

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION — 1994

SIXTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 10, 1994

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

Prayer was offered by the Reverend Dr. Donald M. Meisel, House Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Long and Simoneau were excused.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 423, A bill for an act relating to health; clean indoor air act; adding common areas of apartments and condominiums to public places where smoking is prohibited; amending Minnesota Statutes 1992, section 144.413, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 16, delete "and condominium"

Amend the title as follows:

Page 1, line 3, delete "and condominiums"

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. 613, A bill for an act relating to meetings of public bodies; changing exceptions and other conditions of the open meeting law; amending Minnesota Statutes 1992, section 471.705.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 144.581, subdivision 5, is amended to read:

Subd. 5. [CLOSED MEETINGS; RECORDING.] (a) Notwithstanding subdivision 4 or section 471.705, a public hospital or an organization established under this section may hold a closed meeting to discuss specific marketing activity and contracts that might be entered into pursuant to the marketing activity in cases where the hospital or organization is in competition with health care providers that offer similar goods or services, and where disclosure of information pertaining to those matters would cause harm to the competitive position of the hospital or organization, provided that the goods or services do not require a tax levy. No contracts referred to in this paragraph may be entered into earlier than 15 days after the proposed contract has been described at a public meeting and the description entered in the minutes, except for contracts for consulting services or with individuals for personal services.

(b) A meeting may not be closed under paragraph (a) except by a majority vote of the board of directors in a public meeting. The time and place of the closed meeting must be announced at the public meeting. A written roll of members present at the closed meeting must be available to the public after the closed meeting. The proceedings of a closed meeting must be tape-recorded and preserved by the board of directors for two years. The data on the tape are nonpublic data under section 13.02, subdivision 9. However, the data become public data under section 13.02, subdivision 14, two years after the meeting, or when the hospital or organization takes action on matters referred to in paragraph (a), except for contracts for consulting services. In the case of personal service contracts, the data become public when the contract is signed. For entities subject to section 471.345, a contract entered into by the board is subject to the requirements of section 471.345.

(c) The board of directors may not discuss a tax levy, bond issuance, or other expenditure of money not directly related to specific marketing activities and contracts described in paragraph (a) at a closed meeting.

Sec. 2. Minnesota Statutes 1992, section 471.705, is amended to read:

471.705 [MEETINGS OF GOVERNING BODIES; OPEN TO PUBLIC; EXCEPTIONS.]

Subdivision 1. [REQUIREMENT PRESUMPTION OF OPENNESS.] Except as otherwise expressly provided by statute, all meetings, including executive sessions, of any state agency, board, commission or department when required or permitted by law to transact public business in a meeting, and the governing body of any school district however organized, unorganized territory, county, city, town, or other public body, and of any committee, subcommittee, board, department or commission thereof, shall be open to the public, ~~except meetings of the commissioner of corrections.~~ The votes of the members of such state agency, board, commission, or department or

of such governing body, committee, subcommittee, board, department, or commission on any action taken in a meeting herein required to be open to the public shall be recorded in a journal kept for that purpose, which and the journal shall be open to the public during all normal business hours where such records are kept. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. This section shall not apply to any state agency, board, or commission when exercising quasi-judicial functions involving disciplinary proceedings.

Subd. 1a. [LABOR NEGOTIATIONS; EXCEPTION.] Subdivision 1 does not apply to a meeting held pursuant to the procedure in this subdivision. The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. The time of commencement and place of the closed meeting shall be announced at the public meeting. A written roll of members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings of a closed meeting to discuss negotiation strategies shall be tape-recorded ~~tape-recorded~~ at the expense of the governing body and. The recording shall be preserved by it for two years after the contract is signed and shall be made available to the public after all labor contracts are signed by the governing body for the current budget period.

If an action is brought claiming that public business other than discussions of labor negotiation strategies or developments or discussion and review of labor negotiation proposals was transacted at a closed meeting held pursuant to this subdivision during the time when the tape is not available to the public, the court shall review the recording of the meeting in camera. If the court ~~determines that no violation of this section is found~~ finds that this subdivision was not violated, the action shall be dismissed and the recording shall be sealed and preserved in the records of the court until otherwise made available to the public pursuant to this section subdivision. If the court ~~determines that a violation of this section is found~~ finds that this subdivision was violated, the recording may be introduced at trial in its entirety subject to any protective orders as requested by either party and deemed appropriate by the court.

