutes 1992, section 135A.061, is amended to read:

135A.061 [INTERSYSTEM COUNCIL.]

An intersystem council is established to improve communications among post-secondary systems on relevant policy issues. The council is composed of officers or other representatives of each public post-secondary governing board ~~and of the higher education coordinating board.~~ The council chair shall be rotated among the systems each year,

~~corresponding to the rotation of the chair of the higher education advisory council. The council shall determine its meeting times but shall meet at least twice each year. Members shall report on discussions and actions of the council to their respective governing boards. The council shall determine its agenda from issues that affect more than one system. These may include: transfer of credit, efficiency of campus and system operations, duplication of programs and courses, mission delineation, cooperative arrangements, academic quality initiatives, and the effects of a system's proposed plans on the other systems. The council shall notify the chairs of the education, appropriations, and finance committees of the legislature in advance of its meetings.~~

Sec. 3. Minnesota Statutes 1992, section 136A.04, subdivision 1, is amended to read:

Subdivision 1. The higher education coordinating board shall:

(1) continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the people of the state;

(2) continuously engage in long-range planning for the needs of higher education and, if necessary, cooperatively engage in planning with neighboring states and agencies of the federal government;

(3) act as successor to any committee or commission previously authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(4) review, approve or disapprove, and identify priorities with respect to all proposals for new, additional, or changes in existing programs of instruction to be established in or offered by public post-secondary institutions and private post-secondary institutions. The board shall also periodically review existing programs. For public post-secondary institutions, the board shall approve or disapprove continuation or modification of existing programs. For private post-secondary institutions, the board shall recommend continuation or modification of existing programs.

Before a public post-secondary program can be offered at a site other than that for which it was approved originally, the program must be resubmitted for approval. When reviewing a program, the board shall consider whether it is unnecessary, a needless duplication, beyond the capability of the system or institution considering its resources, or beyond the scope of the system or institutional mission;

~~(5) review, approve or disapprove, and identify priorities with respect to all proposals for maintain an inventory of new, additional, or and changes in existing large-scale or permanent sites of instruction to be established in or offered by public post-secondary institutions. The board shall forward its decisions on sites to the chairs of the house appropriations and senate finance committees. Private post-secondary institutions must give reasonable notice to the board prior to making binding decisions to establish a site or center, and are requested to participate in this site approval process. When reviewing a site, the board shall consider whether it is unnecessary, a needless duplication, beyond the capability of the system or institution considering its resources, or beyond the scope of the system or institutional mission inventory;~~

(6) obtain from private post-secondary institutions receiving state funds a report on their use of those funds;

(7) coordinate the development and implementation of transfer agreements by the systems that ensure the transferability of credits between Minnesota post-secondary institutions, earned for equal and relevant work at those institutions, the degree to which credits earned at one institution are accepted at full value by the other institutions, and the policies of these institutions concerning the placement of these transferred credits on transcripts; and

(8) prescribe policies, procedures, and rules necessary to administer the programs under its supervision.

Sec. 4. Minnesota Statutes 1992, section 136A.0411, is amended to read:

136A.0411 [COLLECTING FEES.]

The board may charge fees for seminars, conferences, workshops, services, and materials. The board may collect fees for registration and licensure of private institutions under sections 136A.61 to 136A.71 and chapter 141. The money is annually appropriated to the board.

Sec. 5. Minnesota Statutes 1992, section 136A.08, is amended to read:

136A.08 [RECIPROCAL AGREEMENTS RELATING TO NONRESIDENT TUITION WITH OTHER STATES OR PROVINCES.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms "province" and "provincial" mean the Canadian province of Manitoba.

Subd. 2. [AUTHORIZATION.] The ~~Minnesota~~ higher education ~~coordinating board~~ advisory council may enter into agreements, on subjects that include remission of nonresident tuition for designated categories of students at public post-secondary institutions, with appropriate state or provincial agencies and public post-secondary institutions in other states or provinces. The agreements shall be for the purpose of the mutual improvement of educational advantages for residents of this state and other states or provinces with whom agreements are made. The higher education coordinating board shall administer any agreement entered into by the council.

Subd. 3. [WISCONSIN.] A higher education reciprocity agreement with the state of Wisconsin may include provision for the transfer of funds between Minnesota and Wisconsin provided that an income tax reciprocity agreement between Minnesota and Wisconsin is in effect for the period of time included under the higher education reciprocity agreement. If this provision is included, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the ~~board~~ council and a duly designated agency representing Wisconsin. The formula shall recognize differences in tuition rates between the two states and the number of students attending institutions in each state under the agreement. Any payments to Minnesota by Wisconsin shall be deposited by the board in the general fund of the state treasury. The amount required for the payments shall be certified by the executive director of the higher education coordinating board to the commissioner of finance annually.

Subd. 4. [NORTH DAKOTA; SOUTH DAKOTA.] A reciprocity agreement with North Dakota may include provision for the transfer of funds between Minnesota and North Dakota. If provision for transfer of funds between the two states is included, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the ~~board~~ council and a duly designated agency representing North Dakota. In adopting a formula, the ~~board~~ council shall consider tuition rates in the two states and the number of students attending institutions in each state under the agreement. Any payment to Minnesota by North Dakota shall be deposited by the board in the general fund. The amount required for the payments shall be certified by the executive director of the higher education coordinating board to the commissioner of finance annually. All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota, and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.

Subd. 5. [FINANCIAL AID.] The ~~board~~ council may enter into an agreement, with a state or province with which it has negotiated a reciprocity agreement for tuition, to permit students to receive student aid awards from the student's state or province of residence for attending an eligible institution in the other state or province.

Subd. 6. [APPROVAL.] An agreement made by the ~~board~~ council under this section is not valid as to a particular institution without the approval of that institution's state or provincial governing board. A valid agreement under this subdivision that incurs additional financial liability to the state, beyond enrollment funding adjustments, must be submitted to the chairs of the senate ~~finance~~ and house ~~appropriations committees~~ higher education finance divisions for review. The agreement remains valid unless it is disapproved in law.

Sec. 6. Minnesota Statutes 1992, section 136A.1353, subdivision 4, is amended to read:

Subd. 4. [RESPONSIBILITIES OF THE HIGHER EDUCATION COORDINATING BOARD.] The higher education coordinating board shall distribute funds each year to the schools, colleges, or programs of nursing applying to participate in the nursing grant program based on the last academic year's enrollment of students in educational programs that would lead to licensure as a registered nurse. Money not used by a recipient nursing program must be returned to the higher education coordinating board for redistribution under this section. The board shall establish an application process for interested schools, colleges, or programs of nursing. ~~Initial applications are due by January 1 of each year. By June 30 of each year, the board shall notify each applicant school, college, or program of nursing of its approximate allocation of funds in order to allow the school, college, or program to determine the number of students that can be supported by the allocation. The board shall distribute funds to the schools, colleges, or programs of nursing by August 1 of each year. Interested schools, colleges, or programs of nursing education must complete and return the annual participation request form provided by the board.~~

Sec. 7. Minnesota Statutes 1992, section 136A.1354, subdivision 4, is amended to read:

Subd. 4. [RESPONSIBILITIES OF THE HIGHER EDUCATION COORDINATING BOARD.] The higher education coordinating board shall distribute funds each year to the schools or colleges of nursing, or programs of advanced nursing education, applying to participate in the nursing grant program based on the last academic year's enrollment of registered nurses in schools or colleges of nursing, or programs of advanced nursing education. Money not used by a recipient nursing program must be returned to the higher education coordinating board for redistribution under this section. The board shall establish an application process for interested schools or colleges of nursing, or programs of advanced nursing education. ~~Initial applications are due by January 1 of each year. By June 30 of each year, the board shall notify each applicant school or college of nursing, or program of advanced nursing education, of its approximate allocation of money to allow the school, college, or program to determine the number of students that can be supported by the allocation. The board shall distribute money to the schools or colleges of nursing, or programs of advanced nursing education, by August 1 of each year. Interested schools, colleges, or programs of advanced nursing education must complete and return the annual participation request form provided by the board.~~

Sec. 8. Minnesota Statutes 1992, section 136A.653, subdivision 1, is amended to read:

Subdivision 1. A school ~~which does not grant a degree and which~~ that is subject to licensing by the state board of education pursuant to under chapter 141, is exempt from the provisions of sections 136A.61 to 136A.71. The determination of the ~~commissioner of education board~~ as to whether a particular school is subject to regulation under chapter 141 is final for the purposes of this exemption.

Sec. 9. Minnesota Statutes 1992, section 136A.69, is amended to read:

136A.69 [FEES.]

The board may collect reasonable registration fees not to exceed ~~\$400~~ \$450 for an initial registration of each school and ~~\$250~~ \$350 for each annual renewal of an existing registration.

Sec. 10. Minnesota Statutes 1992, section 136A.87, is amended to read:

136A.87 [~~ASPECTS OF THE PROGRAM~~ PLANNING INFORMATION.]

Subdivision 1. [~~ASSESSMENT INSTRUMENTS AND QUESTIONNAIRES.~~] ~~The program shall provide for administration of education and career assessment instruments and questionnaires to residents in grades 8 through 12, and to adults. The board shall determine the instruments and questionnaires that are appropriate to serve the purposes of sections 136A.85 to 136A.88.~~

Subd. 2. [~~HIGH SCHOOL ASSESSMENTS.~~] ~~The program shall provide for administration of educational measurement instruments and questionnaires to high school students before their senior year. At least the following may be included:~~

- ~~(1) an aptitude assessment for students anticipating entry to collegiate programs;~~
- ~~(2) an inventory of interests, career directions, background information, and education plans; and~~
- ~~(3) a preliminary mathematics placement test to aid in future course selections, and, as determined appropriate by the board, preliminary placement tests in other subjects.~~

Subd. 3. [~~PROVIDING INFORMATION.~~] The board shall make available to all residents from 8th grade through adulthood information about planning and preparing for post-secondary opportunities. Information must be provided to all 8th grade students and their parents by January 1 of each year about the need to plan for their post-secondary education. The board may also provide information to high school students and their parents, to adults, and to out-of-school youth. The information provided may include the following:

- (1) the need to start planning early;
- (2) the availability of assistance in educational planning from educational institutions and other organizations;
- (3) suggestions for studying effectively during high school;

(4) high school courses necessary to be adequately prepared for post-secondary education;

(5) encouragement to involve parents actively in planning for all phases of education;

(6) information about post-high school education and training opportunities existing in the state, their respective missions and expectations for students, their preparation requirements, admission requirements, and student placement;

(7) ways to evaluate and select post-secondary institutions;

(8) the process of transferring credits among Minnesota post-secondary institutions and systems;

(9) the costs of post-secondary education and the availability of financial assistance in meeting these costs;

(10) the interrelationship of assistance from student financial aid, public assistance, and job training programs; and

(11) financial planning for education beyond high school.

~~Subd. 4. [DATA BASE.] A data base of information from the program's assessments and services shall be maintained to:~~

~~(1) provide individual reports of results to the students, high schools in which students are enrolled, and, if authorized by the students, post-secondary educational institutions; and~~

~~(2) provide annual statewide summary reports of results to high schools, post-secondary institutions, the department of education, the chairs of the education, higher education, appropriations and finance committees of the legislature, and the governor.~~

~~Subd. 5. [COORDINATION.] The board shall coordinate efforts and develop additional methods of providing information, guidance, and testing services to out-of-school youth and adults.~~

Sec. 11. Minnesota Statutes 1992, section 141.25, subdivision 8, is amended to read:

Subd. 8. [FEES AND TERMS OF LICENSE.] (a) Applications for initial license under sections 141.21 to 141.36 shall be accompanied by ~~\$560~~ \$650 as a nonrefundable application fee.

(b) All licenses shall expire ~~on December 31 of each year~~ one year from the date issued by the board. Each renewal application shall be accompanied by a nonrefundable renewal fee of ~~\$430~~ \$650.

(c) Application for renewal of license shall be made ~~on or before October 1 of each calendar year~~ at least 30 days before the expiration of the school's current license. Each renewal form shall be supplied by the board. It shall not be necessary for an applicant to supply all information required in the initial application at the time of renewal unless requested by the board.

Sec. 12. Minnesota Statutes 1992, section 141.26, subdivision 1, is amended to read:

Subdivision 1. [REQUIRED.] A solicitor representing a school must obtain a solicitor's permit from the board before soliciting students to enroll in such school. Such permit shall expire ~~on December 31~~ one year following the date of issuance. Application for renewal of permit shall be made ~~on or before November 15 of each calendar year~~ annually.

Sec. 13. Minnesota Statutes 1992, section 141.26, subdivision 5, is amended to read:

Subd. 5. [FEE.] The initial and renewal application for each permit shall be accompanied by a nonrefundable fee of ~~\$210~~ \$250.

Sec. 14. Laws 1990, chapter 591, article 3, section 10, as amended by Laws 1991, chapter 356, article 3, section 13, is amended to read:

Sec. 10. [CONDITIONS.]

(a) The state university board, the state board for community colleges, the state board of vocational technical education, and their respective campuses must not enter into new long-term lease arrangements, significantly increase

the course offerings at off-campus sites, enter any 2 + 2 arrangements, or significantly increase staffing levels for off-campus sites between the effective date of this section and the end of the ~~1992-1993~~ 1994-1995 academic year. A current long-term lease may be renewed if it expires during this period. The board of regents is requested to abide by these conditions until the end of the ~~1992-1993~~ 1994-1995 academic year.

(b) This section does not apply to actions of Metropolitan State University that are part of its plan to consolidate its sites in the seven-county metropolitan area. The state university board shall consult with the chairs of the house appropriations and senate finance committees in carrying out its plans. For purposes of this paragraph, "plan to consolidate" does not include entering into any 2 + 2 arrangements.

Sec. 15. Laws 1991, chapter 356, article 9, section 8, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENTS TO BOARD.] Appointments to the higher education board must be made by July 1, 1991. Notwithstanding section 2, the initial higher education board consists of two members each from the state board of technical colleges, state board for community colleges, and the state university board, appointed by their respective boards and ~~six~~ seven members appointed by the governor, including a student member. The governor's appointees may also be members of the current governing boards. The members appointed by boards must have been confirmed by the senate to the board from which they are appointed and served for at least one year on the board from which they were appointed. Initial higher education board members appointed by boards are not subject to further senate confirmation. Initial appointees of the governor are not subject to section 3. The governor shall appoint the student member July 1, ~~1995~~ 1993. Notwithstanding section 2, subdivision 2, the initial members of the higher education board must be appointed so that an equal number will have terms expiring in three, five, and seven years. To the extent possible, the initial board must have the geographic balance required by section 2.

Sec. 16. [TRANSFER.]

On July 1, 1993, the higher education coordinating board shall transfer to the higher education board, according to the procedures provided in Minnesota Statutes, section 15.039, the complement and funding associated with the quality and mission function, one unclassified professional position and associated funding in the policy and program planning division, and funding associated with the instructional technology grants.

Sec. 17. [SHARED STUDENT SERVICES.]

To improve the efficient delivery of services to students and to reduce unnecessary expenditures, each technical college and community college, located in the same or nearby communities, as provided in Laws 1983, chapter 258, section 64, subdivision 1, shall jointly develop a plan to consolidate, to the extent possible, administrative positions and the delivery of noninstructional and administrative services including, but not limited to, bookstores, food services, financial aid, registration and records, parking services, libraries, and counseling.

Each joint plan shall be submitted to the state board for community colleges and the state board of technical colleges by December 31, 1993. The state boards shall jointly submit an integrated plan to the education committees of the legislature by February 15, 1994, that includes proposals to redirect savings from shared services to instruction at the co-located campuses.

Sec. 18. [EMPLOYEE PROVISIONS.]

During the biennium, the legislature intends that any layoffs at post-secondary institutions be distributed equitably between management/supervisory personnel and line/support personnel. Where restructuring and retrenchment may involve a decrease in existing positions, institutions shall assist employees in finding suitable employment through such options as training and retraining opportunities. Nothing in this section shall be construed as diminishing any rights defined in collective bargaining agreements under Minnesota Statutes, chapter 179A.

Sec. 19. [REPEALER.]

Minnesota Statutes 1992, sections 135A.06, subdivisions 2, 3, 4, 5, and 6; 136A.85; 136A.86; and 136A.88, are repealed.

Sec. 20. [EFFECTIVE DATE.]

Section 15 is effective the day following final enactment.

ARTICLE 5

TECHNICAL CHANGES

Section 1. Minnesota Statutes 1992, section 126.56, subdivision 5, is amended to read:

Subd. 5. [ADVISORY COMMITTEE.] An advisory committee shall assist the state board of education in approving eligible programs and shall assist the higher education coordinating board in planning, implementing, and evaluating the scholarship program. The committee shall consist of 11 members, to include the executive director of the higher education coordinating board or a representative, the commissioner of education or a representative, two secondary school administrators and two secondary teachers appointed by the commissioner of education, the executive director of the academic excellence foundation, a private college representative appointed by the president of the Minnesota private college council, a community college representative appointed by the community college chancellor, a state university representative appointed by the state university chancellor, and a University of Minnesota representative appointed by the president of the University of Minnesota. ~~The committee expires June 30, 1993.~~

Sec. 2. Minnesota Statutes 1992, section 136A.02, subdivision 5, is amended to read:

Subd. 5. [ADVISORY GROUPS.] The board may appoint advisory task forces to assist it in the study of higher education within the state or in the administration of federal programs. The task forces expire and the terms, compensation, and removal of members are as provided in section 15.059, ~~except that the task force established under section 135A.05 and the advisory councils established under subdivisions 6 and 7 expire June 30, 1993.~~

Sec. 3. Minnesota Statutes 1992, section 136A.02, subdivision 6, is amended to read:

Subd. 6. [HIGHER EDUCATION ADVISORY COUNCIL.] A higher education advisory council is established. The council is composed of the president of the University of Minnesota, the chancellor of the state universities, the chancellor of the community colleges, the chancellor of ~~vocational~~ the technical education colleges, the commissioner of education, the president of the private college council, and a representative from the Minnesota association of private post-secondary schools. The advisory council shall (1) bring to the attention of the board any matters that the council deems necessary, (2) make appropriate recommendations, (3) review and comment upon proposals and other matters before the board, and (4) provide other assistance to the board. The board shall periodically inform the council of matters under consideration by the board. The board shall refer all proposals to the council before submitting recommendations to the governor and the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The council shall report to the board at least quarterly. The council shall determine its meeting times, but it shall also meet within 30 days after a request by the executive director of the board. ~~The council expires June 30, 1993.~~

Sec. 4. Minnesota Statutes 1992, section 136A.02, subdivision 7, is amended to read:

Subd. 7. [STUDENT ADVISORY COUNCIL.] A student advisory council to the board is established. The members of the council shall include the chair of the University of Minnesota university student senate, the state chair of the Minnesota state university student association, the president of the Minnesota community college student association, the president of the Minnesota ~~vocational~~ technical college student association, the president of the Minnesota association of private college students, and a student who is enrolled in a private vocational school registered under this chapter, to be appointed by the Minnesota association of private post-secondary schools. A member may be represented by a designee.

The advisory council shall:

- (1) bring to the attention of the board any matter that the council believes needs the attention of the board;
- (2) make recommendations to the board as the council deems appropriate;
- (3) review and comment upon proposals and other matters before the board;
- (4) appoint student members to board advisory groups as provided in subdivision 5a;

(5) provide any reasonable assistance to the board; and

(6) select one of its members to serve as chair. The board shall inform the council of all matters under consideration by the board and shall refer all proposals to the council before the board acts or sends the proposals to the governor or the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The student advisory council shall report to the board quarterly and at other times that the council considers desirable. The council shall determine its meeting time, but the council shall also meet with the executive director of the board within 30 days after the director's request for a council meeting. The student advisory council shall meet quarterly with the higher education advisory council and the board executive committee. ~~The council expires June 30, 1993.~~

Sec. 5. Minnesota Statutes 1992, section 136C.15, is amended to read:

136C.15 [STUDENT ASSOCIATIONS.]

Every school board governing a technical college shall give recognition as an authorized extracurricular activity to a technical college student association affiliated with the Minnesota ~~vocational~~ technical college student association. The student association is authorized to collect a reasonable fee from students to finance the activities of the association in an amount determined by the governing board of the technical college which has recognized it.

Every governing body which recognizes a student association shall deposit the fees in a student association fund. The money in this fund shall be available for expenditure for recreational, social, welfare, charitable, and educational activities approved by the student association. The money in the fund is not public money.

Sec. 6. Minnesota Statutes 1992, section 136C.61, subdivision 7, is amended to read:

Subd. 7. [MEETINGS.] Notwithstanding any law to the contrary, the joint board may hold meetings at any location convenient to the member districts and the public, whether or not that meeting site is located within the boundaries of a member district. The joint board may also conduct meetings ~~via interactive television~~ by means of telecommunications if the board complies with section 471.705 in each location where board members are present. The joint board shall establish and maintain a schedule of the time and place of its meetings and shall give notice of regular and special meetings in the same manner as required for other public bodies.