~~The prevailing party in an action brought before or after the tape is made available to the public which establishes that a violation of this section has occurred shall recover costs and reasonable attorney's fees as determined by the court.~~

Subd. 1b. [AGENDA WRITTEN MATERIALS.] In any meeting which under subdivision 1 must be open to the public, at least one copy of any printed materials relating to the agenda items of the meeting ~~which are prepared or distributed by or at the direction of the governing body or its employees and which are:~~

- (1) distributed at the meeting to all members of the governing body;
- (2) distributed before the meeting to all members; or
- (3) available in the meeting room to all members;

shall be available in the meeting room for inspection by the public. ~~The materials shall be available to the public while the governing body considers their subject matter. This subdivision does not apply to materials classified by law as other than public as defined in chapter 13, or to materials relating to the agenda items of a closed meeting held in accordance with the procedures in subdivision 1a or other law permitting the closing of meetings. Only if a member intentionally violates the requirements of this subdivision, shall that member shall be subject to a civil penalty in an amount not to exceed \$100. An action to enforce this penalty may be brought by any person in any court of competent jurisdiction where the administrative office of the member is located the penalties provided by subdivision 2.~~

Subd. 1c. [NOTICE OF MEETINGS.] (a) [REGULAR MEETINGS.] A schedule of the regular meetings of a public body shall be kept on file at its primary offices. If a public body decides to hold a regular meeting at a time or place different from the time or place stated in its schedule of regular meetings, it shall give the same notice of the meeting that is provided in this subdivision for a special meeting.

(b) [SPECIAL MEETINGS.] For a special meeting, except an emergency meeting or a special meeting for which a notice requirement is otherwise expressly established by statute, the public body shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the public body, or if the public body has no principal bulletin board, on the door of its usual meeting room. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings with the public body. This

notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request for notice of special meetings, the public body may publish the notice once, at least three days before the meeting, in the official newspaper of the public body or, if there is none, in a qualified newspaper of general circulation within the area of the public body's authority. A person filing a request for notice of special meetings may limit the request to notification of meetings concerning particular subjects, in which case the public body is required to send notice to that person only concerning special meetings involving those subjects. A public body may establish an expiration date for requests for notices of special meetings pursuant to this paragraph and require refiling of the request once each year. Not more than 60 days before the expiration date of a request for notice, the public body shall send notice of the refiling requirement to each person who filed during the preceding year.

(c) [EMERGENCY MEETINGS.] For an emergency meeting, the public body shall make good faith efforts to provide notice of the meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number. Notice of the emergency meeting shall be given by telephone or by any other method used to notify the members of the public body. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the members. Notice shall include the subject of the meeting. Posted or published notice of an emergency meeting shall not be required. An "emergency" meeting is a special meeting called because of circumstances that, in the judgment of the public body, require immediate consideration by the public body. If matters not directly related to the emergency are discussed or acted upon at an emergency meeting, the minutes of the meeting shall include a specific description of the matters. The notice requirement of this clause supersedes any other statutory notice requirement for a special meeting that is an emergency meeting.

(d) [RECESSED OR CONTINUED MEETINGS.] If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary. For purposes of this clause, the term "meeting" includes a public hearing conducted pursuant to chapter 429 or any other law or charter provision requiring a public hearing by a public body.

(e) [CLOSED MEETINGS.] The notice requirements of this subdivision apply to closed meetings.

(f) [STATE AGENCIES.] For a meeting of an agency, board, commission, or department of the state, (i) the notice requirements of this subdivision apply only if a statute governing meetings of the agency, board, or commission does not contain specific reference to the method of providing notice, and (ii) all provisions of this subdivision relating to publication shall be satisfied by publication in the State Register.

(g) [ACTUAL NOTICE.] If a person receives actual notice of a meeting of a public body at least 24 hours before the meeting, all notice requirements of this subdivision are satisfied with respect to that person, regardless of the method of receipt of notice.

(h) [LIABILITY.] No fine or other penalty may be imposed on a member of a public body for a violation of this subdivision unless it is established that the violation was ~~willful and deliberate~~ intentional by the member.

Subd. 1d. [TREATMENT OF DATA CLASSIFIED AS NOT PUBLIC.] (a) Except as provided in this section, meetings may not be closed to discuss data that are not public data. Data that are not public data may be discussed at a meeting subject to this section without liability or penalty, if the disclosure relates to a matter within the scope of the public body's authority, and is reasonably necessary to conduct the business or agenda item before the public body, and is without malice. ~~During an open meeting, a public body shall make reasonable efforts to protect from disclosure data that are not public data, including where practical acting by means of reference to a letter, number, or other designation that does not reveal the identity of the data subject.~~ Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

(b) Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed:

(1) data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;

(2) active investigative data as defined in section 13.82, subdivision 5, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision; or

(3) educational data, health data, medical data, welfare data, or mental health data that are not public data under section 13.32, 13.38, 13.42, or 13.46, subdivision 2 or 7.

(c) A public body shall close a meeting for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted, further meetings or hearings must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

(d) A public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the public body shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting.

(e) Meetings may be closed if the closure is expressly authorized by statute or permitted by the attorney-client privilege.

(f) A public body may close a meeting to discuss or review the qualifications of applicants for public employment prior to the designation of any applicant as a finalist for a position. "Finalist" shall have the meaning given in section 13.43.

Subd. 1e. [REASONS FOR CLOSING A MEETING.] Before closing a meeting, a public body shall state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

Subd. 2. ~~[VIOLATION; PENALTY PENALTIES.]~~ (a) Any person who violates ~~subdivision 1~~ this section shall be subject to personal liability in the form of a civil penalty in an amount not to exceed ~~\$400~~ \$300 for a single occurrence, which shall not be paid by the public body. An action to enforce this penalty may be brought by any person in any court of competent jurisdiction where the administrative office of the governing body is located. Upon a third violation by the same person connected with the same governing body, such person shall forfeit any further right to serve on such governing body or in any other capacity with such public body for a period of time equal to the term of office such person was then serving. The court determining the merits of any action in connection with any alleged third violation shall receive competent, relevant evidence in connection therewith and, upon finding as to the occurrence of a separate third violation, unrelated to the previous violations issue its order declaring the position vacant and notify the appointing authority or clerk of the governing body. As soon as practicable thereafter the appointing authority or the governing body shall fill the position as in the case of any other vacancy.

(b) In addition to other remedies, the court may award reasonable costs, disbursements, and up to \$7,500 in attorney's fees to any party in an action under this section. A public body may by separate motion at a public meeting pay, or direct its insurer or self-insurance administrator to pay to the extent that a policy or coverage agreement so requires, costs, disbursements, and attorney's fees incurred by or awarded against any of its members in an action brought under this section, unless the court finds that the member was guilty of malfeasance in office, willful neglect of duty, or bad faith.

(c) No monetary penalties may be imposed on a member of a public body, or attorney's fees awarded to a plaintiff, if the defendant establishes that there was no specific intent to violate this section.

Subd. 3. [POPULAR NAME CITATION.] This section may be cited as the "Minnesota open meeting law".

Sec. 3. [EFFECTIVE DATE.]

Any increased civil penalties or any awards of attorney's fees provided under section 2 shall apply only to actions for violations occurring on or after August 1, 1994."

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 144.581, subdivision 5; and"

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. 1316, A bill for an act relating to occupations and professions; establishing a board of nutrition and dietetics practice; requiring nutritionists and dietitians to be licensed; establishing licensing requirements and exemptions; authorizing rulemaking; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 214.01, subdivision 2; and 214.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [PURPOSE.]

The practice of dietetics and nutrition services in the state of Minnesota affects public health, safety, and welfare and is subject to regulation and control in the public interest. The practice of dietetic and nutrition services plays an important part in the attainment and maintenance of health and it is in the public's best interest that persons who represent themselves as providers of services in these areas need specific requirements and qualifications. The facts shall be liberally construed to best carry out these objectives and purposes.

Sec. 2. [148.621] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 2 to 14.

Subd. 2. [ACCREDITED COLLEGE OR UNIVERSITY.] "Accredited college or university" means a college or university accredited by the regional accrediting agencies recognized by the council on post-secondary accreditation, and the United States Department of Education at the time the degree was conferred.

Subd. 3. [ASSOCIATION.] "Association" means the American Dietetic Association.

Subd. 4. [BOARD.] "Board" means the board of dietetics and nutrition practice.

Subd. 5. [COMMISSION.] "Commission" means the Commission on Dietetic Registration that is a member of the National Commission on Health Certifying Agencies, which national commission establishes national standards of competence for individuals participating in the health care delivery system.

Subd. 6. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 7. [DIETITIAN.] "Dietitian" means an individual who engages in dietetics or nutrition practice and uses the title dietitian.

Subd. 8. [NUTRITIONIST.] "Nutritionist" means an individual who engages in dietetics or nutrition practice and uses the title nutritionist.

Subd. 9. [DIETETICS OR NUTRITION PRACTICE.] "Dietetics or nutrition practice" means the integration and application of scientific principles of food, nutrition, biochemistry, physiology, food management, and behavioral and social sciences to achieve and maintain human health through the provision of nutrition care services.

Subd. 10. [NUTRITION CARE SERVICES.] "Nutrition care services" means:

- (1) assessment of the nutritional needs of individuals or groups;
- (2) establishment of priorities, goals, and objectives to meet nutritional needs;
- (3) provision of nutrition counseling for both normal and therapeutic needs;
- (4) development, implementation, and management of nutrition care services; or
- (5) evaluation, adjustment, and maintenance of appropriate standards of quality in nutrition care.