Sec. 7. Laws 1991, chapter 356, article 6, section 4, as amended by Laws 1992, chapter 513, article 1, section 25, is amended to read:

Subd. 3a. [CURRENT EMPLOYEES.] It is the policy of the state of Minnesota that restructuring of peace officer education be accomplished while ensuring that fair and equitable arrangements are carried out to protect the interests of higher education system employees, and while facilitating the best possible service to the public. The affected governing boards shall make every effort to train and retrain existing employees full-time law enforcement training center administrators for a changing work environment.

Options presented to employees full-time law enforcement training center administrators whose positions might be eliminated by integrating peace officer education programs must include, but not be limited to, job and training opportunities necessary to qualify for another job within their current institution or a similar job in another institution. This provision shall expire on December 31, 1993."

Delete the title and insert:

"A bill for an act relating to public administration; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; amending Minnesota Statutes 1992, sections 3.9741; 16A.127, subdivision 8; 126.56, subdivision 5; 135A.03, subdivision 7; 135A.06, subdivision 1; 135A.061; 136A.02, subdivisions 5, 6, and 7; 136A.04, subdivision 1; 136A.0411; 136A.08; 136A.101, subdivision 7; 136A.121, subdivisions 6 and 9; 136A.125, subdivision 3; 136A.1352, subdivisions 1 and 2; 136A.1353, subdivision 4; 136A.1354, subdivision 4; 136A.1701, subdivision 4, and by adding a subdivision;

136A.233; 136A.653, subdivision 1; 136A.69; 136A.87; 136C.15; 136C.61, subdivision 7; 136E.04, subdivision 3; 137.022, subdivision 3, and by adding a subdivision; 141.25, subdivision 8; 141.26, subdivisions 1 and 5; Laws 1990, chapter 591, article 3, section 10, as amended; Laws 1991, chapter 356, articles 6, section 4, as amended; and 9, section 8, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 136A; and 137; repealing Minnesota Statutes 1992, sections 135A.06, subdivisions 2, 3, 4, 5, and 6; 136A.121, subdivision 10; 136A.134; 136A.1352, subdivision 3; 136A.234; 136A.70; 136A.85; 136A.86; 136A.88; Laws 1991, chapter 356, article 8, section 23."

The motion prevailed and the amendment was adopted.

The Speaker called Bauerly to the Chair.

Rodosovich and Morrison moved to amend S. F. No. 1407, as amended, as follows:

Page 2, delete line 8 and insert:

"General	\$1,005,623,000	\$1,043,532,000	\$2,049,155,000"
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Page 2, delete line 20 and insert:

"445,948,000	462,187,000	908,135,000"
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Page 6, line 56, delete "444,948,000" and "461,187,000" and insert "445,948,000" and "462,187,000"

Page 7, line 2, delete "362,780,000" and "375,732,000" and insert "363,780,000" and "376,732,000"

Page 7, line 11, delete "114,965,000" and insert "115,965,000"

Page 7, line 12, delete "119,112,000" and insert "120,112,000"

Page 7, after line 12, insert:

"Up to \$1,000,000 in each year is to pay potential increases in employer paid insurance benefits for state-funded University of Minnesota employees."

The question was taken on the Rodosovich and Morrison amendment and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Bettermann and Rodosovich moved to amend S. F. No. 1407, as amended, as follows:

Page 16, line 12, delete "six" and insert "four"

Page 16, line 14, delete "at least one public member"

Page 16, line 15, delete "two" and insert "one" and delete "members"

Page 16, line 15, after the period, insert: "The governor shall appoint two public members and two students."

The motion prevailed and the amendment was adopted.

Orenstein, Rodosovich, Dorn, Dehler, Bertram, Morrison and McCollum moved to amend S. F. No. 1407, as amended, as follows:

Page 3, after line 48, insert:

"Private institutions are encouraged to reallocate institutional financial aid resources as appropriate to offset any negative impact on students from the adoption of the federal methodology and other changes."

The motion prevailed and the amendment was adopted.

S. F. No. 1407, as amended, was read for the third time.

MOTION FOR RECONSIDERATION

Stanis moved that the action whereby S. F. No. 1407, as amended, was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Stanis motion and the roll was called. There were 86 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abrams	Commers	Frerichs	Jaros	Leppik	Neary	Peterson
Anderson, R.	Cooper	Garcia	Jennings	Limmer	Nelson	Pugh
Asch	Dauner	Goodno	Johnson, A.	Lindner	Olson, K.	Rest
Beard	Davids	Gruenes	Johnson, V.	Lourey	Olson, M.	Rhodes
Bergson	Dawkins	Gutknecht	Kahn	Lynch	Onnen	Seagren
Bettermann	Dehler	Hasskamp	Klinzing	Macklin	Opatz	Sekhon
Bishop	Dempsey	Haukoos	Knickerbocker	Milbert	Osthoff	Smith
Blatz	Erhardt	Holsten	Koppendrayner	Molnau	Ozment	Solberg
Brown, C.	Evans	Hugoson	Krinkie	Mosel	Pauly	Sparby
Carlson	Farrell	Jacobs	Lasley	Munger	Pelowski	Stanis

Steensma	Tomassoni	Tunheim	Vickerman	Wejcman	Workman
Sviggum	Tompkins	Van Dellen	Waltman	Winter	
Swenson	Trimble	Vellenga	Weaver	Worke	

Those who voted in the negative were:

Anderson, I.	Delmont	Johnson, R.	Lieder	Orenstein	Rice	Welle
Battaglia	Dorn	Kalis	Luther	Orfield	Rodosovich	Wenzel
Bauerly	Greenfield	Kelley	Mariani	Ostrom	Rukavina	Wolf
Bertram	Greiling	Kelso	McCollum	Pawlenty	Sarna	
Carruthers	Hausman	Kinkel	McGuire	Perlt	Skoglund	
Clark	Huntley	Krueger	Olson, E.	Reding	Wagenius	

The motion prevailed.

LAY ON THE TABLE

Rodosovich moved to lay S. F. No. 1407, as amended, on the table. The motion prevailed and S. F. No. 1407, as amended, was laid on the table.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Krinkie; Johnson, V.; Stanius; Seagren and Worke introduced:

H. F. No. 1748, A bill for an act relating to state parks; free admission for civilian conservation corps members; amending Minnesota Statutes 1992, section 85.055, by adding a subdivision.

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

Kalis, for the Committee on Capital Investment, introduced:

H. F. No. 1749, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonding; appropriating money; amending Minnesota Statutes, section 16B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124C; and 137.

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

HOUSE ADVISORIES

The following House Advisories were introduced:

Brown, C.; Cooper; Mosel; Kalis and Davids introduced:

H. A. No. 11, A proposal to study the valuation of agricultural land for property tax purposes.

The advisory was referred to the Committee on Taxes.

Clark, Skoglund, Hausman, Huntley and Mariani introduced:

H. A. No. 12, A proposal to study medical uses of marijuana and THC.

The advisory was referred to the Committee on Judiciary.

Sparby, Steensma, Koppendrayner, Wenzel and Girard introduced:

H. A. No. 13, A proposal to study agricultural credit.

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were 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. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring lobbyists and political committees and funds to include their registration number on contributions; prohibiting certain "friends of" committees; requiring reports by certain solicitors of campaign contributions; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; requiring certain notices; changing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.04, by adding a subdivision; 10A.065, subdivision 1; 10A.14, subdivision 2; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, subdivision 3, and by adding a subdivision; 10A.25, by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A; 211A; and 211B.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sparby moved that the House refuse to concur in the Senate amendments to H. F. No. 163, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Madam Speaker:

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

S. F. Nos. 334 and 1570.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 334, A bill for an act relating to traffic regulations; authorizing issuance of a citation to a driver and penalizing vehicle owner or lessee for failure to yield right-of-way to emergency vehicle; amending Minnesota Statutes 1992, section 169.20, by adding subdivisions.

The bill was read for the first time.

Pugh moved that S. F. No. 334 and H. F. No. 357, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1570, A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; transferring responsibilities to the commissioner of natural resources; continuing the citizen's council on Voyageurs national park; providing for crop protection assistance; changing certain license fees; imposing a solid waste assessment; modifying the hazardous waste generator tax; establishing a hazardous waste generator loan program; expanding the number of facilities subject to pollution prevention requirements; providing for membership on the legislative commission on Minnesota resources; requiring a toxic air contaminant strategy; amending Minnesota Statutes 1992, sections 17.59, subdivision 5; 17A.11; 18B.05, subdivision 2; 18C.131; 21.115; 21.92; 25.39, subdivision 4; 27.07, subdivision 6; 32.394, subdivision 9; 32A.05, subdivision 4; 41A.09, by adding a subdivision; 84.027, by adding a subdivision; 85.016; 85.22, subdivision 2a; 85A.02, subdivision 17; 88.79, subdivision 2; 97A.055, subdivision 1, and by adding a subdivision; 97A.065, subdivision 3; 97A.071, subdivision 2; 97A.075, subdivisions 1 and 4; 97A.441, by adding a subdivision; 97A.475, subdivision 12; 97C.355, subdivision 2; 103F.725, by adding a subdivision; 115A.96, subdivisions 3 and 4; 115B.22, by adding subdivisions; 115B.24, subdivision 6; 115B.42, subdivision 2; 115D.07, subdivision 1; 115D.10; 115D.12, subdivision 2; 116J.401; 116P.05, subdivision 1; 116P.10; 116P.11; 160.265; 297A.45, by adding a subdivision; 299K.08, by adding a subdivision; 473.351, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 115A; 115B; and 115D; repealing Minnesota Statutes 1992, sections 97A.065, subdivision 3; 97A.071, subdivision 2; 97A.075, subdivisions 2, 3, and 4; 97B.715, subdivision 1; 97B.801; 97C.305; 115B.21, subdivisions 4 and 6; 115B.22, subdivisions 1, 2, 3, 4, 5, and 6.

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, Solberg moved that the rule therein be suspended and an urgency be declared so that S. F. No. 1570 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Solberg moved that the Rules of the House be so far suspended that S. F. No. 1570 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 1570 was read for the second time.

Battaglia moved to amend S. F. No. 1570, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
APPROPRIATIONS

Section 1. [ENVIRONMENT AND NATURAL RESOURCES; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this article, to be available for the fiscal years indicated for each purpose. The figures "1993," "1994," and "1995," where used in this article, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1993, June 30, 1994, or June 30, 1995, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30
1994 1995

Sec. 2. POLLUTION CONTROL AGENCY

Subdivision 1. Total Appropriation	\$35,377,000	\$33,251,000
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1994		1995
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Approved Complement - 756		760
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Summary by Fund

General	10,062,000		7,471,000
Environmental	23,663,000		24,128,000
Metro Landfill			
Contingency	797,000		797,000
Special Revenue	855,000		855,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Water Pollution Control

7,916,000	5,421,000
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Summary by Fund

General	5,871,000		3,376,000
Environmental	2,045,000		2,045,000

\$1,946,000 the first year is for grants to local units of government for the clean water partnership program. Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium.

\$94,000 is appropriated for a grant to the city of Garrison for the engineering and planning costs on the proposed sewage treatment plant.

APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

\$500,000 the first year is appropriated for Minnesota's contribution to the Great Lakes Protection Fund. This is the final payment of a \$1,500,000 obligation.

General fund money appropriated for the nonpoint source pollution Minnesota River project must be matched by federal dollars.

Subd. 3. Air Pollution Control

	6,340,000	6,521,000
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Summary by Fund

Environmental	5,485,000	5,666,000
Special Revenue	855,000	855,000

Subd. 4. Groundwater and Solid Waste Pollution Control

	9,334,000	9,326,000
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Summary by Fund

General	606,000	606,000
Environmental	7,939,000	7,931,000

Metro Landfill Contingency	789,000	789,000
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All money in the environmental response, compensation, and compliance account in the environmental fund not otherwise appropriated is appropriated to the commissioners of the pollution control agency and the department of agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (4), (11), (12), and (13). At the beginning of each fiscal year, the two commissioners shall jointly submit an annual spending plan to the commissioner of finance that maximizes the utilization of resources and appropriately allocates the money between the two agencies. This appropriation is available until June 30, 1995.

All money in the metropolitan landfill abatement account in the environmental fund not otherwise appropriated is appropriated to the pollution control agency for payment to the metropolitan council and may be used by the council for the purposes of Minnesota Statutes, section 473.844. The council shall report to the legislative commission on waste management its budget and work program for spending this appropriation.

Any unencumbered balance from the metropolitan landfill contingency action trust fund remaining in the first year does not cancel but is available for the second year.

Subd. 5. Hazardous Waste Pollution Control

	4,827,000	4,781,000
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APPROPRIATIONS
Available for the Year
Ending June 30

1994

1995

Summary by Fund

General	1,519,000	1,473,000
Environmental	3,308,000	3,308,000

Subd. 6. Regional Support

52,000	52,000
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This appropriation is from the environmental fund.

Subd. 7. General Support

6,908,000	7,150,000
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Summary by Fund

General	2,066,000	2,016,000
Environmental	4,834,000	5,126,000

Metro Landfill

Contingency	8,000	8,000
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The following amounts are appropriated for Phase I of an environmental computer compliance management system:

General	571,000	521,000
Environmental	1,309,000	1,599,000

From the environmental fund, \$381,000 the first year and \$420,000 the second year are appropriated from the agency's indirect cost account; \$350,000 the first year is appropriated from the balance in the hazardous waste fee account; \$200,000 the first year is appropriated from the balance in the low level radiation fee account; \$790,000 the second year is appropriated from the unexpended balance in the motor vehicle transfer fee account; and \$378,000 the first year and \$389,000 are appropriated proportionately from all salary accounts in the environmental fund.

The project must be coordinated to access department of natural resources computer information. The commissioner must report on the project to the house ways and means and senate finance committee by July 1, 1995.

Before purchasing hardware and software for the compliance management system, the pollution control agency shall develop a technology implementation plan and submit the plan to the information policy office for review and approval.

\$150,000 is appropriated in each of fiscal years 1994 and 1995 to the commissioner of the pollution control agency from the motor vehicle transfer account in the environmental fund for the purpose of making grants for development of management alternatives for shredder residue under article 2, section 29. The unencumbered balance remaining in the first year does not cancel but is available

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1994

1995

for the second year and any amount of this appropriation not used to make grants under article 2, section 29 reverts to the motor vehicle transfer account on June 30, 1995.

\$300,000 is appropriated to the commissioner of the pollution control agency from the motor vehicle transfer account in the environmental fund for the purpose of studying management of shredder residue from motor vehicles, appliances, and other sources of recyclable steel and administering the grants authorized under article 2, section 29.

Notwithstanding any other law to the contrary, any outstanding obligations to include principal and interest that may be held in St. Louis county for grants and loans issued to the county for construction or operation of the Babbitt waste tire facility under Minnesota Statutes 1986, section 116M.07; Minnesota Statutes, section 115A.54, subdivision 2a; or 298.22; or Minnesota Rules, parts 8300.3881 to 8300.3090, shall be forgiven.

Sec. 3. OFFICE OF WASTE MANAGEMENT

Subdivision 1. Total Appropriation

20,012,000

20,014,000

1994

1995

Approved Complement - 55

55

Summary by Fund

General 19,022,000

19,024,000

Environmental 990,000

990,000

The amounts that may be spent from this appropriation for each program are specified in the following sections.

Subd. 2. Business Assistance

2,743,000

2,619,000

Summary by Fund

General 1,753,000

1,629,000

Environmental 990,000

990,000

Subd. 3. Citizen Outreach

696,000

696,000

APPROPRIATIONS
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Ending June 30

1994

1995

Subd. 4. Local Government Assistance

15,437,000

15,556,000

\$14,008,000 the first year and \$14,008,000 the second year are for the SCORE block grants to counties.

Subd. 5. Research and Policy Development

324,000

324,000

Subd. 6. Administrative Assistance

812,000

819,000

Sec. 4. ZOOLOGICAL BOARD

Subdivision 1. Total Appropriation

5,048,000

5,051,000

1994

1995

Approved Complement - 218

218

The amounts that may be spent from this appropriation are specified in the following subdivisions.

Subd. 2. Biological Programs

755,000

651,000

Subd. 3. Enterprise Program

92,000

94,000

Subd. 4. Operations

4,201,000

4,306,000

Sec. 5. NATURAL RESOURCES

Subdivision 1. Total Appropriation

150,900,000

150,213,000

1994

1995

Agency Approved -

Full-Time Equivalency 2,650

2,625

Summary by Fund

General	81,136,000	80,771,000
Game and Fish	51,312,000	51,791,000
Natural Resources	18,066,000	17,547,000
Permanent School	386,000	104,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

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Any unencumbered balances remaining in the first year from appropriations made in this section for organizational realignment do not cancel, but are available for the second year.

Of the total amount appropriated to the commissioner by this act, no more than \$107,000,000 the first year and \$109,500,000 the second year may be used for salary related expenses unless adjusted in accordance with the provisions of Minnesota Statutes, section 16A.123, subdivision 5.

Subd. 2. Mineral Resources Management

4,866,000

4,824,000

\$325,000 the first year and \$325,000 the second year are for iron ore cooperative research, of which \$250,000 the first year and \$250,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$468,000 the first year and \$469,000 the second year are for mineral diversification. Any unencumbered balance remaining in the first year does not cancel but is available for the second year. The commissioner is authorized one position in the unclassified service for minerals diversification.

The commissioner of natural resources, before adopting amendments to the mineland reclamation rules governing permits to mine for taconite and iron ore mining operations, shall study how to effectively implement the financial assurance requirements of Minnesota Statutes, section 93.49. The commissioner, by June 30, 1994, shall submit a report to the legislature containing:

- (1) an analysis of the types of financial assurance used for mineland reclamation, including the availability, strengths, and weaknesses of the different types;
- (2) an analysis of the feasibility of establishing financial assurance pools; and
- (3) recommendations for procedures to phase financial assurance requirements in over a period of years for ferrous mine operations.

The commissioner shall solicit and receive advice from the ferrous mining industry, environmental organizations, the state investment board, the Iron Range Resources and Rehabilitation Board, and the Minnesota pollution control agency.

\$30,000 the first year and \$45,000 the second year are for minerals cooperative environmental research, of which \$20,000 the first year and \$35,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

APPROPRIATIONS
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1994

1995

\$20,000 is appropriated in 1994 for a project to be completed in cooperation with the Iron Range Resources and Rehabilitation Board and the department of trade and economic development utilizing available information on iron product production in Minnesota, steel production using the newest mini mill technology and steel market projections to produce a report on the feasibility of locating a steel mill in northern Minnesota. This report is to be completed by March 31, 1994.

Subd. 3. Water Resources Management

7,825,000	7,747,000
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Summary by Fund

General	7,724,000	7,643,000
Natural Resources	101,000	104,000

\$35,000 is appropriated in 1994 for flood damage repairs to the dike on the Root river in Hokah township, section 32.

\$60,000 is appropriated in 1994 for bank stabilization on the Middle River-Snake River Watershed. The money must be matched by nonstate funds.

Subd. 4. Forest Management

27,202,000	26,976,000
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Summary by Fund

General	26,546,000	26,297,000
Natural Resources	333,000	344,000
Game and Fish	323,000	335,000

\$735,000 the first year and \$735,000 the second year are for presuppression and suppression costs of emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. If these appropriations are insufficient to cover all costs of suppression, the amount necessary to pay for emergency firefighting expenses during the biennium is appropriated from the general fund.

\$114,000 the first year and \$114,000 the second year from the general fund under Minnesota Statutes, section 89.04, are for grants to the board of water and soil resources for cost-sharing with landowners in the state forest improvement program.

APPROPRIATIONS
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1994

1995

Subd. 5. Parks and Recreation Management

22,134,000	22,924,000
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Summary by Fund

General	21,526,000	22,295,000
Natural Resources	608,000	629,000

\$608,000 the first year and \$629,000 the second year are from the water recreation account in the natural resources fund for state park development projects. If the appropriation in either year is insufficient, the appropriation for the other year is available for it.

\$2,238,000 the first year and \$2,238,000 the second year are for payment of a grant to the metropolitan council for metropolitan area regional parks maintenance and operation.

\$50,000 is appropriated in 1995 for the Cuyuna Country State Recreational Area.

The commissioner of natural resources may not operate a work training program for unemployed and underemployed individuals during the biennium ending June 30, 1995, unless the terms and conditions of employment of such individuals have been negotiated with the exclusive bargaining representatives of employees pursuant to Minnesota Statutes, chapter 179A.

The commissioner shall study the management and operational costs of the state park system and evaluate alternative funding approaches for the system. Results of the study shall be reported to the legislature by July 1, 1994, and shall include but not be limited to a review of the size, type, and number of units within the system; alternative management strategies and organizational structures; revenue generating alternatives; potential stable funding sources and potential alternatives for reducing costs and improving self-sufficiency.

Subd. 6. Trails and Waterways

11,044,000	10,736,000
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Summary by Fund

General	1,125,000	1,163,000
Game and Fish	841,000	869,000
Natural Resources	9,078,000	8,704,000

\$2,249,000 the first year and \$2,249,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for snowmobile grants-in-aid.

\$250,000 the first year and \$250,000 the second year are from the water recreation account in the natural resources fund for a safe harbor program on Lake Superior. Any unencumbered balance at the end of the first year does not cancel and is available for the second year.