Subd. 11. [NUTRITIONAL ASSESSMENT.] "Nutritional assessment" means the evaluation of the nutritional needs of individuals or groups based on appropriate biochemical, anthropometric, physical, and dietary data to determine nutrient needs and recommend appropriate nutritional intake.

Subd. 12. [NUTRITION COUNSELING.] "Nutrition counseling" means advising and assisting individuals or groups on appropriate nutritional intake by integrating information from the nutritional assessment with information on food and other sources of nutrients and meal preparation consistent with cultural background and socioeconomic status.

Subd. 13. [PERSON.] "Person" means an individual, corporation, partnership, or other legal entity.

Sec. 3. [148.622] [BOARD OF DIETETICS AND NUTRITION PRACTICE.]

Subdivision 1. [CREATION.] The board of dietetics and nutrition practice consists of seven members appointed by the governor.

Subd. 2. [MEMBERSHIP.] Members of the board must have been residents of the state of Minnesota for two years immediately preceding appointment and must represent various geographic areas of the state and various employment settings, as required by this section. Two members must be dietitians registered with the commission with at least three years of dietetics practice in Minnesota. Two members must be nutritionists with at least three years of nutrition practice in Minnesota. The professional members first appointed need not be licensed under this chapter for appointment to their first terms on the board, but must possess the qualifications necessary for licensure under this chapter. Three other members must be public members as defined under section 214.02. Two of the public members must be consumers of nutrition care services or caregivers of those utilizing such services.

Subd. 3. [MEMBERSHIP TERMS; OFFICERS; QUORUM; EXPENSES.] (a) Members must be appointed for staggered terms of four years, with terms beginning August 1 of each odd-numbered year. The terms of the initial board members shall be determined by lot as follows: three members shall be appointed for terms that expire August 1, 1998; two members must be appointed for terms that expire August 1, 1996; and two members must be appointed for terms that expire August 1, 1994. Members of the board serve until the expiration of the term to which they have been appointed or until their successors have qualified. A person may not be appointed to serve more than two consecutive terms.

(b) The board shall organize annually and select a chair and vice-chair.

(c) Four members of the board, including two professional members and two public members, constitute a quorum to do business.

(d) The board shall hold at least two regular meetings each year. Additional meetings may be held at the call of the chair or at the written request of any three members of the board. At least 14 days' written advance notice of the board meeting is required.

(e) Board members receive compensation for their services in accordance with section 15.0575.

Sec. 4. [148.623] [DUTIES OF THE BOARD.]

The board shall:

(1) adopt rules necessary to administer and enforce sections 2 to 14;

(2) administer, coordinate, and enforce sections 2 to 14;

(3) evaluate the qualifications of applicants;

(4) issue subpoenas, examine witnesses, and administer oaths;

(5) conduct hearings and keep records and minutes necessary to the orderly administration of sections 2 to 14;

(6) investigate persons engaging in practices that violate sections 2 to 14; and

(7) adopt rules under chapter 14 prescribing a code of ethics for licensees.

Sec. 5. [148.624] [LICENSURE; RENEWAL.]

Subdivision 1. [DIETETICS.] The board shall issue a license as a dietitian to a person who files a completed application, pays all required fees, and certifies and furnishes evidence satisfactory to the board that the applicant:

(1) meets the following qualifications:

(i) has received a baccalaureate or postgraduate degree from an accredited college or university;

(ii) has received a baccalaureate or postgraduate degree from a United States regionally accredited college or university with a major in dietetics, human nutrition, nutrition education, food and nutrition, or food services management;

(iii) has completed a documented supervised preprofessional practice experience component in dietetic practice of not less than 900 hours under the supervision of a registered dietitian, a state licensed nutrition professional, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics, or food systems management. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtain their doctoral degree outside the United States and its territories must have their degrees approved by the board as equivalent to the doctoral degree conferred by a United States regionally accredited college or university; and

(iv) has successfully completed the registration examination for dietitians administered by the commission; or

(2) has a valid current registration with the commission which gives the applicant the right to use the term "registered dietitian" or "R.D."

Subd. 2. [NUTRITION.] The board shall issue a license as a nutritionist to a person who files a completed application, pays all required fees, and certifies and furnishes evidence satisfactory to the board that the applicant:

(1) meets the following qualifications:

(i) has received a master's or doctoral degree from an accredited or approved college or university with a major in human nutrition, public health nutrition, clinical nutrition, nutrition education, community nutrition, or food and nutrition; and

(ii) has completed a documented supervised preprofessional practice experience component in dietetic practice of not less than 900 hours under the supervision of a registered dietitian, a state licensed nutrition professional, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics, or food systems management. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtain their doctoral degree outside the United States and its territories must have their degrees validated as equivalent to the doctoral degree conferred by a United States regionally accredited college or university; or

(2) has qualified as a diplomate of the American Board of Nutrition, Springfield, Virginia.

Subd. 3. [PETITION.] (a) The board may issue a license as a nutritionist to a person who submits to the board a petition for individual review, provided the person has received a master's or doctoral degree from an accredited college or university with a major course of study that includes an emphasis in human nutrition and has completed a supervised preprofessional experience component in nutrition practice of not less than 900 hours under the supervision of a registered dietitian, a state licensed health care practitioner, or an individual with a doctoral degree conferred by a United States regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics, or food system management. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtain their degree outside the United States and its territories must have their degrees approved by the board as equivalent to a comparable degree conferred by a United States regionally accredited college or university.

(b) The board may issue a license as a dietitian or nutritionist to an applicant who has completed a course of study at a foreign college or university, if the applicant:

(1) submits a petition for individual review;

(2) successfully completes a course of study approved by the board as equivalent to a baccalaureate or master's degree conferred by a United States regionally accredited college or university; and

(3) meets the applicable experiential requirements set by the board.

Subd. 4. [RENEWAL.] Licensees shall renew licenses at the time and in the manner established by the rules of the board.

Sec. 6. [148.625] [APPLICATION.]

A person desiring a license under sections 2 to 14 shall apply to the board on a form and in the manner the board prescribes. The application must be accompanied by an application fee in an amount determined by the board.

Sec. 7. [148.626] [CONTINUING EDUCATION REQUIRED.]

Within three years of the effective date of sections 2 to 14, renewal of a license is contingent on the applicant meeting uniform continuing education requirements established by the board. Notice of initial or amended continuing education requirements must be sent to all persons licensed under sections 2 to 14 at least 12 months before a person's license renewal is dependent on satisfaction of those requirements. Continuing education requirements must be sent to new applicants with the forms on which they are to apply for licensure.

Sec. 8. [148.627] [TRANSITION PERIOD.]

Subdivision 1. [DIETITIANS.] For one year after the effective date of rules adopted by the board under section 4, the board shall issue a license as a dietitian to an applicant who is a qualified dietitian as defined by the division of health resources of the department of health and has practiced nutrition or dietetics in good standing for the equivalent of one year full time during the last five years.

Subd. 2. [NUTRITIONISTS.] For one year after the effective date of rules adopted by the board under section 4, the board shall issue a license as a nutritionist to an applicant who has received a qualifying master's or doctoral degree and has practiced nutrition or dietetics in good standing for the equivalent of one year during the last five years.

Subd. 3. [NOTICE.] Within 30 days of the effective date of the rules adopted by the board under section 4, the board shall:

(1) notify dietitians and nutritionists of the existence of the rules by issuing notifications in dietitian and nutritionist trade publications;

(2) notify all Minnesota educational institutions which grant degrees in majors which prepare individuals for dietetics or nutrition practice of the existence of the rules; and

(3) provide copies of the rules upon request to interested individuals.

Sec. 9. [148.628] [RECIPROCITY.]

The board may issue a license to an applicant who is licensed as a dietitian or nutritionist in another state or the District of Columbia, provided that in the judgment of the board the standards for licensure in that state are not less stringent than the requirements set forth in sections 2 to 14.

Sec. 10. [148.629] [DENIAL, SUSPENSION, OR REVOCATION.]

Subdivision 1. [GROUNDS.] The board may refuse to renew or grant a license to, or may suspend, revoke, or restrict the license of an individual whom the board, after a hearing under the contested case provisions of chapter 14, determines:

(1) is incompetent to engage in dietetic or nutrition practice, or is found to be engaged in dietetic or nutrition practice in a manner harmful or dangerous to a client or to the public;

(2) has violated the rules of the board or the statutes the board is empowered to enforce;

(3) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(4) has knowingly made a false statement on a form required by the board for licensing or license renewal; or

(5) has sold any dietary supplement product if the sale of that product resulted in financial benefit to the individual.

Subd. 2. [RESTORING LICENSE.] For reasons it finds sufficient, the board may grant a license previously refused, restore a license that has been revoked, or reduce a period of suspension or restriction of a license.

Subd. 3. [REVIEW.] Suspension, revocation, or restriction of a license must be reviewed by the board at the request of the licensee against whom the disciplinary action was taken.

Sec. 11. [148.630] [LICENSE REQUIRED.]