APPROPRIATIONS
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Ending June 30
1994 1995

Subd. 7. Fish and Wildlife Management

35,756,000	35,806,000
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Summary by Fund

General	2,552,000	2,454,000
Game and Fish	31,426,000	31,509,000
Natural Resources	1,778,000	1,843,000

\$874,000 in the first year and \$874,000 the second year are appropriated from the game and fish fund for payments to counties in lieu of taxes on acquired wildlife lands and is not subject to transfer.

\$984,000 the first year and \$1,020,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year does not cancel but is available the second year. The commissioner of natural resources shall submit to the legislature by January 15, 1994, a budget request to spend any excess receipts from the nongame checkoff.

\$130,000 the first year and \$130,000 the second year are from the game and fish fund for deer and bear management to include emergency deer feeding. If the appropriation for either year is insufficient, the appropriation for the other year is available.

\$1,310,000 the first year and \$1,310,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands, established under Minnesota Statutes, section 84.95, subdivision 2. Any unencumbered balance for the first year does not cancel but is available for use the second year.

\$44,000 is appropriated in 1994 for the construction of barrier reefs on the west traverse bay of the Lake of the Woods, for fish habitat improvement.

\$50,000 for the biennium is from the general fund for a cooperative project with the University of Minnesota to study the prevalence of Lyme's disease in deer. The study shall utilize the voluntary cooperation of licensed deer hunters. This appropriation is available in either year of the biennium.

\$8,000 is appropriated in 1994 for construction of an interpretive display in the Thief Lake WMA.

The commission shall report to the house environment and natural resource finance and the senate environment and natural resource committee on the activities and budgeting of the deer population management program by February 15, 1994.

The department of natural resources shall establish a task force to examine the feasibility of creating an urban trout fishing site in St. Paul. Potential sites shall include, but not be limited to, Swede Hollow, the historic Trout Brook, or a route from near downtown

APPROPRIATIONS
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1994

1995

to the department of natural resources metro fish hatchery. The task force shall include representatives of the city of St. Paul, the office of tourism, the Minnesota chapter of Trout Unlimited, the University of Minnesota, and other interested parties. A report shall be presented to the house and senate committees on environment and natural resources by February 15, 1994.

Subd. 8. Enforcement

16,086,000	16,371,000
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Summary by Fund

General	3,040,000	3,041,000
Game and Fish	10,447,000	10,681,000
Natural Resources	2,599,000	2,649,000

\$1,082,000 the first year and \$1,082,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety.

The commissioner shall study the county sheriff's water patrol grant funding, including but not limited to the aid formula and county level activities, and make recommendations for any needed legislation. The commissioner shall report to the house environment and natural resources finance and senate finance committees by January 15, 1994.

Subd. 9. Operations Support

25,987,000	24,829,000
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Summary by Fund

General	13,757,000	13,054,000
Game and Fish	8,275,000	8,397,000
Natural Resources	3,569,000	3,274,000
Permanent School	386,000	104,000

\$386,000 the first year and \$104,000 the second year are from the permanent school fund for land sale costs under Minnesota Statutes, section 92.67, subdivision 3. Of this appropriation \$88,000 the first year is from the permanent school fund suspense account. This amount shall be repaid to the suspense account from closing costs collected at the August 1993 lease sale. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

\$90,000 the first year and \$90,000 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under its jurisdiction.

\$16,000 the first year and \$16,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement their portion of the comprehensive plan for the upper Mississippi.

APPROPRIATIONS
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1994

1995

The commissioner of the department of natural resources shall have the authority to contract with and make grants to nonprofit agencies to carry out the purposes, plans, and programs of the office of youth programs, Minnesota conservation corps.

The department of natural resources shall complete a study of the payment in lieu of taxes program. Specifically, the department shall compare the amount of payments if based on an ad valorem system versus the current payments to counties. The study shall be sent to the house ways and means and the senate finance committees by January 15, 1994.

Before purchasing hardware and software, the department of natural resources shall submit a life cycle analysis for the local area network project to the information policy office for its review and approval. The department may develop, upgrade, or expand its own wide area network only after demonstrating to the information policy office that a separate network is more cost beneficial than using STARS. The department of natural resources shall submit a strategic information plan to the information policy office for its review and approval by July 1, 1994.

The department shall require field employees who are not included in the uniform program but who have frequent contact with the public to wear a specified shirt. The department shall provide an identifying patch and a nameplate to be worn on the shirt.

\$100,000 is appropriated in 1994 and \$100,000 in 1995 to the commissioner of natural resources for transfer to the environment quality board. The money is to be used for the coordination of the preparation of a strategic plan for Minnesota's environment based on sustainable human and economic development.

The department of natural resources, with the cooperation of other state agencies, shall identify state employees who are potentially eligible for approval as certified ecologists under guidelines of the Ecological Society of America. Employees shall be eligible for reimbursement in accordance with personnel regulations for expenses directly related to becoming certified ecologists.

Subd. 10. Deficiency Appropriations

\$240,000 is appropriated to the commissioner of the department of natural resources. Of this amount, \$120,000 is from the permanent school fund suspense account and is to be added to the appropriation in, and used for the purposes of Laws 1991, chapter 254, article 1, section 5, subdivision 9, and \$120,000 is to pay legal costs of litigation and settlement of disputes relating to the 1837 Treaty. The amounts appropriated are for the fiscal year ending June 30, 1993.

Sec. 6. BOARD OF WATER AND SOIL RESOURCES

12,224,000

12,226,000

1994

1995

Approved Complement - 50

50

APPROPRIATIONS
Available for the Year
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1994

1995

\$5,353,000 the first year and \$5,353,000 the second year are for natural resources block grants to local governments. Of this amount, \$50,000 in each year is for a grant to the north shore management board.

\$1,599,000 the first year and \$1,599,000 the second year are for grants to soil and water conservation districts, for general purposes and for implementation of the conservation reserve program. Upon approval of the board, expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts.

\$2,220,000 the first year and \$2,220,000 the second year are for grants to soil and water conservation districts for cost-sharing contracts for erosion control and water quality management. This appropriation is available until expended.

\$189,000 the first year and \$189,000 the second year are for grants to watershed districts and other local units of government in the southern Minnesota river basin study area 2 for flood plain management.

Any unencumbered balance in the board's program of grants to soil and water conservation districts and counties does not cancel at the end of the first year and is available for the second year for the same grant program.

Sec. 7. AGRICULTURE

Subdivision 1. Total Appropriation

22,050,000

20,918,000

1994

1995

Approved Complement - 539

539

Summary by Fund

General	21,595,000	20,463,000
Environmental	272,000	272,000
Special Revenue	183,000	183,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Protection Service

6,031,000

6,031,000

Summary by Fund

General	5,759,000	5,759,000
Environmental	272,000	272,000

APPROPRIATIONS
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Ending June 30

1994

1995

\$272,000 the first year and \$272,000 the second year are from the environmental response, compensation, and compliance account in the environmental fund.

Subd. 3. Promotion and Marketing

10,451,000	9,451,000
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Summary by Fund

General	10,268,000	9,268,000
Special Revenue	183,000	183,000

\$8,500,000 the first year and \$8,500,000 the second year are for payments to producers of ethanol or wet alcohol which shall be paid pursuant to Minnesota Statutes, section 41A.09. From the first year amount, the commissioner shall first reimburse producers up to \$981,024 for eligible, unpaid claims in fiscal year 1993. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$1,000,000 is appropriated in 1994 for use by the rural finance authority for purposes of assisting in the finance of ethanol production facilities in Minnesota. Any amount of this appropriation that remains unencumbered at the end of any biennium does not revert to the general fund but remains available as a revolving account.

\$71,000 the first year and \$71,000 the second year are for transfer to the Minnesota grown matching account and may be used as grants for Minnesota grown promotion.

\$183,000 for the first year and \$183,000 for the second year are from the commodities research and promotion account in the special revenue fund.

\$45,000 is appropriated in each year for a project to expand agriculture opportunities for the Hmong and other Southeast Asian farmers by expansion of the existing market base and to target new wholesale and retail markets. The money may also be used to expand the wholesale and retail market for other groups involved in direct marketing efforts such as alternative meat and food products. The department must report on the project to the finance committees by January 15, 1995.

Subd. 4. Administration and Financial Service

5,568,000	5,436,000
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\$389,000 the first year and \$389,000 the second year are for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. No new loans may be approved in fiscal year 1994 or 1995.

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1994

1995

\$80,000 the first year and \$80,000 the second year are for grants to farmers for demonstration projects involving sustainable agriculture. If a project cost is more than \$25,000, the amount above \$25,000 must be cost-shared at a state-applicant ratio of one to one. Priorities must be given for projects involving multiple parties. Up to \$20,000 each year may be used for dissemination of information about the demonstration grant projects. If the appropriation for either year is insufficient, the appropriation for the other is available.

\$70,000 the first year and \$70,000 the second year are for the Northern Crops Institute. These appropriations may be spent to purchase equipment and are available until spent.

\$45,000 the first year and \$45,000 the second year are for payment of claims relating to livestock damaged by endangered animal species, and agriculture crops damaged by elk. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$80,000 the first year and \$80,000 the second year are for the seaway port authority of Duluth.

\$19,000 the first year and \$19,000 the second year is for a grant to the Minnesota livestock breeder's association.

Sec. 8. BOARD OF ANIMAL HEALTH

2,096,000

2,096,000

1994

1995

Approved Complement - 37

37

This appropriation includes \$25,000 the first year and \$25,000 the second year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 must not be paid.

\$255,000 the first year and \$255,000 the second year are for an integrated pseudorabies control and research program. The board of animal health must consult with the pseudorabies advisory council about how this money should be spent. The appropriation is available only as matched, dollar for dollar, by money from nonstate sources.

Sec. 9. MINNESOTA-WISCONSIN BOUNDARY
AREA COMMISSION

127,000

127,000

This appropriation is only available to the extent it is matched by an equal amount from the state of Wisconsin.

Sec. 10. CITIZENS COUNCIL ON VOYAGEUR'S
NATIONAL PARK

72,000

72,000

The council shall have an executive committee composed of the legislative members and the chair. The executive committee shall

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1994

1995

act on matters of personnel, out-of-state trips by members of the council, and nonroutine monetary issues.

The council shall submit to the house ways and means and the senate finance committee a report on its coordination with other organizations by January 1, 1994.

Sec. 11. SCIENCE MUSEUM OF MINNESOTA

1,123,000

1,108,000

\$15,000 is appropriated for a project to study the creation of a freshwater aquarium on the Mississippi river in downtown St. Paul. The project will look at displaying and interpreting the marine life and surrounding cultures of the great river of the world. The science museum will work with groups including but not limited to the department of natural resources, Minnesota tourism office, University of Minnesota, city of St. Paul, the Minnesota geographical society, and other interested parties. A report must be submitted to the appropriate finance committees of the house and senate by February 1, 1994.

The Science Museum shall meet with other area institutions to research and report on the feasibility of creating a short-term inexpensive residency housing program for greater Minnesota students to visit metropolitan area cultural and educational institutions. Members of the task force shall include, but not be limited to: Science Museum, city of St. Paul, department of education, department of tourism, and other metropolitan area cultural institutions. The Science Museum shall report to the environmental committees in the house and senate by January 30, 1994.

Sec. 12. MINNESOTA ACADEMY OF SCIENCE

36,000

36,000

Sec. 13. MINNESOTA HORTICULTURAL SOCIETY

72,000

72,000

Sec. 14. MINNESOTA RESOURCES

Subdivision 1. Total Appropriation

41,274,000

Summary by Fund

Minnesota Future Resources Fund 14,662,000

Minnesota Environment and Natural
Resources Trust Fund 24,600,000

Of this appropriation \$10,298,000 is for trust fund acceleration.

Oil Overcharge Money in
the Special Revenue Fund 2,012,000

The appropriations in this section are available until June 30, 1995.

APPROPRIATIONS
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1994

1995

In this section:

(a) "Future resources fund" means the Minnesota future resources fund referred to in Minnesota Statutes, section 116P.13.

(b) "Trust fund" means the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

(c) "Trust fund acceleration" means the Minnesota environment and natural resources trust fund to be expended only for capital investments in parks and trails referred to in Minnesota Statutes, section 116P.11, paragraph (b), clause (3).

(d) "Oil overcharge money" means the money referred to in Minnesota Statutes, section 4.071, subdivision 2.

Subd. 2. Legislative Commission on Minnesota Resources

695,000

\$425,000 of this appropriation is from the future resources fund and \$270,000 is from the trust fund pursuant to Minnesota Statutes, section 116P.09, subdivision 5.

For the biennium ending June 30, 1995, the commission shall monitor the programs in this section; assess the status of the state's natural resources; convene a state resource congress; establish priorities for, request, review, and recommend programs for the 1995-1997 biennium from the future resources fund, environment and natural resources trust fund, and oil overcharge money, and for support of the citizen advisory committee activities.

Subd. 3. Agriculture

(a) Biological Control of Plant and Animal Pests

880,000

This appropriation is from the oil overcharge money to the commissioner of administration for transfer to the commissioner of agriculture to develop, test, and implement biological control agents to reduce the use of petroleum-based chemicals. A grant request to supplement this appropriation must be submitted to the United States Department of Agriculture and the results reported to the legislative commission on Minnesota resources.

(b) Cover Crops in a Corn and Soybean Rotation

150,000

This appropriation is from the future resources fund to the commissioner of agriculture for a contract with the University of Minnesota for the development of economic management strategies of cover crops for corn and soybean rotations to reduce soil erosion, nitrate leaching, and pesticide use.

(c) Increasing Utilization of Federal Cost Share Feedlot Funds

480,000

This appropriation is from the future resources fund to the commissioner of agriculture to provide technical assistance for the rehabilitation of priority feedlots with water quality concerns.

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1994

1995

(d) Demonstration of Production Scale Waste
Collection in Aquaculture

100,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency for a contract with Minnesota Aquafarms to evaluate operational efficiencies of a fish waste collection system and to evaluate the potential for the waste collection system to meet state water quality requirements.

(e) Reinvest in Minnesota - Conservation Reserve Easements

500,000

This appropriation is from the trust fund to the board of water and soil resources to accelerate the RIM program to acquire perpetual conservation easements on marginal agricultural lands. Up to \$100,000 may be used to implement conservation practices on the easements. None of this appropriation may be used for administrative costs.

(f) Alternative Aquaculture Methods

230,000

This appropriation is from the future resources fund to the commissioner of agriculture to develop and evaluate alternative methods of raising fish, focusing on water conservation through waste removal, and collection involving recirculating aquaculture systems. Grant requests to supplement this appropriation must be submitted to the United States Department of Agriculture and the national Sea Grant program and the results reported to the legislative commission on Minnesota resources.

(g) Minnesota Aquaculture Development Program

230,000

This appropriation is from the future resources fund to the commissioner of agriculture to conduct a grant program for the evaluation and development of environmentally sound aquaculture systems.

(h) Managing Agricultural Environments of North-Central
Minnesota Sandy Soils

480,000

This appropriation is from the future resources fund to the commissioner of agriculture for a contract with the University of Minnesota to develop improved management strategies for water, nitrogen, and herbicide use on sandy soils in north central Minnesota.

(i) Nutrient Availability From Land-Applied Manure

280,000

This appropriation is from the future resources fund to the commissioner of agriculture for a contract with the University of Minnesota to determine nutrient availability from manure/soil/crop systems to improve manure utilization by crops, reduce environmental impacts on water resources, and provide best management practices (BMPs) to guide manure management decisions.

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1994

1995

(j) Effective Manure Management in Conservation Tillage
Systems for Karst Areas

500,000

This appropriation is from the future resources fund to the commissioner of agriculture for a contract with the University of Minnesota to investigate factors that influence losses of contaminants to surface and groundwater. The emphasis will be on soil, crop residue, and manure management to maximize crop recovery of nitrogen and minimize losses to surface and groundwater.

(k) Nutrient Recycling Through Plants and Animals

260,000

This appropriation is from the future resources fund to the commissioner of agriculture for a contract with the University of Minnesota to improve techniques to predict nitrogen mineralization from manure and soil organic matter in west central Minnesota.

(l) Developing Soil Specific Nitrogen Management as
a Best Management Practice (BMP)

294,000

This appropriation is from the oil overcharge money to the commissioner of administration for transfer to the commissioner of agriculture for development of new soil specific, variable rate nitrogen applications that will increase operating efficiency and reduce applied nitrogen without reducing yield.

Subd. 4. Energy

(a) Photovoltaic Demonstration Project

230,000

This appropriation is from the oil overcharge money to the commissioner of administration for a grant to the St. Paul school district for purchase and installation of a photovoltaic demonstration system at the Battle Creek environmental magnet school.

(b) Operational Implications of Alternate Transit Bus Fuels

78,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the metropolitan transit commission to test alternate bus fuels to evaluate their potential for reduced fuel consumption and increased operational efficiency.

(c) The Bus, Bike, or Car Pool (B-BOP) Challenge

150,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the center for energy and urban environment to reduce energy use by the delivery of an employer-based program that cost effectively reduces the use of single occupant vehicles by commuters who pledge to B-BOP or telecommute regularly during the summer.

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(d) Tree and Grass Production for Ethanol

380,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the agricultural utilization research institute to implement a program to supply biomass feedstock derived from trees and grass to a national renewable energy laboratory (NREL), United States Department of Energy Engineering Development facility for converting biomass to ethanol and thermochemical fuels. This appropriation is contingent on a NREL agreement by January 1, 1994, to purchase biomass.

Subd. 5. Forestry

(a) Development of Tree Seed Orchard Complex

80,000

This appropriation is from the future resources fund to the commissioner of natural resources for production of genetically improved forest tree seed.

(b) Como Park Replanting Program

93,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the city of St. Paul to replant areas in Como Park that have lost trees due to disease, age, or other causes.

(c) Reforestation in Ramsey County Parks and Open Space

50,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with Ramsey county to accelerate the reforestation program in Ramsey county regional and county parks to replace trees lost to storm damage, drought, and disease and begin establishment of new plantings. None of this appropriation is to be used for administration.

(d) Developing Quality Hardwood Forests

210,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the University of Minnesota to conduct research on the effects of different canopy gap sizes and site preparation methods on natural hardwood regeneration.

Subd. 6. General

(a) Minnesota County Biological Survey - Continuation

900,000

This appropriation is from the trust fund to the commissioner of natural resources to continue the Minnesota county biological survey of systematic collection (\$432,000) and management of data on the distribution of rare plants, animals and natural habitats (\$288,000) and to provide for distribution and integration of rare features information (\$180,000).

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(b) Minnesota's Forest-Bird Diversity Initiative - Continuation

500,000

This appropriation is from the trust fund to the commissioner of natural resources to monitor forest songbird populations and to utilize geographic information system tools to correlate forest bird populations with dynamics of the forest landscape.

(c) Description and Evaluation of Minnesota Old Growth Forests - Continuation

250,000

This appropriation is from the future resources fund to the commissioner of natural resources to accelerate the evaluation of old growth candidate stands (\$90,000), develop detailed descriptions of old growth forest types (\$110,000), and determine habitat relations of forest fungi in old growth forests (\$50,000) for completion of the implementation of the department of natural resources old growth guidelines.

(d) Mississippi Headwaters River Inquiry and Education Project

75,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the Mississippi headwaters board to provide for the investigation of river corridor biology, hydrology, and cultural issues, training of local government officials, and public education on river protection strategies.

(e) Anadromous Fish Monitoring

137,000

This appropriation is from the future resources fund to the commissioner of natural resources for biologic monitoring to improve the management of the steelhead population on the north shore of Lake Superior.

(f) Land and Water Conservation Fund Administration

80,000

This appropriation is from the future resources fund to the commissioner of natural resources for administration of the federal land and water conservation program and other contract administration activities assigned to the commissioner in this section.

Subd. 7. Information/Education

(a) Quantify Pesticide and Fertilizer Runoff from Golf Courses

49,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency for a contract with suburban Hennepin Regional Park district for a study of the quantity of pesticide and fertilizer runoff water from golf courses and an assessment of the impact of these contaminants on downstream waterbodies. This appropriation must be matched by \$49,000 of nonstate funds.

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(b) Developing Multi-Use Urban Green Space

220,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the Minneapolis park and recreation board to develop city tax forfeited lands into neighborhood gardens, orchards, alternative landscape demonstration areas, and tree nurseries.

(c) K-12 Prairie Wetland Field Study Program - Ecology Bus

270,000

This appropriation is from the future resources fund to the commissioner of education for a contract with Heron Lake Environmental Learning Center, Inc., to purchase, equip, and operate an ecology bus to deliver an interdisciplinary K-12 school environmental education program in southwest Minnesota. This appropriation is contingent on the learning center employing a specialist to guide student and teacher participation in the ecology bus.

(d) The On-Line Museum: Computer and Interactive Video

260,000

This appropriation is from the trust fund to the commissioner of education for a contract with the science museum of Minnesota to create an interactive video data base of selected cultural and natural history collections as a prototype for a unique learning experience in environmental education for museum visitors and school children.

(e) Environmental Education Outreach Program

215,000

This appropriation is from the future resources fund to the commissioner of education for a contract with metropolitan waste control commission (MWCC) to develop a multidisciplinary environmental science and math curriculum for grades K-12 and team-taught by private sector volunteers, teachers, and MWCC volunteer staff. A grant request to supplement this appropriation must be submitted to the United States Environmental Protection Agency and the results reported to the legislative commission on Minnesota resources. This appropriation must be matched by an equal amount of nonstate funds.

(f) Summer Youth History Program

100,000

This appropriation is from the future resources fund to the Minnesota state historical society to provide summer employment for high school students of at least 50 percent minority or disadvantaged at historic sites.

(g) The Ecology of Minnesota - Book

51,000

This appropriation is from the future resources fund to the University of Minnesota for a grant to the university press to assist in the preparation and production of a book presenting a comprehensive overview of Minnesota's natural environment.

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(h) Green Street: An Urban Environmental Awareness Project

550,000

This appropriation is from the trust fund to the commissioner of education for a contract with the science museum of Minnesota to develop a comprehensive, coordinated urban environmental education project, which will be a core exhibit and outreach program focused on revealing the links between modern lifestyles and major environmental issues.

(i) Minnehaha Park Environmental Interpretive Center

337,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the Minneapolis park and recreation board to adaptively reuse the Longfellow house in Minnehaha Park as an urban interpretive center.

(j) Nicollet Conservation Club Swan Lake Interpretive Room

18,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the Nicollet conservation club to equip a Swan Lake interpretive center at the Nicollet conservation club. Facilities will be open for use by local school groups and state agencies for interpretive programs and meetings at no charge. This appropriation must be matched by an equal amount of nonstate funds.

(k) Project City Camp: Experiential Urban
Environmental Education

130,000

This appropriation is from the future resources fund to the commissioner of education for a contract with Pillsbury Neighborhood Services, Inc., to implement Project City Camp, to help inner city poor and minority youth and adults understand the urban environment and its impact on human development.

(l) Granite Quarry Park and Interpretive Center Planning

50,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with Stearns county to study the features of the quarry sites and plan for the development of an interpretive and recreational regional park. This appropriation must be matched by \$50,000 of nonstate funds.

(m) Expanded Crosby Farm Park Nature Program

91,000

This appropriation is from the future resources fund to the commissioner of education for a contract with the city of St. Paul to accelerate the nature study program established at Crosby Farm Park utilizing the Como zoo, Como conservatory, and Crosby Farm Nature Park.

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(n) Multiple-Use Forest Management Learning Kit

15,000

This appropriation is from the future resources fund to the commissioner of education for a contract with Deep Portage environmental learning center to develop a multiple use forest management learning kit. This appropriation must be matched by \$5,500 of nonstate funds.

(o) An Outdoor Classroom to Improve Rural Environmental Education

60,000

This appropriation is from the future resources fund to the commissioner of education for a contract with the Faribault County Environmental Learning Center, Inc., in cooperation with area 4-H, communities and schools, for an outdoor classroom project using native Minnesota vegetation, to train instructors, educate youth and community members, and evaluate changes in environmental awareness.

Subd. 8. Land

(a) Base Maps for 1990s - Continuation

710,000

This appropriation is from the trust fund to the commissioner of administration to provide the state share of a 50/50 match program with the United States Geological Survey to continue statewide coverage of orthophoto maps, update mapping for the state major urban areas, and plan for future cooperative mapping and air photos programs.

(b) Rural County Use of National Aerial Photography Program Flight

90,000

This appropriation is from the future resources fund to the commissioner of administration for a contract with Houston county to evaluate the quality of digital planimetric map products and the effectiveness of national aerial photography program products in meeting the needs of Houston county users and to assist other counties in the future use of the products. This project must comply with the data compatibility requirements set forth in subdivision 15.

(c) Recreational Resource Planning in the Metro Mississippi Corridor

175,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the University of Minnesota to investigate the potential for enhancing and enriching the recreational opportunities along the Mississippi river in the metropolitan corridors of the Mississippi National River and Recreation Area (MNRRA). This appropriation must be matched by \$25,000 of nonstate funds.

Subd. 9. Minerals

Mitigating Concrete Aggregate Problems in Minnesota

179,000

This appropriation is from the future resources fund to the commissioner of transportation for a contract with the University of

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Minnesota to study means of mitigating concrete aggregate problems in southern Minnesota.

Subd. 10. Recreation

The appropriations in items (a) to (f) are for trust fund acceleration.

(a) State Park Betterment

3,000,000

This appropriation is from the trust fund to the commissioner of natural resources to develop, improve, and rehabilitate state park facilities to meet growing user demand as well as prevent further deterioration of outstanding historically significant structures.

(b) Americans With Disabilities Act: Retrofitting Regional Parks

220,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council to make subgrants to regional park implementing agencies to retrofit existing facilities to meet federal Americans with Disabilities Act (ADA) requirements.

(c) Trail Linkages, Metropolitan Regional Network

2,327,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council to make subgrants to acquire and improve regional trails which link existing and planned regional, local, and state parks and trails.

(d) Initiate Gateway Segment of the Willard Munger State Trail into Downtown St. Paul

200,000

This appropriation is from the trust fund to the commissioner of natural resources for acquisition and development of the trail right-of-way of the gateway segment of the Willard Munger state trail into downtown St. Paul. This appropriation is for acquisition and development only and must be done in cooperation with the city of St. Paul.

(e) Birch Lake Regional Bikeway/Walkway

450,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to Ramsey county which shall cooperate with the city of White Bear Lake to develop a bikeway/walkway linking trunk highway 96 regional bikeway with Tamarack nature center and business centers, and a trailside interpretive program. This appropriation is contingent on this facility being designated part of the metropolitan regional park and open space system.

(f) Cedar Lake Trail Development

610,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the

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metropolitan council for a subgrant to the Minneapolis park and recreation board to plan and construct Cedar Lake recreational and nonmotorized commuter trail from Highway 100 to downtown Minneapolis intersecting with the chain of lakes. This appropriation must be matched by \$200,000 of nonstate funds. This appropriation is contingent on this facility being designated part of the metropolitan regional park and open space system.

(g) State Trail Development

2,327,000

This appropriation is from the trust fund to the commissioner of natural resources to start development of the Paul Bunyan state trail, the development of an abandoned railroad grade located between Barnum and Carlton, and provide for the acquisition and development of a trail connection from Harmony to the Root river state trail.

(h) Shingle Creek Trail Improvement

130,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the Minneapolis park and recreation board to develop the Shingle Creek trail connection between Minneapolis and Hennepin county regional trail.

(i) Lilydale/Harriet Island Regional Park Trail

246,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a contract with the city of St. Paul to plan and construct a pedestrian bicycle trail in the Lilydale/Harriet Island Regional Park.

(j) Como Park East Lakeshore Reclamation

163,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the city of St. Paul to provide site improvements for reclamation and restoration of severely eroded areas on east lakeshore in Como Park.

(k) Grain Belt Mississippi Riverfront Development

300,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the Minneapolis park and recreation board, which shall cooperate with the Minneapolis community development agency to create riverfront recreational park and marina facilities through acquisition and development of Mississippi riverfront property. This appropriation is contingent on this facility being designated part of the metropolitan regional park and open space system.

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(l) Acquisition of Palace Restaurant Site on Mississippi River

325,000

This appropriation is from the trust fund to the commissioner of trade and economic development for a contract with the metropolitan council for a subgrant to the Minneapolis park and recreation board to acquire the Palace Restaurant property located on the east bank of the Mississippi for open space and recreational opportunities. This appropriation is contingent on this facility being designated part of the metropolitan regional park and open space system.

(m) Access to Lakes and Rivers - Continuation

1,000,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate access to lakes and rivers statewide. \$500,000 is for boat access to lakes and rivers and \$500,000 is for shoreline access and fishing piers statewide.

(n) Saint Louis River Land Acquisition

1,000,000

This appropriation is from the trust fund to the commissioner of natural resources to acquire and protect undeveloped lands known for their resource and recreation values located along the Saint Louis, Cloquet, and Whiteface rivers.

(o) Lake Minnetonka Water Access Acquisition

944,000

This appropriation is from the future resources fund to the commissioner of natural resources to acquire land for a water access site on Maxwell and Crystal Bays in Lake Minnetonka.

(p) Lake Superior Safe Harbors - Continuation

1,000,000

This appropriation is from the future resources fund to the commissioner of natural resources to acquire a site not to exceed 25 acres and construct a Lake Superior safe harbor site at Silver Bay in cooperation with the north shore management board. This appropriation is contingent on additional funding being requested from the IRRRB, the United States Army Corps of Engineers and other federal/local sources as described in the north shore harbors plan.

(q) Cooperative Trails Grant Program

800,000

This appropriation is from the future resources fund to the commissioner of natural resources for a grant program to assist in the acquisition and development of local connections to planned and existing state trails and other public recreation facilities.

(r) Agassiz Recreational Trails (ART)

650,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with Agassiz Recreational Trail Joint Powers Board to plan,

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purchase, and develop Agassiz recreational trails and improve up to five local parks.

(s) Mesabi Trail Acquisition, Planning and Development

700,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the St. Louis and Lake county regional rail authority to plan and begin acquiring and developing a 132-mile multipurpose trail linking the Mesabi iron range between Grand Rapids and Ely. This appropriation must be matched by \$350,000 cash from IRRRB or nonstate funds.

(t) Recreational Programming: Inclusiveness for Persons with Disabilities

160,000

This appropriation is from the future resources fund to the commissioner of education for a contract with Vinland National Center to provide staff training and consultation, targeted outreach and resource education, to enhance the inclusiveness, accessibility, and utilization of existing recreational programs by persons with disabilities.

(u) Enhanced Recreational Opportunities for Southeast Asian Ethnic Communities

300,000

This appropriation is from the future resources fund to the commissioner of natural resources to provide community education, develop bilingual communication exchanges, and cultural and sensitivity training with community members and natural resource professionals.

(v) Urban Community Gardening Program

110,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the Sustainable Resources center to provide technical assistance and information to neighborhood based groups, special populations, and municipalities for community gardening, including the rehabilitation of urban open space.

(w) National Register Grants Program

165,000

This appropriation is from the future resources fund to the Minnesota state historical society to assist in the preservation of outstanding historical properties such as Pickwick Mill (1854-58), Sibley County Courthouse (1879), Wendelin Grimm Farmstead (1876) and Tugboat Edna G (1896), and other emergency needs of properties of national or statewide historic significance.

(x) Historical Research and Planning for Traverse Des Sioux

68,000

This appropriation is from the future resources fund to the Minnesota state historical society to research and develop a master

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plan for Traverse des Sioux, a historic site owned by the Minnesota historical society and located in Nicollet county.

(y) Peninsula Point Two Rivers Historical Park

435,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the city of Anoka to develop Peninsula Point Two Rivers Historical Park located at the confluence of the Rum and Mississippi rivers.

Subd. 11. Water

(a) Minnesota River Implementation - Continuation

1,100,000

This appropriation is from the trust fund to the commissioner of the pollution control agency to accelerate the adoption of best management practices (BMPs) and to accelerate related state and local implementation activities for the Minnesota river basin.

(b) Local River Planning - Continuation

480,000

This appropriation is from the future resources fund to the commissioner of natural resources for contracts of up to two-thirds of the cost to counties or groups of counties acting pursuant to a joint powers agreement, to develop comprehensive plans for the management and protection of rivers in northern and central Minnesota. The commissioner of natural resources shall include in the work plan for review and approval by the legislative commission on Minnesota resources a proposed list of rivers and a planning process developed by the consensus of the affected counties. All plans must meet or exceed the requirements of state shoreland and floodplain laws. Up to \$100,000 is available for administration and technical assistance.

(c) Mercury Reduction in Fish - Continuation

200,000

This appropriation is from the trust fund to the commissioner of the pollution control agency for a contract with the University of Minnesota to complete pilot studies testing mercury reduction in fish for Minnesota waters. Grant requests to supplement this appropriation must be submitted to the United States Environmental Protection Agency and the results reported to the legislative commission on Minnesota resources.

(d) Stream Flow Protection

280,000

This appropriation is from the future resources fund to the commissioner of natural resources to collect stream habitat data (width, depth, velocity, substrate, water elevation) in up to 39 watersheds to develop community-based flows that protect stream resources. This project must comply with the data compatibility requirements set forth in subdivision 15.

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(e) The South Central Minnesota Groundwater Contamination
Susceptibility Project - Continuation

290,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with Mankato state university to couple surface hydrology, subsurface geology, and hydrogeology for environmental analysis to assess present environmental conditions, establish benchmarks, and develop regional priorities for south central Minnesota. This project must comply with the data compatibility requirements set forth in subdivision 15.

(f) White Bear Lake Levels Feasibility Study

228,000

This appropriation is from the future resources fund to the commissioner of natural resources to install additional observation wells at White Bear Lake (\$50,000) to study lake and groundwater relationships, to conduct a feasibility study to address lake level issues (\$50,000), and to abandon or retrofit existing augmentation wells (\$128,000).

(g) County Geologic Atlases and Regional Hydrogeologic
Assessments - Continuation

850,000

\$425,000 is from the trust fund to the University of Minnesota, Minnesota geologic survey, and \$425,000 is from the trust fund to the commissioner of natural resources to expand production of county geologic atlases and regional hydrogeologic assessments. This project must comply with the data compatibility requirements set forth in subdivision 15.

(h) Septic System Replacement for Water Related Tourism
Businesses

500,000

This appropriation is from the future resources fund to the commissioner of trade and economic development to provide matching grants of up to \$10,000 to resorts and related tourism businesses located on lakes and rivers for replacement of failing or nonconforming septic systems.

(i) Optical Brighteners: Indicators of Sewage
Contamination of Groundwaters

157,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency for a contract with Dakota county to study the correlation of optical brighteners present in domestic sewage from detergent use with nonagricultural nitrogen as interferences with atrazine detection.

Subd. 12. Waste

Compost and Wood Utilization Program

270,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract

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with the metropolitan council for a subgrant to the city of St. Paul to establish a system to compost and market the organic waste materials.

Subd. 13. Wildlife, Fisheries, Plants

(a) Reinvest in Minnesota - Critical Habitat Match, Scientific and Natural Area, Wildlife, and Prairie Acquisition

4,000,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate the reinvest in Minnesota program. \$2,600,000 is to protect and improve critical fish, wildlife, and native plant habitat through critical habitat match; \$1,000,000 is to acquire land for scientific and natural areas; \$300,000 is to acquire North American waterfowl management plan projects; and \$100,000 is to acquire prairie bank easements to protect native prairie on private lands.

(b) Reinvest in Minnesota - Wildlife Habitat Stewardship and Property Development

900,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate the reinvest in Minnesota program, to develop state land, to protect wildlife and native plant populations, restore native plant communities, and enhance wildlife habitat.

(c) Reinvest in Minnesota - Statewide Fisheries Habitat Development

687,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate the reinvest in Minnesota program through the development of trout, walleye, and smallmouth bass habitat in streams, removal of the Flandrau dam on the Cottonwood river to allow migration of fish, and the installation of aeration systems on winterkill-prone lakes.

(d) Establishment of Critical Winter Habitat Areas on Intensively Farmed Land

100,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with Pheasants Forever, Inc., to acquire and establish areas of critical winter habitat for wildlife on farmland in Scott county. This appropriation must be matched by \$60,000 nonstate funds.

(e) Wild Turkey Hunting Safety/Education

39,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the wild turkey federation to develop a program to promote safety in the sport of wild turkey hunting, to minimize accidents, and improve hunter/landowner relationships.

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(f) Niemackl Watershed Restoration

500,000

This appropriation is from the future resources fund to the commissioner of natural resources for the restoration of the Niemackl watershed by improvement of water quality, flood reduction, fish and wildlife habitat, and recreation through citizen participation with federal, state, and local governments, and nongovernment agencies. \$200,000 is available to begin the project and the remaining \$300,000 is contingent on a match of \$300,000 of nonstate funds.

(g) Deer Critical Habitat Survey - Koochiching County

75,000

This appropriation is from the future resources fund to the commissioner of natural resources in cooperation with Koochiching county to conduct an intensive survey of deer winter cover in Koochiching county to identify critical habitat for deer for improved timber management and for deer population management. This appropriation must be matched by \$5,000 of nonstate funds.

(h) Reinvest in Minnesota - Fisheries Acquisition for Angler Access and Habitat Development

300,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate the reinvest in Minnesota program. \$50,000 is for trout stream easements; \$50,000 is for warm water stream easements; and \$200,000 is for aquatic management areas acquisition.

(i) Establishing Goose Nesting Sites in Northern Minnesota and Relocation of Giant Canada Goslings

21,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with Geese International, Inc., to manufacture and place 160 permanent goose nesting sites in the Squaw Lake and Baudette areas and to purchase a four-wheel drive vehicle capable of towing a trailer for 400 goslings. This appropriation must be matched by \$31,890 from Geese International, Inc.

(j) Prairie Ecosystem Restoration in the Minneapolis Park System

60,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the Minneapolis park and recreation board to restore and rehabilitate the remnant, secondary, and introduced prairie tracts in the Minneapolis park system. This appropriation must be matched by \$60,000 from nonstate funds.

(k) Theodore Wirth Park Tamarack Bog Preservation Project

40,000

This appropriation is from the future resources fund to the commissioner of trade and economic development for a contract with the People for Minneapolis Parks fund in cooperation with the Minneapolis park and recreation board to restore the Theodore Wirth park tamarack bog, improve the access trail, construct a boardwalk, and develop and install self-guided interpretive signage.

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(l) Biological Control of Eurasian Water Milfoil and
Purple Loosestrife

400,000

This appropriation is from the trust fund to the commissioner of natural resources to research biological control for purple loosestrife and Eurasian water milfoil. The purple loosestrife research must be done in cooperation with the commissioner of agriculture. \$100,000 is for the propagation, release, and evaluation of insects for purple loosestrife control; \$50,000 is for the development of mycoherbicides to control purple loosestrife; \$200,000 is for evaluation of biocontrol agents for Eurasian water milfoil fungi and insects; and \$50,000 is to research the biology of Eurasian water milfoil. The \$250,000 for Eurasian water milfoil must be matched by \$200,000 of nonstate funds.

(m) Replacement of Eurasian Water Milfoil with Native
Minnesota Plants

40,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the White Bear Lake conservation district to research the replanting of areas treated for Eurasian water milfoil with native aquatic plants.

(n) Integrated Control of Purple Loosestrife

90,000

This appropriation is from the future resources fund to the commissioner of agriculture in cooperation with the commissioner of natural resources to accelerate evaluation of integrated biological control agents for purple loosestrife infestations in Houston, Hennepin, Wabasha, and Goodhue counties.

(o) Ecological Impacts of Releasing Genetically
Engineered Fishes

175,000

This appropriation is from the trust fund to the commissioner of agriculture in cooperation with the commissioner of natural resources for a contract with the University of Minnesota to assess impacts of the release of genetically engineered fish on Minnesota's game fish and aquatic ecosystems and formulate recommendations to reduce detrimental impacts through measurement of bioenergetic and behavioral traits.

Subd. 14. MFRF Contingent Account

If cancellations or increased revenue, or both, create an excess balance in the future resources fund, up to \$600,000 for the biennium is appropriated from the fund for acquisition or development of state land or other projects that are part of a natural resources acceleration activity, when deemed to be of an emergency or critical nature. This appropriation is also available for projects initiated by the legislative commission on Minnesota resources that are found to be proper in order for the commission to carry out its legislative charge.

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This appropriation is not available until the legislative commission on Minnesota resources has made a recommendation to the legislative advisory commission regarding each expenditure from the account. The legislative advisory commission must then hold a meeting and provide its recommendation on each item, which may be spent only with the approval of the governor.

Subd. 15. Data Compatibility Requirements

During the biennium ending June 30, 1995, the data collected by the projects funded under this section that have common value for natural resource planning and management must conform to information architecture as defined in guidelines and standards adopted by the information policy office. Data review committees may be established to develop or comment on plans for data integration and distribution and shall submit semiannual status reports to the legislative commission on Minnesota resources on their findings. In addition, the data must be provided to and integrated with the Minnesota land management information center's geographic data bases with the integration costs borne by the activity receiving funding under this section.

Subd. 16. Work Program

It is a condition of acceptance of the appropriations in this section that any agency or entity receiving the appropriation must submit a work program and semiannual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided may be spent unless the commission has approved the pertinent work program.

Subd. 17. Temporary Positions

The approved full-time equivalent of the following agencies shall be increased for the biennium as indicated for the appropriations in this section:

Board of Water and Soil Resources - 1
Pollution Control Agency - 2
Department of Agriculture - 2
Department of Natural Resources - 46

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. The positions are in addition to any other approved complement for the agency. Part-time employment of persons is authorized.

Subd. 18. Match Requirements

Appropriations in this section that must be matched and for which the match has not been committed by January 1, 1994, must be canceled.

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Subd. 19. Purchase of Recycled and Recyclable Materials

A political subdivision, public or private corporation, or other entity that receives an appropriation in this section must comply with Minnesota Statutes, sections 16B.121 to 16B.125, requiring the purchase of recycled, repairable, and durable materials, the purchase of uncoated paper stock, and the use of soy-based ink, the same as if it were a state agency.