(a) No person may engage in dietetics or nutrition practice unless the person is licensed as a dietitian or nutritionist by the board. No person may use the title "dietitian" or "nutritionist" or any title deemed equivalent by the board unless so licensed by the board, nor shall any person hold out as a dietitian or nutritionist unless so licensed.

(b) Notwithstanding any other provision of sections 2 to 14, a dietitian registered by the commission shall have the right to use the title "registered dietitian" and the designation "R.D." Notwithstanding any other provision of sections 2 to 14, a dietetic technician registered by the commission on dietetic registration shall have the right to use the title "dietetic technician registered" and the designation "D.T.R."

Sec. 12. [148.631] [PENALTY.]

A person who violates sections 2 to 14 is guilty of a misdemeanor. If a person other than a licensed dietitian or nutritionist engages in an act or practice constituting an offense under sections 2 to 14, a district court on application of the board may issue an injunction or other appropriate order restraining the act or practice.

Sec. 13. [148.632] [EXEMPTIONS; VOLUNTARY LICENSING.]

Subdivision 1. [PERSONS EXCEPTED FROM THE LICENSING REQUIREMENT.] Nothing in sections 2 to 14 prevents or restricts the activities of:

(1) any person pursuing a degree in dietetics or nutrition at an accredited college or university who is practicing under the supervision of a licensed dietitian or licensed nutritionist and in accordance with accepted scientific knowledge and standards of practice, provided that the person is designated by a title which clearly indicates the person's status as a student or trainee;

(2) any person in the process of fulfilling the professional experience requirements in dietetics or nutrition necessary for licensure who is practicing under the supervision of a licensed dietitian or licensed nutritionist and in accordance with accepted scientific knowledge and standards of practice, provided that the person is designated by a title which clearly indicates the person's status as a trainee;

(3) any person licensed to practice medicine, nursing, optometry, psychology, pharmacy, dentistry, or chiropractic, when nutrition practice is incidental to the practice of the person's profession and the person does not hold out as a dietitian or nutritionist unless so licensed;

(4) any person, including a registered dietetic technician, dietetic technician, or other paraprofessional working in a program supervised by a licensed dietitian or nutritionist, if the person's activities are within the scope of the person's education and training and in accordance with accepted scientific knowledge and standards of practice in nutrition or dietetics and the person does not hold out as a dietitian or nutritionist unless so licensed;

(5) any person who provides weight control services, provided the nutrition program has been reviewed by, consultation is available from, and no program change can be initiated without prior approval by an individual licensed under sections 2 to 14, a dietitian licensed in another state that has licensure requirements considered by the board to be at least as stringent as the requirements for licensure under sections 2 to 14, or a registered dietitian, and provided that the person does not hold out as a dietitian or nutritionist unless so licensed;

(6) any home economist with a baccalaureate or graduate degree from an accredited college or university, if the person's activities are within the scope of the person's education and training and in accordance with accepted scientific knowledge and standards of practice and the person does not hold out as a dietitian or nutritionist;

(7) any educator employed by a federal, state, county, or municipal agency, elementary or secondary school, regionally accredited institution of higher education, or nonprofit agency, if the person's activities are within the scope of the person's employment and the person does not hold out as a dietitian or nutritionist unless so licensed;

(8) any person who furnishes nutrition information on food, food materials, or dietary supplements or engages in the explanation to customers about foods or food products in connection with the marketing and distribution of those products provided that the person does not hold out as a dietitian or nutritionist unless so licensed;

(9) any person who is recognized in the community as a curandero or medicine man or woman and who advises people according to traditional practices provided the person does not hold out as a dietitian or nutritionist unless so licensed;

(10) any animal nutritionist who does not meet the requirements of sections 2 to 14, provided that the person's activities are limited to the nutritional care of animals. Animal nutritionists may continue to use the title nutritionist so long as they provide nutrition services only to animals; or

(11) any person who provides nutrition services without remuneration to family members.

Subd. 2. [VOLUNTARY LICENSING.] The licensing of persons employed by facilities licensed under chapters 144 and 144A is voluntary. Nothing in sections 2 to 14 prevents or restricts the activities of persons employed by these institutions.

Sec. 14. [148.633] [DISPOSITION OF FUNDS.]

Money received by the board under sections 2 to 14 must be credited to the health occupations licensing account within the special revenue fund.

Sec. 15. Minnesota Statutes 1992, section 214.01, subdivision 2, is amended to read:

Subd. 2. [HEALTH-RELATED LICENSING BOARD.] "Health-related licensing board" means the board of examiners of nursing home administrators established pursuant to section 144A.19, the board of medical practice created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, the board of optometry established pursuant to section 148.52, the board of psychology established pursuant to section 148.90, the social work licensing board pursuant to section 148B.19, the board of marriage and family therapy pursuant to section 148B.30, the mental health practitioner advisory council established pursuant to section 148B.62, the board of dietetics and nutrition practice established under section 148.622, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatric medicine established pursuant to section 153.02, and the board of veterinary medicine, established pursuant to section 156.01.

Sec. 16. Minnesota Statutes 1992, section 214.04, subdivision 3, is amended to read:

Subd. 3. [OFFICERS; STAFF.] The executive director of each health-related board and the executive secretary of each non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director or executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive directors, executive secretaries, and other employees of the following boards shall be hired by the board, and the executive directors or executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) dentistry;
- (2) medical practice;
- (3) nursing;
- (4) pharmacy;

- (5) accountancy;
- (6) architecture, engineering, land surveying, landscape architecture, and interior design;
- (7) barber examiners;
- (8) cosmetology;
- (9) electricity;
- (10) teaching;
- (11) peace officer standards and training;
- (12) social work; and
- (13) marriage and family therapy; and
- (14) dietetics and nutrition practice.

The executive directors or executive secretaries serving the boards are hired by those boards and are in the unclassified civil service, except for part-time executive directors or executive secretaries, who are not required to be in the unclassified service. Boards not requiring full-time executive directors or executive secretaries may employ them on a part-time basis. To the extent practicable, the sharing of part-time executive directors or executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive directors or executive secretaries of the boards and employees of the attorney general, are classified civil service employees of the department servicing the board. To the extent practicable, the commissioner shall ensure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Sec. 17. [APPROPRIATION.]

\$..... is appropriated from the special revenue fund to the dietetics and nutrition practice board for the purposes of sections 2 to 14, to be available until June 30, 1995.

Sec. 18. [EFFECTIVE DATE.]

Sections 3 and 4 and 15 to 17 are effective July 1, 1994. The remaining sections are effective 30 days after the effective date of rules adopted by the board of dietetics and nutrition practice under section 4.

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.

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

H. F. No. 1682, A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; regulating disposable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; requiring a wood waste and wood products residue marketing plan; providing penalties; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; 115A.03, by adding a subdivision; 115A.072, subdivision 4; and 297A.25, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 115A; and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.]

This act may be cited as "the packaging reduction and reuse act of 1994."

Sec. 2. Minnesota Statutes 1993 Supplement, section 16B.122, subdivision 1, is amended to read:

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

(a) "Copier paper" means paper purchased for use in copying machines.

(b) "Office paper" means notepads, loose-leaf fillers, tablets, and other paper commonly used in offices.

(c) "Postconsumer material" means a finished material that would normally be discarded as a solid waste, having completed its life cycle as a consumer item.

(d) "Practicable" means capable of being used, consistent with performance, in accordance with applicable specifications, and availability within a reasonable time.

(e) "Printing paper" means paper designed for printing, other than newsprint, such as offset and publication paper.

(f) "Public entity" means the state, an office, agency, or institution of the state, the metropolitan council, a metropolitan agency, the metropolitan mosquito control district, the legislature, the courts, a county, a statutory or home rule charter city, a town, a school district, another special taxing district, a university or college that receives state funding, or any contractor acting pursuant to a contract with a public entity.

(g) "Soy-based ink" means printing ink made from soy oil.

(h) "Uncoated" means not coated with plastic, clay, or other material used to create a glossy finish.

Sec. 3. Minnesota Statutes 1993 Supplement, section 16B.122, is amended by adding a subdivision to read:

Subd. 4. [STATE PAPER PURCHASE.] (a) Subject to section 16B.121, the commissioner, and state agencies when purchasing under delegated authority, shall purchase or cause the purchase of:

(1) high speed copier paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, and white woven envelopes with postconsumer material content of at least 20 percent beginning July 1, 1995, and at least 30 percent beginning July 1, 1999; and

(2) other uncoated printing and writing paper, such as writing and office paper, book paper, cotton fiber paper, and cover stock, with recycled content of at least 50 percent, including postconsumer material content of at least 20 percent beginning July 1, 1995, and at least 30 percent beginning July 1, 1999.

(b) High quality coated paper is exempt from the requirements of paragraph (a).

Sec. 4. [16B.124] [PUBLIC ENTITY; MILK CONTAINERS.]

Beginning August 1, 1996, a public entity, as defined in section 16B.122, shall dispense or sell milk only through bulk dispensers, in refillable containers that the public entity collects and returns for reuse to the milk processor or bottler, or in recycling containers that are collected and transported to a recycling facility and are recycled.