Subd. 20. Carryforward

The appropriation in Laws 1991, chapter 254, article 1, section 14, subdivision 7, paragraph (e), Private Forest Management Oak Regeneration, is available until December 31, 1993.

Sec. 15. Minnesota Statutes 1992, section 116P.10, is amended to read:

116P.10 [ROYALTIES, COPYRIGHTS, PATENTS.]

This section applies to projects supported by the trust fund, the Minnesota future resources fund, and the oil overcharge money referred to in section 4.071, subdivision 2, each of which is referred to in this section as a "fund". The trust fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the trust fund. Before a project is included in the budget plan, the commission may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the trust fund. overcharge money referred to in section 4.071, subdivision 2, each of which is referred to in this section as a "fund". The trust fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the trust fund. Before a project is included in the budget plan, the commission may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the trust fund.

Sec. 16. [TRANSFERS.]

Subdivision 1. [GENERAL PROCEDURE.] If the appropriation in this article to an agency in the executive branch is specified by program, the agency may transfer unencumbered balances among the programs specified in that section after getting the approval of the commissioner of finance. The commissioner shall not approve a transfer unless the commissioner believes that it will carry out the intent of the legislature. The transfer must be reported immediately to the committee on finance of the senate and the committee on ways and means of the house of representatives. If the appropriation in this act to an agency in the executive branch is specified by activity, the agency may transfer unencumbered balances among the activities specified in that section using the same procedure as for transfers among programs.

Subd. 2. [TRANSFER PROHIBITED.] If an amount is specified in this act for an item within an activity, that amount must not be transferred or used for any other purpose.

Sec. 17. [EFFECTIVE DATE.]

Section 5, subdivision 10, is effective the day after final enactment.

ARTICLE 2

Section 1. Minnesota Statutes 1992, section 41A.09, subdivision 3, is amended to read:

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

(a) For each gallon of ethanol produced on or before June 30, 2000, 20 cents per gallon.

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

(c) ~~The total payments from the account to all producers during the period beginning July 1, 1991, and ending June 30, 1993 may not exceed \$8,550,000. This amount may be paid in either fiscal year of the biennium. Total payments from the account to any producer in each fiscal year may not exceed \$3,000,000.~~

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

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

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

Sec. 2. Minnesota Statutes 1992, section 84B.11, subdivision 1, is amended to read:

Subdivision 1. The governor shall appoint, except for the legislative members, a citizen's council on Voyageurs National Park, consisting of 17 members as follows:

Four residents of Koochiching county;

Four residents of St. Louis county;

Five residents of the state at large from outside Koochiching and St. Louis counties;

Two members of the state senate to be appointed by the committee on committees;

Two members of the state house of representatives to be appointed by the speaker of the house.

The governor shall designate one of the appointees to serve as chair and the committee may elect such other officers as it deems necessary. Members shall be appointed so as to represent differing viewpoints and interest groups on the facilities included in and around the park. Legislator members shall serve for the term of the legislative office to which they were elected. The terms, compensation and removal of nonlegislator members, ~~and expiration of the council shall be as provided in section 15.059. Notwithstanding section 15.059, subdivision 5, the council shall continue to exist.~~

Sec. 3. [CUYUNA COUNTRY STATE RECREATION AREA.]

Subdivision 1. [85.013] [Subd. 5c.] [CUYUNA COUNTRY STATE RECREATION AREA.] Cuyuna country state recreation area is established in Crow Wing county.

Subd. 2. [ACQUISITION.] The commissioner of natural resources is authorized to acquire by gift or purchase the lands for Cuyuna country state recreation area. The commissioner must manage the area for multiple recreational use, including allowance of hunting, and provide for limited timber harvesting.

Subd. 3. [MINING.] The commissioner shall recognize the possibility that mining may be conducted in the future within the Cuyuna country state recreation area, and that use of portions of the surface estate and control of the flowage of water may be necessary for future mining operations.

Subd. 4. [ADVISORY COMMITTEE.] (a) A local area advisory committee is established to provide direction on the establishment, planning, development, and operation of the Cuyuna country state recreation area.

(b) Membership on the advisory committee shall include:

- (1) a representative of the Cuyuna range mineland recreation area joint powers board;
- (2) a representative of the Croft Mine historical park joint powers board;
- (3) a designee of the Cuyuna range mineland reclamation committee who has worked as a miner in the local area;
- (4) a representative of the Crow Wing county board;
- (5) a state representative appointed by the speaker of the house of representatives;
- (6) a state senator appointed by the senate committee on committees;
- (7) a representative of the Brainerd regional office of the department of natural resources;
- (8) a designee of the Iron Range resources and rehabilitation board;
- (9) a designee of the local business community selected by the area chambers of commerce;
- (10) a designee of the local environmental community selected by the Cuyuna country conservation club;
- (11) a designee of a local education organization selected by the school board; and
- (12) a designee of the local tourism community selected by the Cuyuna country tourism group.

(c) The advisory committee shall elect their own chair and meetings shall be at the call of the chair.

(d) The advisory committee shall serve as volunteers and accept no per diem.

Subd. 5. [MANAGEMENT PLAN.] The commissioner and local area advisory committee must cooperatively develop a comprehensive management plan that provides for multiple use recreation, protection of natural resources, allowance of hunting, snowmobiling, horse trails and forest management, interpretation of cultural and historic resources, land acquisition needs, fee structure, and road and facility development. The completed management plan shall serve as the master plan for purposes of Minnesota Statutes, section 86A.09.

Subd. 6. [BOUNDARIES.] The following described lands are located within the boundaries of Cuyuna country state recreation area:

That part of Crow Wing county, Minnesota, lying within:

Section 1, Township 46 North, Range 29 West.

EXCEPT that part of the Northwest Quarter lying west of the easterly right-of-way line of the Soo Line Railroad.

EXCEPT the South Half of the Southeast Quarter.

EXCEPT that part of the SE1/4 of the SW1/4 lying east of the easterly line of the Croft Mine Tract.

The Southeast Quarter of Section 2, Township 46 North, Range 29 West.

All of Sections 3 and 4, Township 46 North, Range 29 West.

EXCEPT Government Lot 2, Section 4, Township 46, Range 29.

That part of Section 5, Township 46 North, Range 29 West, lying southeasterly of the existing Township Road running through said Section 5.

Section 8, Township 46 North, Range 29 West.

EXCEPT the Southwest Quarter.

EXCEPT the South Half of the Northwest Quarter.

EXCEPT that part of the North Half of the Northwest Quarter, lying west of an existing Township Road thereof.

All of Section 9, Township 46 North, Range 29 West.

Section 10, Township 46 North, Range 29 West.

EXCEPT the East Half of the Southeast Quarter.

EXCEPT the SW1/4 of the SE1/4.

EXCEPT the SE1/4 of the SW1/4 thereof.

Section 11, Township 46 North, Range 29 West.

EXCEPT the South Half.

EXCEPT the South Half of the Northeast Quarter.

EXCEPT the SE1/4 of the NW1/4.

EXCEPT the North Half of the North Half of the Northwest Quarter.

EXCEPT that part of the NE1/4 of the NE1/4 lying southeasterly of the easterly right-of-way line of the railroad thereof.

That part of Section 16, Township 46 North, Range 29 West, lying northwest of Black Hoof Lake.

Section 19, Township 46 North, Range 29 West.

EXCEPT that part of the Southeast Quarter, lying southerly of the northerly right-of-way line of an existing Township Road.

That part of Section 34, Township 47 North, Range 29 West, bounded as follows:

On the North by the southerly right-of-way line of County State-Aid Highway No. 30.

On the West by the easterly right-of-way line of County State-Aid Highway No. 34.

On the East by the east line of said Section 34.

On the South by the south line of said Section 34.

That part of Section 33, Township 47 North, Range 29 West, lying southeasterly of the easterly right-of-way line of County State-Aid Highway No. 34.

Subject to easements of record for the following County Roads. An easement for C.S.A.H. No. 31 right-of-way purposes over, under and across the east line of said Section 1, also C.S.A.H. No. 30 easement for right-of-way purposes over, under and across the West Half of the Northwest Quarter and the Section line between said Sections 2 and 3, Township 46 North, Range 29 West and the Section line between Sections 34 and 35, Township 47 North, Range 29 West, also for County Road No. 128 right-of-way purposes over, under and across the Section line between said Sections 16 and 17 and between Sections 8 and 17, also C.S.A.H. No. 34 right-of-way purposes over, under and

across the Section line between said Sections 4 of Township 46 North, Range 29 West and Section 33 of Township 47 North, Range 29 West; subject to an easement of record for State Highway No. 6 right-of-way purposes over, under and across the East Half of the Southwest Quarter of said Section 1 and the Section line between said sections 1 and 2; subject to any other easements, reservations and restrictions of record; subject to an easement for City of Ironton Street right-of-way purposes over, under and across the SW1/4 of the NW1/4 in Section 11, Township 46 North, Range 29 West, according to the recorded plat thereof.

Subject to easements of record for the following state roads, all Trunk Highway 6 and Trunk Highway 210 rights-of-way, in fee or easement, in the described land are exempted.

Subd. 7. [FEE.] No fee may be charged by the commissioner for use of the Cuyuna country state recreation area before May 1, 1995.

Subd. 8. [ADOPT-A-RECREATION AREA.] The commissioner must utilize Minnesota Statutes, section 85.045, as much as possible in development and operation of the Cuyuna country state recreation area.

Sec. 4. Minnesota Statutes 1992, section 85.045, subdivision 2, is amended to read:

Subd. 2. [PURPOSE.] The purpose of the program is to encourage business and civic groups or individuals to assist, on a volunteer basis, in improving and maintaining state parks, state recreation areas, monuments, historic sites, and trails.

Sec. 5. Minnesota Statutes 1992, section 85.22, subdivision 2a, is amended to read:

Subd. 2a. [RECEIPTS, APPROPRIATION.] All receipts derived from the rental or sale of state park items and operation of Douglas Lodge shall be deposited in the state treasury and be credited to the state parks working capital account. Receipts and expenses from Douglas lodge shall be tracked separately within the account. Money in the account is annually appropriated for the purchase and payment of expenses attributable to items for resale or rental and operation of Douglas Lodge. Any excess receipts in this account are annually appropriated for state park management and interpretive programs.

Sec. 6. Minnesota Statutes 1992, section 86A.04, is amended to read:

86A.04 [COMPOSITION OF SYSTEM.]

The outdoor recreation system shall consist of all ~~natural~~ state parks; ~~recreational state parks~~ recreation areas; state trails established pursuant to sections 84.029, subdivision 2, and 85.015; state scientific and natural areas; state wilderness areas; state forests; state wildlife management areas; state water access sites, which include all lands and facilities established by the commissioner of natural resources or the commissioner of transportation to provide public access to water; state wild, scenic, and recreational rivers; state historic sites; and state rest areas, which include all facilities established by the commissioner of transportation for the safety, rest, comfort and use of the highway traveler, and shall include all existing facilities designated as rest areas and waysides by the commissioner of transportation. Each individual ~~natural~~ state park, ~~recreational state park~~ recreation area, and so forth is called a "unit."

Sec. 7. Minnesota Statutes 1992, section 86A.05, subdivision 2, is amended to read:

Subd. 2. [NATURAL STATE PARK; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.]

(a) A ~~natural~~ state park shall be established to protect and perpetuate extensive areas of the state possessing those resources which illustrate and exemplify Minnesota's natural phenomena and to provide for the use, enjoyment, and understanding of such resources without impairment for the enjoyment and recreation of future generations.

(b) No unit shall be authorized as a ~~natural~~ state park unless its proposed location substantially satisfies the following criteria:

(1) Exemplifies the natural characteristics of the major landscape regions of the state, as shown by accepted classifications, in an essentially unspoiled or restored condition or in a condition that will permit restoration in the

foreseeable future; or contains essentially unspoiled natural resources of sufficient extent and importance to meaningfully contribute to the broad illustration of the state's natural phenomena; and

(2) Contains natural resources, sufficiently diverse and interesting to attract people from throughout the state; and

(3) Is sufficiently large to permit protection of the plant and animal life and other natural resources which give the park its qualities and provide for a broad range of opportunities for human enjoyment of these qualities.

(c) ~~Natural~~ State parks shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision to preserve, perpetuate, and interpret natural features that existed in the area of the park prior to settlement and other significant natural, scenic, scientific, or historic features that are present. Management shall seek to maintain a balance among the plant and animal life of the park and to reestablish desirable plants and animals that were formerly indigenous to the park area but are now missing. Programs to interpret the natural features of the park shall be provided. Outdoor recreation activities to utilize the natural features of the park that can be accommodated without material disturbance of the natural features of the park or the introduction of undue artificiality into the natural scene may be permitted. Park use shall be primarily for aesthetic, cultural, and educational purposes, and shall not be designed to accommodate all forms or unlimited volumes of recreational use. Physical development shall be limited to those facilities necessary to complement the natural features and the values being preserved.

(d) State parks in existence as of July 1, 1993, shall remain as state parks.

Sec. 8. Minnesota Statutes 1992, section 86A.05, subdivision 3, is amended to read:

Subd. 3. [~~RECREATIONAL STATE PARK~~ RECREATION AREA; PURPOSE; RESOURCE AND SITE QUALIFICATIONS; ADMINISTRATION.] (a) A ~~recreational state park~~ recreation area shall be established to provide a broad selection of outdoor recreation opportunities in a natural setting which may be used by large numbers of people.

(b) No unit shall be authorized as a ~~recreational state park~~ recreation area unless its proposed location substantially satisfies the following criteria:

(1) Contains natural or artificial resources which provide outstanding outdoor recreational opportunities that will attract visitors from beyond the local area;

(2) Contains resources which permit intensive recreational use by large numbers of people; and

(3) May be located in areas which have serious deficiencies in public outdoor recreation facilities, provided that ~~recreational state parks~~ recreation areas should not be provided in lieu of municipal, county, or regional facilities.

(c) ~~Recreational State parks~~ recreation areas shall be administered by the commissioner of natural resources in a manner which is consistent with the purposes of this subdivision primarily to provide as broad a selection of opportunities for outdoor recreation as is consistent with maintaining a pleasing natural environment. Scenic, historic, scientific, scarce, or disappearing resources within ~~recreational state parks~~ recreation areas shall be recommended for authorization as historic sites or designated scientific and natural areas pursuant to section 86A.08 to preserve and protect them. Physical development shall enhance and promote the use and enjoyment of the natural recreational resources of the area.

Sec. 9. Minnesota Statutes 1992, section 86A.08, subdivision 1, is amended to read:

Subdivision 1. [~~SECONDARY AUTHORIZATION; WHEN PERMITTED.~~] A unit of the outdoor recreation system may be authorized wholly or partially within the boundaries of another unit only when the authorization is consistent with the purposes and objectives of the respective units and only in the instances permitted below:

(a) The following units may be authorized wholly or partially within a ~~natural~~ state park: historic site, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, and water access site.

(b) The following units may be authorized wholly or partially within a ~~recreational state park~~ recreation area: historic site, scientific and natural area, wild, scenic, and recreational river, trail, rest area, and water access site.

(c) The following units may be authorized wholly or partially within a state forest: ~~natural~~ state park, ~~recreational~~ state park recreation area, historic site, wildlife management area, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, and water access site.

(d) The following units may be authorized wholly or partially within a state historic site: wild, scenic, and recreational river, trail, rest area, and water access site.

(e) The following units may be authorized wholly or partially within a state wildlife management area: state water access site.

(f) The following units may be authorized wholly or partially within a state wild, scenic, or recreational river: ~~natural~~ state park, historic site, scientific and natural area, wilderness area, trail, rest area, and water access site.

(g) The following units may be authorized wholly or partially within a state rest area: historic site, trail, wild, scenic, and recreational river, and water access site.

Sec. 10. Minnesota Statutes 1992, section 88.79, subdivision 2, is amended to read:

Subd. 2. [CHARGE FOR SERVICE; RECEIPTS TO GENERAL SPECIAL REVENUE FUND.] The commissioner of natural resources may charge the owner receiving such services such sums as the commissioner shall determine to be fair and reasonable. The receipts from such services shall be credited to the general special revenue fund and are annually appropriated to the commissioner for the purposes specified in subdivision 1.

Sec. 11. Minnesota Statutes 1992, section 90.031, subdivision 4, is amended to read:

Subd. 4. The executive council may formulate and establish, from time to time, rules it deems advisable for the transaction of timber business of the state, including approval of the sale of timber on any tract in a lot exceeding ~~\$20,000~~ \$50,000 when the sale is in the best interests of the state, and may abrogate, modify, or suspend rules at its pleasure.

Sec. 12. Minnesota Statutes 1992, section 90.041, is amended by adding a subdivision to read:

Subd. 6. The commissioner may sell at public auction timber that has been damaged by fire, windstorm, flood, or other natural cause on notice that the commissioner considers reasonable when there is a high risk that the salvage value of the timber would be lost.

Sec. 13. Minnesota Statutes 1992, section 90.101, subdivision 1, is amended to read:

90.101 [TIMBER SOLD AT PUBLIC AUCTION, MAXIMUM LOTS OF ~~\$20,000~~ \$50,000.]

Subdivision 1. The commissioner may sell the timber on any tract of state land in lots not exceeding ~~\$20,000~~ \$50,000 in appraised value and may determine the number of sections or fractional sections of land to be covered by any one permit issued to the purchaser of timber on state lands, or in any one contract or other instrument relating thereto. No timber shall be sold, except (1) to the highest bidder at public auction, or (2) if unsold at public auction the commissioner may offer the timber for private sale for a period of no more than 90 days after the public auction to any person who pays the appraised value for the timber. The minimum price shall be the appraised value as fixed by the report of the state appraiser. All sales shall be held in the county in which the tract is located. In adjoining counties, sales may not be held less than two hours apart.

Sec. 14. Minnesota Statutes 1992, section 90.121, is amended to read:

90.121 [INTERMEDIATE AUCTION SALES; MAXIMUM LOTS OF ~~\$7,000~~ \$15,000.]

The commissioner may sell the timber on any tract of state land in lots not exceeding ~~\$7,000~~ \$15,000 in appraised value, in the same manner as timber sold at public auction under section 90.101, and related laws, subject to the following special exceptions and limitations:

(1) sales shall be at the forest office or other public facility most accessible to potential bidders or close to where the tract is located;

(2) the commissioner's list describing the tract, quantity of timber, and appraised price shall be compiled not less than 30 days before the date of sale and a copy of the list posted not less than 30 days before the date of the sale;

(3) notice of the sale shall be published once, not less than one week before the date of the sale;

(4) no bidder may be awarded more than 25 percent of the total tracts offered at the first round of bidding unless fewer than four tracts are offered, in which case not more than one tract shall be awarded to one bidder. Any tract not sold shall be available for a period of 90 days for purchase by persons eligible under this section at the appraised value;

(5) the bond or deposit required pursuant to section 90.161 or 90.173 shall be given or deposited before any cutting begins or not later than nine months after the date of sale, whichever is earlier;

(6) in lieu of the placing of the marks M I N on cut products as prescribed under section 90.151, subdivision 2, all landings of cut products shall be legibly marked with the name of the permit holder and the assigned permit number;

(7) no person may hold more than six permits issued under this section and no sale may be made to a person holding six permits which are still in effect or to a person having more than 20 employees;

(8) the permit may not exceed one year in duration;

(9) if the purchaser for good and sufficient reason is unable to cut the timber within the one year permit period, the commissioner may grant one extension for a period of up to one year from the date of expiration of the original permit without interest, and one additional extension of one year with interest at the rate in effect under section 549.09 at the time the extension is granted;

(10) if all cut timber, equipment, and buildings, are not removed at the end of any 120-day extension period which the commissioner may grant for removal, the commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of a request by the permit holder for hardship reasons only.

The auction sale procedure set forth in this section constitutes an additional alternative timber sale procedure available to the commissioner and is not intended to replace other authority possessed by the commissioner to sell timber in lots of ~~\$7,000~~ \$15,000 or less.

Sec. 15. Minnesota Statutes 1992, section 90.201, is amended by adding a subdivision to read:

Subd. 4. When standing timber under a valid permit is damaged through fire, windstorm, flood, or other natural cause, the commissioner may reappraise the timber and modify the permit. The commissioner shall ensure that the reappraisal is in the best interest of the state and the trust.

Sec. 16. Minnesota Statutes 1992, section 92.46, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC CAMPGROUNDS.] (a) The director may designate suitable portions of the state lands withdrawn from sale and not reserved, as provided in section 92.45, as permanent state public campgrounds. The director may have the land surveyed and platted into lots of convenient size, and lease them for cottage and camp purposes under terms and conditions the director prescribes, subject to the provisions of this section.

(b) A lease may not be for a term more than 20 years. The lease may allow renewal, from time to time, for additional terms of no longer than 20 years each. The lease may be canceled by the commissioner 90 days after giving the person leasing the land written notice of violation of lease conditions. The lease rate shall be based on the appraised value of leased land as determined by the commissioner of natural resources and shall be adjusted by the commissioner at the fifth, tenth, and 15th anniversary of the lease, if the appraised value has increased or decreased. For leases that are renewed in 1991 and following years, the lease rate shall be five percent of the appraised value of the leased land. The appraised value shall be the value of the leased land without any private improvements and must be comparable to similar land without any improvements within the same county. The minimum appraised value that the commissioner assigns to the leased land must be substantially equal to the county assessor's estimated market value of similar land adjusted by the assessment/sales ratio as determined by the department of revenue.

(c) By July 1, 1986, the commissioner of natural resources shall adopt rules under chapter 14 to establish procedures for leasing land under this section. The rules shall be subject to review and approval by the commissioners of revenue and administration prior to the initial publication pursuant to chapter 14 and prior to their final adoption. The rules must address at least the following:

- (1) method of appraising the property; and
 - (2) an appeal procedure for both the appraised values and lease rates.
- (d) All money received from these leases must be credited to the fund to which the proceeds of the land belong.

Notwithstanding section 16A.125 or any other law to the contrary, 50 percent of the money received from the lease of permanent school fund lands leased pursuant to this subdivision shall be deposited into the permanent school trust fund. However, in fiscal years 1987, 1988, 1989, 1990, 1991, 1992, 1993, and 1994, up to 50 percent of the money received from the lease of permanent school fund lands that would otherwise be deposited into the permanent school fund is hereby appropriated to survey, appraise, and pay associated selling and leasing costs of permanent school fund lots as required in section 92.67, subdivision 3. The money appropriated may not be used to pay the cost of surveying lots not scheduled for sale. Any money designated for deposit in the permanent school fund that is not needed to survey, appraise, and pay associated selling and leasing costs of lots, as required in section 92.67, shall be deposited in the permanent school fund. The commissioner shall add to the appraised value of any lot offered for sale the costs of surveying, appraising, and selling the lot, and shall first deposit into the permanent school fund an amount equal to the costs of surveying, appraising, and selling any lot paid out of the permanent school fund. Any remaining money shall be deposited into any other contributing funds in proportion to the contribution from each fund. In no case may the commissioner add to the appraised value of any lot offered for sale an amount more than \$700 for the costs of surveying and appraising the lot.

Sec. 17. Minnesota Statutes 1992, section 94.165, is amended to read:

94.165 [LAND ACQUISITION ACCOUNT.]

There is created in the state treasury a land acquisition account. ~~Subject to appropriation by law, Money in the account is available appropriated to the commissioner of natural resources for the acquisition of natural resource lands or interests in lands within the outdoor recreation system established in chapter 86A. The commissioner must file a report to the house ways and means and the senate finance committees by July 1 of each year indicating all purchases and sales from this account.~~

Sec. 18. [97A.028] [AGRICULTURAL CROP PROTECTION ASSISTANCE.]

Subdivision 1. [DEFINITION OF AGRICULTURAL CROPS.] For the purposes of this section, "agricultural crops" means annually seeded crops, legumes, fruit orchards, tree farms and nurseries, turf farms, and apiaries.

Subd. 2. [TECHNICAL ASSISTANCE.] The commissioner shall establish a statewide program to provide technical assistance to persons for the protection of agricultural crops from destruction by wild animals. As part of the program, the commissioner shall develop and identify the latest and most effective abatement techniques; acquire appropriate demonstration supplies and materials required to meet specialized needs; train property owners, field staff, public land managers, extension agents, pest control operators, and others; provide technical manuals and brochures; and provide field personnel with supplies and materials for damage abatement demonstrations and short-term assistance and for the establishment of food or lure crops where appropriate.

Subd. 3. [EMERGENCY DETERRENT MATERIALS ASSISTANCE.] (a) For the purposes of this subdivision, "cooperative damage management agreement" means an agreement between a landowner and the commissioner that establishes a program for addressing the problem of destruction of agricultural crops by wild animals on the landowner's property.

(b) A person may apply to the commissioner for emergency deterrent materials assistance in controlling destruction of agricultural crops by wild animals. Subject to the availability of money appropriated for this purpose, the commissioner shall provide suitable deterrent materials, up to \$1,500 in value per individual or corporation, when the commissioner determines that:

- (1) immediate action is necessary to prevent significant damage from continuing; and

(2) a cooperative damage management agreement cannot be implemented immediately.

(c) As a condition of receiving emergency deterrent materials assistance under this subdivision, a landowner shall enter into a cooperative damage management agreement with the commissioner. Deterrent materials provided by the commissioner may include repellents, fencing materials, or other materials recommended in the agreement to alleviate the damage problem. A landowner may not receive emergency deterrent materials assistance under this subdivision more than once. A landowner who receives emergency deterrent materials assistance under this subdivision shall comply with the terms of the cooperative damage management agreement.

Sec. 19. Minnesota Statutes 1992, section 97A.441 is amended by adding a subdivision to read:

Subd. 7. [OWNERS OR TENANTS OF AGRICULTURAL LAND.] (a) The commissioner may issue, without an additional fee, a license to take additional deer with firearms under section 97B.301, subdivision 4, to a person who is an owner or tenant and lives on at least ten acres of agricultural land, as defined in section 97B.001, in an area where the commissioner has made these licenses available. Landowners and tenants applying for a license under this subdivision must receive preference over other applicants for the licenses.

(b) Persons who obtain a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season.

Sec. 20. Minnesota Statutes 1992, section 115A.90, is amended by adding a subdivision to read:

Subd. 6a. [SHREDDER RESIDUE.] "Shredder residue" means the residue generated by shredding a motor vehicle, an appliance, or other source of recyclable steel after removing the reusable and recyclable materials.

Sec. 21. Minnesota Statutes 1992; section 115A.908, subdivision 2, is amended to read:

Subd. 2. [DEPOSIT OF REVENUE.] Revenue collected shall be credited to the motor vehicle transfer account in the environmental fund.

Sec. 22. Minnesota Statutes 1992, section 115A.908, subdivision 3, is amended to read:

Subd. 3. [REPEALER.] This section is repealed on December 31, 1994 1996.

Sec. 23. [115A.909] [SHREDDER RESIDUE; MANAGEMENT.]

The commissioner, in consultation with persons who are engaged in the business of shredding motor vehicles, appliances, and other sources of recyclable steel, shall study management of shredder residue. To the extent possible under state and federal law, the commissioner shall encourage reduction in the amount of residue generated, allow beneficial use of the residue, and minimize costs of management and disposal. The commissioner shall study all reasonably ascertainable alternatives for management of the residue, including use as cover material at solid waste disposal facilities, use in manufacture of refuse derived fuel, and any other resource recovery management technique.

Sec. 24. Minnesota Statutes 1992, section 115A.923, subdivision 1a, is amended to read:

Subd. 1a. [PAYMENT OF THE GREATER MINNESOTA LANDFILL CLEANUP FEE.] The operator of a disposal facility in greater Minnesota shall remit the fees collected under subdivision 1 to the county or sanitary district where the facility is located, except that the operator of a facility that is owned by a statutory or home rule city shall remit the fees to the city that owns the facility. After payment to the commissioner of revenue of the amount determined under section 116.07, subdivision 10, the county, city, or sanitary district may use the remainder of the revenue from the fees only for the purposes specified in section 115A.919.

Sec. 25. Minnesota Statutes 1992, section 116.07, is amended by adding a subdivision to read:

Subd. 10. [SOLID WASTE FEES.] (a) The commissioner shall determine, based on appropriations made by the legislature for the agency's solid waste activities, an appropriate surcharge to be collected equally per unit of solid waste accepted for disposal or processing at mixed municipal solid waste facilities, excluding recycling facilities.

(b) The commissioner shall notify the chairs of the environment and natural resources finance committees of the legislature and the director of the legislative commission on waste management of the amount of the surcharge when

it is determined or adjusted. Establishment of the amount of the surcharge is not subject to rulemaking requirements of chapter 14.

(c) The owner or operator of a mixed municipal solid waste processing facility, other than a recycling facility, shall collect the surcharge and remit it to the commissioner of revenue for deposit in the special revenue account referenced in subdivision 4d. At a processing facility, the surcharge does not apply to:

(1) waste that previously has been accepted at another processing facility; or

(2) waste residue from a recycling facility at which recyclable materials are separated or processed for the purposes of recycling if there is at least an 85 percent volume reduction in the solid waste processed at the recycling facility.

(c) A county, sanitary district, or city that is required to collect the greater Minnesota landfill cleanup fee imposed under section 115A.923 shall remit a portion of the revenue from the fee equal to the amount of the surcharge determined by the commissioner under paragraph (a) to the commissioner of revenue for deposit in the special revenue account referenced in subdivision 4d.

(d) The commissioner of revenue shall reduce the amount deposited in the metropolitan landfill contingency action trust fund under section 473.843, subdivision 2, by an amount equal to the amount of the surcharge determined by the commissioner under paragraph (a) and shall deposit that amount in the special revenue account referenced in subdivision 4d.

(e) Each owner, operator, county, city, and sanitary district required to remit fees under this section shall remit the amounts required to the commissioner of revenue on or before the 20th day of each month for waste accepted for processing or disposal during the previous month at facilities governed by the fee or surcharge requirements.

(f) To qualify for an exemption from the surcharge under paragraph (c), clause (2), waste residue must be brought separately to the processing facility required to collect the surcharge. The commissioner of revenue, after consultation with the chair of the metropolitan council, the director of the office of waste management, and the commissioner of the agency, shall establish procedures for determining whether waste residue from a recycling facility qualifies for the exemption from the surcharge, as well as for exemption from the fees imposed under sections 115A.923 and 473.843.

Sec. 26. Minnesota Statutes 1992, section 473.351, subdivision 2, is amended to read:

Subd. 2. [METROPOLITAN COUNCIL OBLIGATION.] Annually before August 1 the metropolitan council shall distribute grant money received from the commissioner of ~~trade and economic development~~ natural resources to fund the operation and maintenance expenditures of the implementing agencies for the operation and maintenance of regional park and open space systems. The metropolitan council shall annually report to the legislature the amount distributed to each implementing agency and its estimate of the percentage of operation and maintenance expenditures paid for with operation and maintenance money.

Sec. 27. Minnesota Statutes 1992, section 473.843, subdivision 2, is amended to read:

Subd. 2. [DISPOSITION OF PROCEEDS.] After reimbursement to the department of revenue for costs incurred in administering this section, the proceeds of the fees imposed under this section, including interest and penalties, must be deposited as follows:

(1) three-fourths of the proceeds must be deposited in the metropolitan landfill abatement account established in section 473.844; and

(2) ~~one-fourth~~ the remainder of the proceeds, after subtraction of the amount determined under section 116.07, subdivision 10, must be deposited in the metropolitan landfill contingency action trust fund established in section 473.845.

Sec. 28. [MODIFICATION OF TIMBER PERMITS.]

The commissioner may modify a timber permit covering standing timber that was damaged as a result of windstorms that occurred on September 16, 1992. This subdivision expires June 1, 1995.

Sec. 29. [SHREDDER RESIDUE; GRANTS.]

The commissioner of the pollution control agency may make a grant to a person engaged in the business of shredding and recycling motor vehicles, appliances, and other sources of recyclable steel for the purposes of studying the feasibility of alternative methods of managing shredder residue left over after the reusable and recyclable materials are removed. A person applying for a grant shall include in the application a list of the activities the person will undertake and reasonable estimates of the costs of those activities. The commissioner shall determine the amount of the grant, not to exceed \$300,000 or 50 percent of the total cost of the studies proposed in the grant application, whichever is less.

A person receiving a grant under this section may use the proceeds of the grant for the costs of:

(1) determining and testing methods of reducing the amount of shredder residue and the amount of hazardous constituents in the residue;

(2) periodic testing of shredder residue for hazardous constituents over a limited time period to be determined by the commissioner, but not less than six months;

(3) research and development of potential beneficial uses of the residue, including any preprocessing methods that may be applied to the residue to enable it to be beneficially used; and

(4) any necessary testing of alternative management technologies to determine the environmental and economic effects of the technologies.

Sec. 30. [LAKE SUPERIOR DIVER ACCESS.]

The \$20,000 appropriated by Laws 1991, chapter 254, article 1, section 14, subdivision 3(h), for diver access at Split Rock Lighthouse state park shall be used for diver access at other areas along the north shore of Lake Superior.

Sec. 31. [REPEALER.]

Minnesota Statutes 1992, section 41A.09, subdivision 1, is repealed.

Sec. 32. [EFFECTIVE DATES.]

Sections 11, 13, and 14 are effective August 1, 1993. Sections 12, 15, 28, and 30 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resources, and agricultural purposes; regulating the amounts, impositions, and processing of various fees prescribed for various licenses issued and activities regulated by various state departments; establishing a state recreation area; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; 84B.11, subdivision 1; 85.045, subdivision 2; 85.22, subdivision 2a; 86A.04; 86A.05, subdivisions 2 and 3; 86A.08, subdivision 1; 88.79, subdivision 2; 90.031, subdivision 4; 90.041, by adding a subdivision; 90.101, subdivision 1; 90.121; 90.201, by adding a subdivision; 92.46, subdivision 1; 94.165; 97A.441; 115A.90, by adding a subdivision; 115A.908, subdivisions 2 and 3; 115A.923, subdivision 1a; 116.07, by adding a subdivision; 116P.10; 473.351, subdivision 2; and 473.843, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 97A; and 115A; repealing Minnesota Statutes 1992, section 41A.09, subdivision 1."

The motion prevailed and the amendment was adopted.

S. F. No. 1570, A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; transferring responsibilities to the commissioner of natural resources; continuing the citizen's council on Voyageurs national park; providing for crop protection assistance; changing certain license fees; imposing a solid waste assessment; modifying the hazardous waste generator

tax; establishing a hazardous waste generator loan program; expanding the number of facilities subject to pollution prevention requirements; providing for membership on the legislative commission on Minnesota resources; requiring a toxic air contaminant strategy; amending Minnesota Statutes 1992, sections 17.59, subdivision 5; 17A.11; 18B.05, subdivision 2; 18C.131; 21.115; 21.92; 25.39, subdivision 4; 27.07, subdivision 6; 32.394, subdivision 9; 32A.05, subdivision 4; 41A.09, by adding a subdivision; 84.027, by adding a subdivision; 85.016; 85.22, subdivision 2a; 85A.02, subdivision 17; 88.79, subdivision 2; 97A.055, subdivision 1, and by adding a subdivision; 97A.065, subdivision 3; 97A.071, subdivision 2; 97A.075, subdivisions 1 and 4; 97A.441, by adding a subdivision; 97A.475, subdivision 12; 97C.355, subdivision 2; 103F.725, by adding a subdivision; 115A.96, subdivisions 3 and 4; 115B.22, by adding subdivisions; 115B.24, subdivision 6; 115B.42, subdivision 2; 115D.07, subdivision 1; 115D.10; 115D.12, subdivision 2; 116J.401; 116P.05, subdivision 1; 116P.10; 116P.11; 160.265; 297A.45, by adding a subdivision; 299K.08, by adding a subdivision; 473.351, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 115A; 115B; and 115D; repealing Minnesota Statutes 1992, sections 97A.065, subdivision 3; 97A.071, subdivision 2; 97A.075, subdivisions 2, 3, and 4; 97B.715, subdivision 1; 97B.801; 97C.305; 115B.21, subdivisions 4 and 6; 115B.22, subdivisions 1, 2, 3, 4, 5, and 6.

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

The question was taken on the passage of the bill and the roll was called. There were 124 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Haukoos Krickerbocker Krinkie

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

CONSENT CALENDAR

H. F. No. 854 was reported to the House.

Wejcman moved that H. F. No. 854 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 974, A bill for an act relating to the capitol area architectural and planning board; clarifying certain duties and powers of the board; amending Minnesota Statutes 1992, section 15.50, subdivision 2, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1169, A bill for an act relating to metropolitan government; requiring the transit commission to obtain consent to use parkways; amending Minnesota Statutes 1992, section 473.411, subdivision 5.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Abrams	Carruthers
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The bill was passed and its title agreed to.

H. F. No. 1398, A bill for an act relating to traffic regulations; directing commissioner of transportation to study and report on traffic safety improvement measures in residential neighborhoods.

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

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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 third time and placed upon its final passage.

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

Those who voted in the affirmative were:

Abrams	Anderson, R.	Battaglia	Beard	Bertram	Bishop	Brown, K.
Anderson, I.	Asch	Bauerly	Bergson	Bettermann	Blatz	Carlson

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 1709.

The Speaker called Bauerly to the Chair.

H. F. No. 1709 was reported to the House.

Osthoff and McCollum moved to amend H. F. No. 1709, the first engrossment, as follows:

Page 14, after line 33, insert:

"Sec. 15. [161.1247] [METROPOLITAN AREA HIGHWAY PROJECTS.]

The commissioner of transportation may not (1) initiate land acquisition for highway capacity improvement projects on marked interstate highways 35W or 494, or (2) engage in design, engineering, or construction activity related to adding lane capacity on marked interstate highway 35W south of marked interstate highway 494."

Page 21, line 22, after "1" insert "to 14 and 16"

Page 21, line 22, after the period, insert "Section 15 is effective the day following final enactment."

Renumber the remaining sections

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

Pauly; Sviggum; Blatz; Pugh; Milbert; Lieder; Kelso; Olson, E., and Morrison moved to amend the Osthoff and McCollum amendment to H. F. No. 1709, the first engrossment, as follows:

Page 1, line 4 of the Osthoff and McCollum amendment, before "The" insert "(a)"

Page 1, after line 9 of the Osthoff and McCollum amendment, insert:

"(b) Paragraph (a) does not apply to land acquisition or design, engineering, or construction activity relating to a high occupancy vehicle lane on marked interstate highway 35W south of the 494 corridor."

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

The question recurred on the Osthoff and McCollum amendment and the roll was called. There were 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cooper	Huntley	Krueger	Nelson	Rukavina	Wagenius
Anderson, R.	Dauner	Jacobs	Lasley	Olson, K.	Sarna	Weaver
Asch	Dauids	Jaros	Lourey	Opatz	Sekhon	Wejzman
Battaglia	Dawkins	Jefferson	Luther	Orenstein	Simoneau	Wenzel
Bauerly	Delmont	Jennings	Lynch	Orfield	Skoglund	Winter
Beard	Evans	Johnson, A.	Mariani	Osthoff	Solberg	Worke
Bergson	Farrell	Johnson, R.	McCollum	Ozment	Sparby	Spk. Long
Bertram	Frerichs	Kahn	McGuire	Perlt	Steensma	
Brown, C.	Greenfield	Kalis	Milbert	Peterson	Swenson	
Brown, K.	Greiling	Kelley	Mosel	Pugh	Tomassoni	
Carlson	Hasskamp	Kinkel	Munger	Reding	Trimble	
Carruthers	Hausman	Klinzing	Murphy	Rest	Tunheim	
Clark	Holsten	Koppendraye	Neary	Rhodes	Vellenga	

Those who voted in the negative were:

Abrams	Dorn	Hugoson	Limmer	Olson, M.	Seagren	Waltman
Bettermann	Erhardt	Johnson, V.	Lindner	Ornen	Smith	Welle
Bishop	Garcia	Kelso	Macklin	Ostrom	Stanis	Wolf
Blatz	Goodno	Knickerbocker	Molnau	Pauly	Sviggum	Workman
Commers	Gruenes	Krinkie	Morrison	Pawlenty	Tompkins	
Dehler	Gutknecht	Leppik	Ness	Pelowski	Van Dellen	
Dempsey	Haukoos	Lieder	Olson, E.	Rodosovich	Vickerman	

The motion prevailed and the amendment was adopted.

The Speaker called Bauerly to the Chair.

Sviggum moved to amend H. F. No. 1709, the first engrossment, as amended, as follows:

Page 21, after line 17, insert:

"Sec. 26. Minnesota Statutes 1992, section 473.408, is amended by adding a subdivision to read:

Subd. 2b. [FAREBOX RECOVERY.] The board shall approve regular route fares for the transit commission only if the fares proposed will ensure a farebox recovery rate of at least 35 percent of the commission's total annual operating costs for regular route transit service."

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 Sviggum amendment and the roll was called. There were 37 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Molnau	Pawlenty	Tompkins	Workman
Bettermann	Gruenes	Knickerbocker	Morrison	Seagren	Van Dellen	
Commers	Gutknecht	Koppendrayner	Ness	Smith	Vickerman	
Dauids	Haukoos	Krinkie	Olson, M.	Stanis	Waltman	
Dehler	Holsten	Limmer	Onnen	Sviggum	Wolf	
Erhardt	Hugoson	Lindner	Pauly	Swenson	Worke	

Those who voted in the negative were:

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

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

The Speaker resumed the Chair.

Sviggum moved to amend H. F. No. 1709, the first engrossment, as amended, as follows:

Page 21, after line 17, insert:

"Sec. 26. Minnesota Statutes 1992, section 473.408, is amended by adding a subdivision to read:

Subd. 2b. [MINIMUM FAREBOX RECOVERY RATE.] The transit commission may not operate a regular route transit route if the farebox recovery rate for that route during the preceding year was less than five percent of the total annual operating cost of that route."

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 Sviggum amendment and the roll was called. There were 36 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Limmer	Olson, M.	Tompkins
Bettermann	Goodno	Johnson, V.	Lindner	Pauly	Van Dellen
Commers	Gruenes	Kelso	Molnau	Pawlenty	Vickerman
Dehler	Gutknecht	Knickerbocker	Morrison	Stanis	Waltman
Dempsey	Haukoos	Koppendrayner	Mosel	Sviggum	Worke
Erhardt	Holsten	Krinkie	Ness	Swenson	Workman

Those who voted in the negative were:

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

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

Workman, Ozment, Kelso and Van Dellen moved to amend H. F. No. 1709, the first engrossment, as amended, as follows:

Page 9, delete lines 25 to 27 and insert:

"The regional transit board may spend for Metro Mobility money appropriated by this section that is not allocated by the board to other activities."

A roll call was requested and properly seconded.

The question was taken on the Workman et al amendment and the roll was called. There were 58 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Hugoson	Leppik	Olson, M.	Smith	Weaver
Bettermann	Frerichs	Jacobs	Limmer	Onnen	Stanis	Wolf
Bishop	Goodno	Johnson, V.	Lindner	Ozment	Sviggum	Worke
Blatz	Greiling	Kelley	Lynch	Pauly	Swenson	Workman
Commers	Gruenes	Kelso	Macklin	Pawlenty	Tompkins	
Cooper	Gutknecht	Klinzing	Molnau	Rhodes	Van Dellen	
Dauids	Haukoos	Knickerbocker	Morrison	Seagren	Vellenga	
Dehler	Hausman	Koppendrayner	Mosel	Sekhon	Vickerman	
Dempsey	Holsten	Krinkie	Ness	Skoglund	Waltman	

Those who voted in the negative were:

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

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

H. F. No. 1709, A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and other agencies with certain conditions; fixing and limiting accounts and fees; amending Minnesota Statutes 1992, sections 11A.21, subdivision 1; 161.081; 161.39, by adding a subdivision; 169.121, subdivision 7; 169.123, subdivision 5a; 171.02, subdivision 1; 171.06, subdivisions 2 and 4; 171.07, by adding a subdivision; 171.11; 171.22, subdivision 1; 174.02, by adding a subdivision; 296.02, subdivision 1a; 296.025, subdivision 1a; Laws 1992, chapter 513, article 3, section 77; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, sections 171.20, subdivision 1; 296.01, subdivision 4; and 296.026.

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 98 yeas and 33 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Dehler	Gutknecht	Krinkie	Olson, M.	Seagren	Wolf
Bettermann	Erhardt	Haukoos	Lynch	Onnen	Sviggum	Worke
Blatz	Garcia	Hugoson	Macklin	Pauly	Tompkins	Workman
Commers	Goodno	Knickerbocker	Molnau	Pawlenty	Van Dellen	
Dauids	Gruenes	Koppendrayar	Morrison	Rhodes	Waltman	

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

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

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 148, A bill for an act relating to motor carriers; restricting authority of regular route common carriers of passengers to depart from their authorized routes; amending Minnesota Statutes 1992, section 221.051.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 168.1281, is amended by adding a subdivision to read:

Subd. 4. [NEW LICENSE PLATES.] The registrar may not issue new license plates under subdivision 1 after the effective date of this section."

Page 1, line 7, delete "Section 1" and insert "Sec. 2"

Page 1, line 9, strike "ABANDONMENT OR DISCONTINUANCE OF SERVICE" and insert "REGULAR ROUTE PASSENGER CARRIERS"

Page 1, line 10, before "No" insert "Subdivision 1. [ABANDONMENT OR DISCONTINUANCE OF SERVICE.]"

Page 1, after line 18, insert:

"Subd. 2. [INCIDENTAL CHARTER AUTHORITY.] Notwithstanding any other law, a regular route common carrier of passengers that was granted incidental charter operating authority by the board before August 1, 1993, may continue to exercise that authority.

Sec. 3. Minnesota Statutes 1992, section 221.091, is amended to read:

221.091 [LIMITATIONS; RELATIONSHIP TO LOCAL REGULATION.]

No provision in sections 221.011 to 221.291 and 221.84 ~~to 221.85~~ shall authorize the use by any carrier of any public highway in any city of the first class in violation of any charter provision or ordinance of such city in effect January 1, 1925, unless and except as such charter provisions or ordinance may be repealed after that date; nor shall sections 221.011 to 221.291 and 221.84 ~~to 221.85~~ be construed as in any manner taking from or curtailing the right of any city to reasonably regulate or control the routing, parking, speed or the safety of operation of a motor vehicle operated by any carrier under the terms of those sections, or the general police power of any such city over its highways; nor shall sections 221.011 to 221.291 and 221.84 ~~to 221.85~~ be construed as abrogating any provision of the charter of any such city requiring certain conditions to be complied with before such carrier can use the highways of such city and such rights and powers herein stated are hereby expressly reserved and granted to such city; but no such city shall prohibit or deny the use of the public highways within its territorial boundaries by any such carrier for transportation of passengers or property received within its boundaries to destinations beyond such boundaries, or for transportation of passengers or property from points beyond such boundaries to destinations within the same, or for transportation of passengers or property from points beyond such boundaries through such municipality to points beyond the boundaries of such municipality, where such operation is pursuant to a certificate of convenience and necessity issued by the commission or to a permit issued by the commissioner under section 221.84 ~~or 221.85~~.

Sec. 4. [REPEALER.]

Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281; 221.011, subdivision 34; and 221.85, are repealed.

Sec. 5. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. Sections 3 and 4 are effective August 1, 1994."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "authorizing the continued exercise of certain operating authority by such carriers; abolishing certain regulations related to personal transportation service providers; making technical correction;"

Page 1, line 5, delete "section" and insert "sections 168.1281, by adding a subdivision;" and after "221.051" insert "; and 221.091; repealing Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281; 221.011, subdivision 34; and 221.85"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 350, A bill for an act relating to education; prekindergarten through grade 12; providing for general education; transportation; special programs; early childhood, community, and adult education; facilities; organization and cooperation; access to excellence; other education programs; miscellaneous provisions; choice programs; libraries; state agencies; and realignment of responsibilities; making conforming changes; appropriating money; amending Minnesota Statutes 1992, sections 3.873, subdivisions 4, 5, 6, 7, and 9; 120.06, subdivision 3; 120.062, subdivision 5, and by adding a subdivision; 120.0621; 120.064, subdivisions 3 and 4; 120.0751, subdivisions 1, 2, 3, and 4; 120.101, subdivisions 5 and 5b; 120.102, subdivision 1; 120.17, subdivision 7a; 120.73, subdivision 1; 120.75; 121.15, subdivision 4; 121.16, subdivision 1; 121.201, subdivision 1; 121.585, subdivision 8; 121.612, subdivisions 2 and 4; 121.831; 121.88, subdivision 8; 121.882, subdivision 2b; 121.901, subdivisions 1 and 2; 121.902; 121.904, subdivisions 4a, 4e, and 14; 121.912, subdivision 6, and by adding a subdivision; 121.9121; 121.914, subdivision 3; 121.934, subdivision 1; 121.935, subdivisions 2 and 5; 121.936; 122.22, by adding a subdivision; 122.242, subdivision 9; 122.531, subdivision 4a; 122.895, subdivision 2, and by adding subdivisions; 123.34, subdivision 9; 123.35, subdivision 17; 123.351, subdivisions 6, 8, and 9; 123.3513; 123.3514, subdivisions 5, 6, 6b, 6c, and 8; 123.36, by adding a subdivision; 123.39, by adding a subdivision; 123.58, subdivisions 6, 7, 8, and 9; 123.702, subdivisions 1, 1a, 1b, 3, and 4; 123.7045; 123.71, subdivision 1; 123.932, subdivision 7; 123.935, subdivision 7; 123.947; 124.09; 124.10, subdivision 1; 124.14, subdivisions 1 and 4; 124.17, subdivisions 1, 2c, and by adding a subdivision; 124.19, subdivisions 1 and 4; 124.195, subdivisions 8 and 9; 124.223, subdivision 3; 124.225, subdivisions 1, 3a, 7b, 7d, and 7e; 124.226, subdivisions 1, 3, 9, and by adding a subdivision; 124.243, subdivisions 1, 2, 2a, 6, and 8; 124.248, subdivision 4; 124.26, subdivision 2; 124.2601, subdivisions 4 and 6; 124.261, subdivision 1; 124.2615, subdivisions 2 and 3; 124.2711, subdivision 1; 124.2714; 124.2721, subdivisions 1 and 3; 124.2725, subdivisions 2, 4, 5, 6, 10, and 13; 124.273, by adding a subdivision; 124.276, subdivision 3; 124.32, subdivision 1d; 124.322, subdivisions 2, 3, 4, and by adding a subdivision; 124.332, subdivision 2; 124.37; 124.38, by adding a subdivision; 124.431, subdivisions 1, 1a, 2, and 14; 124.48, subdivisions 1 and 3; 124.494, subdivisions 1, 2, and by adding a subdivision; 124.573, subdivision 3; 124.574, by adding a subdivision; 124.625; 124.64; 124.645, subdivisions 1 and 2; 124.69, subdivision 1; 124.73, subdivision 1; 124.79; 124.83, subdivisions 1, 2, 4, 6, and by adding a subdivision; 124.84, subdivision 3; 124.91, subdivision 3; 124.912, subdivisions 2 and 3; 124.95, subdivisions 1, 2, 2a, and 3; 124.961; 124A.03, subdivision 1c, and by adding a subdivision; 124A.22, subdivisions 2, 4, 5, 6, 8, and 9; 124A.23, subdivision 1; 124A.26, subdivision 1, and by adding a subdivision; 124A.27, subdivision 2; 124A.29, subdivision 1; 124A.70; 124A.72; 124C.08, subdivision 1; 125.05, subdivision 1a; 125.185, subdivisions 4 and 6; 125.1885, subdivision 3; 125.189; 126.151, subdivision 2; 126.22, subdivisions 2, 3, 3a, and 4; 126.239, subdivision 3; 126.267; 126.268, subdivision 2; 126.52, subdivisions 8 and 9; 126.54, subdivision 1; 126.56, subdivisions 4a and 7; 126.665; 126.67, subdivision 8; 126.70, subdivision 2a; 126A.07, subdivision 1; 127.15; 127.455; 127.46; 128A.024, subdivision 2; 128A.03, subdivision 2; 129C.10, subdivision 1, and by adding a subdivision; 134.31, subdivisions 1, 2, and 5; 134.32, subdivision 8; 145A.10, subdivision 5; 256E.03, by adding subdivisions; 256E.08, subdivision 1; 256E.09, subdivision 2, and by adding a subdivision; 273.1398, by adding a subdivision; 275.48; 473F.02, by adding a subdivision; and 475.61, subdivision 3; Laws 1991, chapters 256, article 8, section 14, as amended; 265, articles 1, section 30; and 2, section 19, subdivision 2; and Laws 1992, chapters 499, article 8, section 33; 571, article 10, section 29; proposing coding for new law in Minnesota Statutes, chapters 4; 121; 124; 124A; 124C; 125; 126; 128A; repealing Minnesota Statutes 1992,

sections 120.0621, subdivision 5; 121.87; 124.197; 124.2721, subdivisions 2 and 4; 124.32, subdivision 5; 124.615; 124.62; 125.703; 126.22, subdivision 2a; 145.926; and Laws 1988, chapter 486, section 59.

Reported the same back with the following amendments:

Page 16, line 22, delete "(i)"

Page 16, line 26, delete the semicolon and insert "and later."

Page 16, delete lines 27 to 30

Page 17, line 34, delete "The formula allowance"

Page 17, delete lines 35 and 36

Page 22, line 29, delete "\$729,000,000" and insert "\$767,000,000"

Page 30, line 24, delete "This section supersedes any"

Page 30, line 25, delete "other law to the contrary."

Page 33, line 13, delete "\$46,000,000" and insert "\$41,000,000"

Page 34, delete section 35

Page 34, line 22, delete "\$1,939,112,000" and insert "\$1,929,556,000"

Page 34, line 23, delete "\$2,279,331,000" and insert "\$2,226,972,000"

Page 34, line 25, delete "\$1,681,561,000" and insert "\$1,672,005,000"

Page 34, line 27, delete "\$2,014,181,000" and insert "\$1,961,822,000"

Page 52, line 16, delete "career assessment" and insert "vocational evaluation"

Page 125, line 33, after "management" insert ". Health and safety revenue may also be used to test for the presence of radon"

Page 134, delete section 41, and insert:

"Sec. 41. [RADON TESTING; SCHOOL DISTRICTS.]

Subdivision 1. [VOLUNTARY PLAN.] The commissioners of health and education may jointly develop a plan to encourage school districts to accurately and efficiently test for the presence of radon in public school buildings serving students in kindergarten through grade 12. To the extent possible, the commissioners shall base the plan on the standards established by the United States Environmental Protection Agency.

Subd. 2. [RADON TESTING.] A school district may include radon testing as a part of its health and safety plan. If a school district receives authority to use health and safety revenue to conduct radon testing, the district shall conduct the testing according to the radon testing plan developed by the commissioners of health and education.

Subd. 3. [REPORTING.] A school district that has tested its school buildings for the presence of radon shall report the results of its tests to the department of health in a form and manner prescribed by the commissioner of health. A school district that has tested for the presence of radon shall also report the results of its testing at a school board meeting.

Page 136, line 18, delete "\$84,514,000" and insert "\$83,409,000"

Page 136, line 22, delete "\$73,695,000" and insert "\$72,590,000"

Page 136, line 27, delete "\$41,620,000" and insert "\$41,025,000"

Page 136, line 29, delete "\$36,295,000" and insert "\$30,176,000"

Page 136, line 31, delete "\$30,855,000" and insert "\$35,700,000"

Page 136, line 36, delete "\$28,299,000" and insert "\$26,939,000"

Page 137, line 4, delete "\$26,605,000" and insert "\$25,245,000"

Renumber the sections in sequence

Amend the title as follows:

Page 2, lines 32 and 33, delete "273.1398, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 384, A bill for an act relating to housing; changing program review requirements; increasing deferred loan limits; expanding the types of eligible users of the homesharing program; expanding the project eligibility of the housing trust fund; authorizing cities to sell single-family residential housing under the neighborhood land trust program; expanding the types of eligible service providers and changing the authorized payment structure of the rental assistance for family stabilization program; increasing the income limits for rental housing assistance; establishing the community rehabilitation fund account; consolidating the blighted residential property and capital reserve programs; authorizing tribal Indian housing demonstration projects; amending Minnesota Statutes 1992, sections 462A.05, subdivisions 14a and 24; 462A.07, subdivision 15; 462A.201, subdivision 2; 462A.202, subdivision 7; 462A.205, subdivisions 2, 3, 4, 5, 6, 7, and by adding subdivisions; 462A.21, subdivisions 4c, 8c, and by adding a subdivision; and 462C.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1992, sections 462A.05, subdivision 37; and 462A.32.

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

The report was adopted.

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

H. F. No. 673, A bill for an act relating to agriculture; regulating activities relating to restricted species; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Page 2, after line 12, insert:

"Subd. 4. [COMMISSIONER'S DUTIES.] After issuing initial permits under subdivision 3, the commissioner must consult with and consider the recommendations of the commissioner of agriculture and the executive secretary of the board of animal health before May 1, 1994, on whether or not initial permits should be expanded or restricted, or whether any new permit requests should be granted."

Page 2, line 13, delete "4" and insert "5"

Page 2, line 19, delete "5" and insert "6"

Page 2, line 22, delete "6" and insert "7"

Page 2, delete lines 24 and 25

Page 3, line 10, before the period insert ", and shall be deposited in the game and fish fund"

Page 3, after line 10, insert:

"Sec. 2. [APPROPRIATION.]

\$6,000 is appropriated in fiscal year 1994 and fiscal year 1995 from the game and fish fund to the commissioner of natural resources for the purposes of section 1, subdivision 3."

Amend the title as follows:

Page 1, line 3, after the second semicolon insert "appropriating money;"

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 859, A bill for an act relating to natural resources; granting power to the commissioner of natural resources to give nominal gifts, acknowledge significant contributions and sell incidental advertising; amending Minnesota Statutes 1992, section 84.027, by adding a subdivision.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1021, A bill for an act relating to state lands; exempting certain lakeshore lots from sale requirements; authorizing the commissioner of natural resources to acquire personal property; amending Minnesota Statutes 1992, section 92.67, by adding a subdivision.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1060, A bill for an act relating to agriculture; making technical changes in eligibility for certain rural finance authority loan programs; authorizing an ethanol development program; appropriating money; amending Minnesota Statutes 1992, sections 41B.02, subdivisions 7, 12, 14, 15, and by adding subdivisions; 41B.03, subdivision 3; 41B.04, subdivision 9, and by adding a subdivision; and 41C.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 41B.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1138, A bill for an act relating to agriculture; changing eligibility and participation requirements for certain rural finance authority programs; authorizing an application fee; amending Minnesota Statutes 1992, sections 41B.03, subdivision 1, and by adding a subdivision; 41B.039, subdivision 2; and 41B.042, subdivision 4.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1746, A bill for an act relating to the organization and operation of state government; appropriating money for criminal justice, corrections, and related purposes; providing for the transfer of certain money in the state treasury; amending Minnesota Statutes 1992, sections 43A.02, subdivision 25; 43A.24, subdivision 2; 121.88, subdivision 9; 124.2713, subdivisions 5 and 6; 124C.46, subdivision 1; 169.1265, subdivision 1; 179.02, by adding a subdivision; 270B.14, by adding a subdivision; 271.07; 357.021, subdivisions 1a and 2; 357.022; 357.18, subdivision 3; 357.24; 484.74, subdivision 1; 484.76, subdivision 1; 508.82; 508A.82; 548.23; 548.30; 549.02; 593.48; 609.101, subdivision 4; 611.17; 611.20; 611.25, subdivision 3; 611.26, subdivision 3; 611.27, subdivisions 4 and 13; 611.271; 626.861, subdivision 4; and Laws 1989, chapter 335, article 3, section 44, as amended; proposing coding for new law in Minnesota Statutes, chapters 121; 242; 244; 609; and 611; proposing coding for new law as Minnesota Statutes, chapter 491A.

Reported the same back with the following amendments:

Page 7, after line 3, insert:

"Sec. 7. Minnesota Statutes 1992, section 43A.02, subdivision 25, is amended to read:

Subd. 25. [JUDICIAL BRANCH.] "Judicial branch" means all judges of the appellate courts, all employees of the appellate courts, including commissions, boards, and committees established by the supreme court, the board of law examiners, the law library, the office of the state public defender, district public defenders and their employees, all judges of all courts of law, district court referees, judicial officers, court reporters, law clerks, district administration employees under section 484.68, court administrator or employee of the court and guardian ad litem program employees in the eighth judicial district, and other agencies placed in the judicial branch by law. Judicial branch does not include district administration or public defenders or their employees in the second and fourth judicial districts, court administrators or their staff under chapter 485, guardians ad litem, or other employees within the court system whose salaries are paid by the county, other than employees who remain on the county payroll under section 480.181, subdivision 2.

Sec. 8. Minnesota Statutes 1992, section 43A.24, subdivision 2, is amended to read:

Subd. 2. [OTHER ELIGIBLE PERSONS.] The following persons are eligible for state paid life insurance and hospital, medical, and dental benefits as determined in applicable collective bargaining agreements or by the commissioner or by plans pursuant to section 43A.18, subdivision 6, or by the board of regents for employees of the University of Minnesota not covered by collective bargaining agreements. Coverages made available, including optional coverages, are as contained in the plan established pursuant to section 43A.18, subdivision 2.

(a) a member of the state legislature, provided that changes in benefits resulting in increased costs to the state shall not be effective until expiration of the term of the members of the existing house of representatives. An eligible member of the state legislature may decline to be enrolled for state paid coverages by filing a written waiver with the commissioner. The waiver shall not prohibit the member from enrolling the member or dependents for optional coverages, without cost to the state, as provided for in section 43A.26. A member of the state legislature who returns from a leave of absence to a position previously occupied in the civil service shall be eligible to receive the life insurance and hospital, medical, and dental benefits to which the position is entitled;

(b) a permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission or a state employee on leave of absence to work for the legislature, during a regular or special legislative session;

(c) a judge of the appellate courts or an officer or employee of these courts; a judge of the district court, a judge of county court, a judge of county municipal court, or a judge of probate court; a district court referee, judicial officer, court reporter, or law clerk; a district administrator; an employee of the office of the district administrator that is not in the second or fourth judicial district; a court administrator or employee of the court administrator in the eighth judicial district, and a guardian ad litem program administrator in the eighth judicial district;

(d) a salaried employee of the public employees retirement association;

(e) a full-time military or civilian officer or employee in the unclassified service of the department of military affairs whose salary is paid from state funds;

(f) a salaried employee of the Minnesota historical society, whether paid from state funds or otherwise, who is not a member of the governing board;

(g) an employee of the regents of the University of Minnesota;

(h) notwithstanding section 43A.27, subdivision 3, an employee of the state of Minnesota or the regents of the University of Minnesota who is at least 60 and not yet 65 years of age on July 1, 1982, who is otherwise eligible for employee and dependent insurance and benefits pursuant to section 43A.18 or other law, who has at least 20 years of service and retires, earlier than required, within 60 days of March 23, 1982; or an employee who is at least 60 and not yet 65 years of age on July 1, 1982, who has at least 20 years of state service and retires, earlier than required, from employment at Rochester state hospital after July 1, 1981; or an employee who is at least 55 and not yet 65 years of age on July 1, 1982, and is covered by the Minnesota state retirement system correctional employee retirement plan or the state patrol retirement fund, who has at least 20 years of state service and retires, earlier than required, within 60 days of March 23, 1982. For purposes of this clause, a person retires when the person terminates active employment in state or University of Minnesota service and applies for a retirement annuity. Eligibility shall cease when the retired employee attains the age of 65, or when the employee chooses not to receive the annuity that the employee has applied for. The retired employee shall be eligible for coverages to which the employee was entitled at the time of retirement, subject to any changes in coverage through collective bargaining or plans established pursuant to section 43A.18, for employees in positions equivalent to that from which retired, provided that the retired employee shall not be eligible for state-paid life insurance. Coverages shall be coordinated with relevant health insurance benefits provided through the federally sponsored Medicare program; and

(i) An employee of an agency of the state of Minnesota identified through the process provided in this paragraph who is eligible to retire prior to age 65. The commissioner and the exclusive representative of state employees shall enter into agreements under section 179A.22 to identify employees whose positions are in programs that are being permanently eliminated or reduced due to federal or state policies or practices. Failure to reach agreement identifying these employees is not subject to impasse procedures provided in chapter 179A. The commissioner must prepare a plan identifying eligible employees not covered by a collective bargaining agreement in accordance with the process outlined in section 43A.18, subdivisions 2 and 3. For purposes of this paragraph, a person retires when the person terminates active employment in state service and applies for a retirement annuity. Eligibility ends as provided in the agreement or plan, but must cease at the end of the month in which the retired employee chooses not to receive an annuity, or the employee is eligible for employer-paid health insurance from a new employer. The retired employees shall be eligible for coverages to which they were entitled at the time of retirement, subject to any changes in coverage through collective bargaining or plans established under section 43A.18 for employees in positions equivalent to that from which they retired, provided that the retired employees shall not be eligible for state-paid life insurance; and

(j) employees of the state public defender's office, and district public defenders and their employees other than in the second and fourth judicial districts, with eligibility determined by the state board of public defense, in consultation with the commissioner of employee relations."

Page 12, line 31, delete "TRANSACTION" and insert "TRANSITION"

Page 13, line 29, delete "after December 31, 1993"

Renumber the sections in article 2 in sequence

Pages 19 to 23, delete sections 8 and 9

Page 35, line 7, delete "criteria" and insert "criterion"

Renumber the sections in article 3 in sequence

Page 36, line 27, delete everything after "\$222,000" and insert "in each year is"

Page 36, line 28, delete everything before "for"

Page 47, delete lines 10 to 13

Page 47, line 14, delete "(e)" and insert "(d)"

Page 47, line 18, delete "(f)" and insert "(e)"

Amend the title as follows:

Page 1, line 3, after "for" insert "courts, the attorney general, public defense,"

Page 1, line 4, after the semicolon insert "appropriating money for youth community service and work-based learning programs;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 148, 350, 384, 859, 1021, 1060, 1138 and 1746 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Krueger, for the State Government Finance Division, introduced:

H. F. No. 1750, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; transferring duties of the department of administration agencies and functions; amending Minnesota Statutes 1992, sections 3.971, by adding a subdivision; 3A.02, by adding a subdivision; 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; 16A.011, subdivisions 5, 6, and 14; 16A.04, subdivision 1; 16A.055, subdivision 1; 16A.06, subdivision 4; 16A.065; 16A.10, subdivisions 1 and 2; 16A.105; 16A.11, subdivisions 1 and 3; 16A.128, as amended; 16A.129, by adding a subdivision; 16A.15, subdivisions 1, 5, and 6; 16A.17, subdivision 3; 16A.28; 16A.281; 16A.30; 16A.58; 16A.69, subdivision 2; 16A.72; 16B.04, subdivision 2; 16B.24, subdivision 9; 16B.40; 16B.41, as amended; 16B.43; 16B.44; 16B.92; 43A.045; 116.03, subdivision 3; 116J.617, subdivisions 2, 3, and by adding a subdivision; 240A.02, subdivision 1; 240A.03, by adding a subdivision; 270.063; 309.501; 349A.02, subdivision 1; 349A.03, subdivision 2; 352.96, subdivision 3; 354B.05; and 356.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 11A; 13; 15; 15B; 16A; 116J; and 116M; repealing Minnesota Statutes 1992, sections 3.3005; 13.02, subdivision 2; 16A.095, subdivision 3; 16A.123;

16A.1281; 16A.35; 16A.45, subdivisions 2 and 3; 16A.80; 16B.41, subdivisions 3 and 4; 290A.24; 309.502; and 349A.03, subdivision 3.

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

Greenfield; Anderson, R., and Simoneau, for the Committee on Health and Human Services, introduced:

H. F. No. 1751, A bill for an act relating to human services; organization and operation of state government; appropriating money for human services, the department of health, health-related boards, jobs and training, housing finance, veterans affairs and other purposes with certain conditions; establishing and modifying certain programs; providing penalties; amending Minnesota Statutes 1992, sections 8.15; 16A.45, by adding a subdivision; 16B.06, subdivision 2a; 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; 116.83, subdivisions 1 and 3; 116L.03, subdivision 7; 144.122; 144.123, subdivision 1; 144.215, subdivision 3, and by adding a subdivision; 144.226, subdivision 2; 144.3831, subdivision 2; 144.802, subdivision 1; 144.8091, subdivision 1; 144.871, subdivisions 2, 6, 7a, 7b, 9, and by adding subdivisions; 144.872, subdivisions 2, 3, 4, and by adding a subdivision; 144.873; 144.874, subdivisions 1, 2, 3, 4, 5, 6, 9, and by adding subdivisions; 144.876, by adding a subdivision; 144.878, subdivisions 2, 2a, and 5; 144.98, subdivision 5; 144A.071; 144A.073, subdivisions 2, 3, and by adding a subdivision; 145.883, subdivision 5; 145.925, by adding a subdivision; 147.02, subdivision 1; 148C.01, subdivisions 3 and 6; 148C.02; 148C.03, subdivisions 1, 2, and 3; 148C.04, subdivisions 2, 3, and 4; 148C.05, subdivision 2; 148C.06; 148C.11, subdivision 3, and by adding a subdivision; 149.04; 157.045; 198.34; 214.01, subdivision 2; 214.04, subdivision 1; 214.06, subdivision 1; 245.462, subdivisions 4 and 20; 245.484; 245.4871, subdivision 4; 245.4873, subdivision 2; 245.4882, subdivision 5; 245.73, subdivisions 2, 3, and by adding a subdivision; 245.765, subdivision 1; 245A.14, by adding a subdivision; 246.0135; 246.18, subdivision 4; 252.275, subdivisions 1 and 8; 252.40; 252.41, subdivisions 1 and 3; 252.43; 252.46; 252A.101, subdivision 7; 252A.111, subdivision 4; 254A.17, subdivisions 1 and 3; 254B.03, subdivision 1; 254B.06, subdivision 3; 256.015, subdivision 4; 256.025, subdivisions 1, 2, 3, and 4; 256.73, subdivisions 2, 3a, 5, and 8; 256.736, subdivisions 10, 10a, 14, 16, and by adding a subdivision; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; 256.74, subdivision 1; 256.78; 256.9657, subdivisions 1, 1a, 2, 3, 7, and by adding subdivisions; 256.969, subdivisions 1, 8, and by adding a subdivision; 256.9695, subdivision 3; 256.983, subdivision 3; 256B.03, by adding a subdivision; 256B.04, subdivision 16; 256B.042, subdivision 4; 256B.055, subdivision 1; 256B.056, subdivisions 1a and 2; 256B.0575; 256B.059, subdivisions 3 and 5; 256B.0595, subdivisions 1, 2, 3, 4, and by adding a subdivision; 256B.0625, subdivisions 3, 6a, 7, 11, 13, 13a, 14, 15, 17, 19a, 20, 28, 29, and by adding subdivisions; 256B.0627, subdivisions 1, 4, and 5; 256B.0628, subdivision 2; 256B.0911, subdivisions 2, 3, 4, 6, 7, and by adding a subdivision; 256B.0913, subdivisions 4, 5, 9, 12, 13, and 14; 256B.0915, subdivisions 1, 3, and by adding subdivisions; 256B.0917, subdivisions 1, 2, 3, 4, 5, 11, and 12; 256B.093, subdivisions 1 and 3; 256B.15, subdivisions 1 and 2; 256B.19, subdivision 1b; 256B.37, subdivisions 3, 5, and by adding a subdivision; 256B.431, subdivisions 2b, 13, 14, 15, 21, and by adding subdivisions; 256B.47, subdivision 3; 256B.48, subdivisions 1 and 2; 256B.49, by adding a subdivision; 256B.50, subdivision 1b, and by adding subdivisions; 256B.501, subdivisions 3g, 3i, 12, and by adding a subdivision; 256D.01, subdivision 1a; 256D.02, subdivision 5; 256D.03, subdivisions 3, 3, 4, and 8; 256D.04; 256D.05, by adding a subdivision; 256D.051, subdivision 1; 256D.35, subdivision 3a; 256D.44, subdivisions 2 and 3; 256F.06, subdivision 2; 256H.03, subdivision 4; 256I.01; 256I.02; 256I.03, subdivisions 2, 3, and by adding subdivisions; 256I.04, subdivisions 1, 2, 3, 3, and by adding subdivisions; 256I.05, subdivisions 1, 1a, 8, and by adding a subdivision; 256I.06; 257.3573, by adding a subdivision; 257.54; 257.541; 257.55, subdivision 1; 257.57, subdivision 2; 257.59, subdivision 3; 257.73, subdivision 1; 257.74, subdivision 1; 257.803, subdivision 1; 259.40, subdivisions 1, 2, 3, 4, 5, 7, 8, and 9; 259.431, subdivision 5; 268.022, subdivisions 1 and 2; 268.361, subdivisions 6 and 7; 268.362; 268.363; 268.364, subdivisions 1, 3, and by adding a subdivision; 268.365, subdivision 2; 268.55; 268.914, subdivision 1; 268.975, subdivisions 3, 4, 6, 7, 8, and by adding subdivisions; 268.976, subdivision 2; 268.978, subdivision 1; 268.98; 273.1392; 273.1398, subdivision 5b; 275.07, subdivision 3; 326.44; 326.75, subdivision 4; 349.2125, subdivision 4; 388.23, subdivision 1; 393.07, subdivisions 3 and 10; 462A.03, subdivision 15; 462A.057, subdivision 1; 462A.21, by adding subdivisions; 469.011, subdivision 4; 518.156, subdivision 1; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; 518.613, subdivisions 2, 3, and 4; 518.64, subdivision 2; 525.539, subdivision 2; 525.551, subdivision 7; 609.821, subdivisions 1 and 2; 626.559, by adding a subdivision; Laws 1991, chapter 292, article 6, section 54, subdivision 1; and section 57, subdivisions 1 and 3; Laws 1992, chapter 513, article 7, section 131; and article 9, section 41; Laws 1993, chapter 20, sections 2, 5, 7, and by adding a section; proposing coding for new law in Minnesota Statutes, chapter 115C; 116; 144; 145; 197; 198; 214; 245; 252; 252B; 254A; 256; 256B; 256E; 256F; 257; 268; 462A; 514; proposing coding for new law as Minnesota Statutes, chapter 144C; repealing Minnesota Statutes 1992, sections 116.76, subdivision 7; 116.79, subdivision 3; 116.81, subdivision 2; 116.83, subdivision 2; 144.8721; 144.874, subdivision 10; 144.878, subdivision 2a; 148B.72; 214.141; 245.711; 245.712; 252.46, subdivisions 12, 13, and 14; 252.47; 252.478, subdivisions 1, 2, and 3; 256.969, subdivision 20; 256.985; 256I.03, subdivision 4; 256I.05, subdivisions 4, 9, and 10; 256I.051; 268.365, subdivision 1; 268.914, subdivision 2; 268.977; 268.978, subdivision 3;

273.1398, subdivisions 5a and 5c; Laws 1986, chapter 398, article 1, section 18, as amended; Laws 1989, chapter 350, article 16, section 8; Laws 1990, chapter 525, section 1; and Laws 1991, chapter 208, section 2; Minnesota Rules, parts 4622.0100; 4622.0300; 4622.0400; 4622.0600; 4622.0700, subparts 10 and 12; 4622.0900; 4622.1000; 4622.1050; 4622.1100; 4622.1150; and 4622.1200.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

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

H. F. No. 469, A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

H. F. No. 507, A bill for an act relating to patient and resident rights; providing patients and residents with the option to disclose their presence in a facility; amending Minnesota Statutes 1992, sections 144.651, subdivisions 2, 21, and 26; and 253B.03, subdivisions 3 and 4.

H. F. No. 520, A bill for an act relating to retirement; authorizing a second chance Medicare coverage referendum for certain public pension plan members.

H. F. No. 1296, A bill for an act relating to Pine county; permitting the county board to extend certain temporary land use controls.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

H. F. No. 1074, A bill for an act relating to elections; requiring publication and posting of notice of filing dates by county auditors; amending Minnesota Statutes 1992, section 204B.33.

H. F. No. 1089, A bill for an act relating to elections; setting the date by which Hennepin county park reserve district redistricting must take place; amending Minnesota Statutes 1992, section 383B.68, subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

S. F. No. 1503.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1503, A bill for an act relating to the organization and operation of state government; appropriating money for criminal justice, corrections, and related purposes; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 241.01, subdivision 5; 242.195, subdivision 1; 242.51; 401.13; 611.20; 611.216, by adding a subdivision; 611.25, subdivision 3; and 626.861, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 611; repealing Minnesota Statutes 1992, sections 241.43, subdivision 2; and 611.20, subdivision 3.

The bill was read for the first time.

Murphy moved that S. F. No. 1503 and H. F. No. 1746, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Farrell moved that the name of Skoglund be added as an author on H. F. No. 1042. The motion prevailed.

Kahn moved that H. F. No. 10, now on Technical General Orders, be re-referred to the Committee on Ways and Means. The motion prevailed.

TAKEN FROM THE TABLE

Rodosovich moved that S. F. No. 1407, as amended, which was laid on the table earlier today be taken from the table. The motion prevailed and S. F. No. 1407 was taken from the table.

S. F. No. 1407 was reported to the House.

Stanius and Jaros moved to amend S. F. No. 1407, as amended, as follows:

Page 2, delete line 12, and insert:

"119,575,000

125,819,000

245,394,000"

Page 2, delete lines 23 and 24

Page 2, line 32, delete "119,157,000" and "125,401,000" and insert "119,575,000" and "125,819,000"

Page 2, delete line 37, and insert:

"3,157,000" 3,107,000"

Page 3, delete line 15, and insert:

"99,002,000" 105,295,000"

Page 10, delete lines 23 to 46

Page 19, delete lines 12 to 17

Pages 34 and 35, delete section 16

Page 39, after line 36, insert:

"ARTICLE 6

ABOLISHING THE HIGHER EDUCATION BOARD

Section 1. [HIGHER EDUCATION BOARD ABOLISHED.]

The higher education board is abolished.

Sec. 2. Minnesota Statutes 1992, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS.] ~~The higher education board, state university board, the state board for community colleges, the state board of technical colleges, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the higher education system, the chancellor of the state universities, the chancellor of the community colleges, the chancellor of vocational technical education, and the executive director of the higher education coordinating board. The respective board shall submit the proposed salary increase to the legislative commission on employee relations for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary of the governor under section 15A.082, subdivision 3. In deciding whether to recommend a salary increase, the governing board shall consider the performance of the chancellor or director, including the chancellor's or director's progress toward attaining affirmative action goals.~~

Sec. 3. Minnesota Statutes 1992, section 179A.10, subdivision 2, is amended to read:

Subd. 2. [STATE EMPLOYEES.] Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. Supervisory employees shall only be assigned to units ~~13~~ 12 and ~~17~~ 16. The following are the appropriate units of executive branch state employees:

- (1) law enforcement unit;
- (2) craft, maintenance, and labor unit;
- (3) service unit;
- (4) health care nonprofessional unit;
- (5) health care professional unit;
- (6) clerical and office unit;
- (7) technical unit;

- (8) correctional guards unit;
- (9) state university instructional unit;
- (10) community college instructional unit;
- (11) ~~technical college instructional unit;~~
- (12) state university administrative unit;
- (13) (12) professional engineering unit;
- (14) (13) health treatment unit;
- (15) (14) general professional unit;
- (16) (15) professional state residential instructional unit; and
- (17) (16) supervisory employees unit.

Each unit consists of the classifications or positions assigned to it in the schedule of state employee job classification and positions maintained by the commissioner. The commissioner may only make changes in the schedule in existence on the day prior to August 1, 1984, as required by law or as provided in subdivision 4.

Sec. 4. [REPEALER.]

Subdivision 1. [CHAPTER 136E.] Minnesota Statutes 1992, sections 136E.01; 136E.02; 136E.03; 136E.04; and 136E.05, are repealed.

Subd. 2. [TRANSITIONAL PROVISIONS.] Laws 1991, chapter 356, article 9, sections 8, 9, 10, 11, 12, 13, and 14, are repealed.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day following final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Stanius and Jaros amendment and the roll was called. There were 108 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Abrams	Beard	Clark	Dempsey	Greenfield	Holsten	Johnson, A.
Anderson, I.	Bergson	Commers	Evans	Greiling	Hugoson	Johnson, R.
Anderson, R.	Bettermann	Dauner	Farrell	Gruenes	Huntley	Johnson, V.
Asch	Brown, K.	Davids	Frerichs	Gutknecht	Jaros	Kalis
Battaglia	Carlson	Dawkins	Garcia	Hasskamp	Jefferson	Klinzing
Bauerly	Carruthers	Delmont	Goodno	Hausman	Jennings	Knickerbocker

Koppendrayer	Mahon	Nelson	Pauly	Sarna	Swenson	Welle
Krinkie	Mariani	Ness	Pawlenty	Seagren	Tomassoni	Wenzel
Krueger	McGuire	Olson, K.	Perlt	Sekhon	Tompkins	Winter
Lasley	Milbert	Olson, M.	Peterson	Skoglund	Trimble	Wolf
Leppik	Molnau	Onnen	Pugh	Smith	Tunheim	Worke
Limmer	Morrison	Opatz	Reding	Solberg	Van Dellen	Workman
Lindner	Mosel	Orfield	Rest	Sparby	Vickerman	
Lourey	Munger	Osthoff	Rhodes	Stanis	Wagenius	
Luther	Murphy	Ostrom	Rice	Steensma	Waltman	
Macklin	Neary	Ozment	Rukavina	Sviggum	Wejman	

Those who voted in the negative were:

Bertram	Dehler	Jacobs	Kinkel	Olson, E.	Simoneau
Bishop	Dorn	Kahn	Lieder	Orenstein	Vellenga
Blatz	Erhardt	Kelley	Lynch	Pelowski	Weaver
Brown, C.	Haukoos	Kelso	McCollum	Rodosovich	Spk. Long

The motion prevailed and the amendment was adopted.

S. F. No. 1407, A bill for an act relating to education; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; creating an instructional telecommunications network; providing for grants from the higher education coordinating board for regional linkages, regional coordination, courseware development and usage, and faculty training; authorizing the state board of community colleges to use higher education facilities authority revenue bonds to construct student residences; creating three accounts in the permanent university fund and making allocations from the accounts; providing tuition exemptions at technical colleges for Southwest Asia veterans; prescribing changes in eligibility and in duties and responsibilities for certain financial assistance programs; establishing grant programs to promote recruitment and retention initiatives by nurses training and teacher education programs directed toward persons of color; establishing grant programs for nursing students and students in teacher education programs who are persons of color; establishing an education to employment transitions system; amending Minnesota Statutes 1992, sections 136A.101, subdivisions 1 and 7; 136A.121, subdivision 9; 136A.1353, subdivision 4; 136A.1354, subdivision 4; 136A.15, subdivision 6; 136A.1701, subdivision 4; 136A.233, subdivisions 2 and 3; 136C.13, subdivision 4; 136C.61, subdivision 7; and 137.022, subdivision 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 136A; and 137; proposing coding for new law as Minnesota Statutes, chapter 126B; repealing Minnesota Statutes 1992, sections 136A.121, subdivision 17; and 136A.134.

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 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Solberg	Swenson	Tunheim	Wagenius	Welle	Worke
Sparby	Tomassoni	Van Dellen	Waltman	Wenzel	Workman
Stanius	Tompkins	Vellenga	Weaver	Winter	Spk. Long
Steensma	Trimble	Vickerman	Wejcman	Wolf	

Those who voted in the negative were:

Haukoos	Olson, M.	Ostrom	Sviggum
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The bill was passed, as amended, and its title agreed to.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 163:

Sparby, Lasley, Ostrom, Pawlenty and Long.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 1:30 p.m., Thursday, April 22, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:30 p.m., Thursday, April 22, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