Sec. 5. Minnesota Statutes 1992, section 115A.03, subdivision 24b, is amended to read:

Subd. 24b. [POSTCONSUMER MATERIAL.] "Postconsumer material" means a finished material that would normally be discarded as a solid waste having completed its life cycle as a consumer item. For the purposes of this subdivision, paper upon which ink has been placed by a printing process has completed its life cycle as a consumer item when a printer or other person places the paper into the recycling stream.

Sec. 6. Minnesota Statutes 1992, section 115A.072, subdivision 4, is amended to read:

Subd. 4. [EDUCATION, PROMOTION, AND PROCUREMENT.] The office shall include waste reduction and reuse, including packaging reduction and reuse, as an element of its program of public education on waste management required under this section. The waste reduction and reuse education program must include

dissemination of information and may include an award program for model waste reduction and reuse efforts. Waste reduction and reuse educational efforts must also include provision of information about and promotion of the model procurement program developed by the commissioner of administration under section 115A.15, subdivision 7, or any other model procurement program that results in significant waste reduction and reuse.

Sec. 7. Minnesota Statutes 1992, section 115A.5501, subdivision 2, is amended to read:

Subd. 2. [MEASUREMENT; PROCEDURES.] To measure the overall percentage of packaging in the statewide solid waste stream, the ~~commissioner~~ director and the chair of the metropolitan council, in consultation with the ~~director~~ commissioner, shall each conduct an annual ~~four-season~~ solid waste composition study in the nonmetropolitan and metropolitan areas respectively or shall develop an alternative method that is as statistically reliable as a waste composition study to measure the percentage of packaging in the waste stream.

~~Beginning in 1993, The chair of the council shall submit the results from the metropolitan area to the commissioner~~ director by March May 1 of each year. The commissioner director shall average the nonmetropolitan and metropolitan results and submit the statewide percentage, along with a statistically reliable margin of error, to the director by April 1 of each year. The director shall report the information to the legislative commission on waste management by July 1 of each year.

Sec. 8. Minnesota Statutes 1992, section 115A.5501, is amended by adding a subdivision to read:

Subd. 5. [DEFINITION.] For the purposes of this section only, "solid waste" means mixed municipal solid waste, industrial waste, medical waste, and construction debris.

Sec. 9. [115A.5502] [PACKAGING STUDY AND RECOMMENDATIONS.]

Subdivision 1. [STUDY AND RECOMMENDATIONS.] (a) The director, in consultation with the commissioner, manufacturers, packagers, recyclers, public and private solid waste managers, environmental groups, and other interested persons, shall undertake a continuing study of:

(1) the feasibility and prudence of implementing sections 115A.561, requiring recycled content in limited types of material and containers; 116F.12, prohibiting management of waste transport packaging as part of other solid waste; and 116F.13, establishing guidelines for use of disposable packaging; and

(2) any other issues determined by the director to be relevant to encouraging and achieving the maximum reduction of packaging in the solid waste stream that is feasible and prudent.

(b) In determining the feasibility and prudence of implementing the sections listed in paragraph (a), the director also shall study the effects of minimum recycled content requirements, regulation of transport packaging, and guidelines for and regulation of disposable packaging in other states and other nations.

(c) For recycled content requirements, the director also shall analyze the extent to which products and packaging are or reasonably can be made available with significant postconsumer material content in light of existing and developing technologies and in light of the direct and indirect costs of postconsumer material in relation to direct and indirect costs of virgin material. If the director finds that postconsumer content requirements are feasible and prudent and may be effective in encouraging markets for recycled materials, the director periodically may recommend to the legislative commission on waste management minimum postconsumer material content standards for specific types of products or packaging sufficient to significantly increase market demand for recyclable materials that are technologically and economically feasible and prudent. Specifically, the director shall determine whether the postconsumer material standards established in section 115A.561 are appropriate and achievable and shall recommend to the legislative commission on waste management, as part of the report required in section 115A.5501, subdivision 4, that each individual standard take effect, be further studied, or be reduced, increased, or repealed.

(d) For regulation of management of waste transport packaging, the director shall study the most efficient design and use of transport packaging, how waste transport packaging is presently managed, how generators of waste transport packaging can manage the packaging by reuse and recycling rather than by destruction of the packaging or by landfilling it. The director shall make recommendations to packagers, transporters, and receivers of items in transport packaging on how best to design and use transport packaging and how to manage waste packaging outside the solid waste management system. The director periodically may recommend to the legislative commission appropriate regulation of transport packaging. Specifically, the director shall recommend to the legislative commission

on waste management, as part of the report required in section 115A.5501, subdivision 4, whether the transport packaging prohibition in section 116F.12 should be implemented, further studied, adjusted, or repealed.

(e) For discardable packaging, the director shall determine whether packagers are making progress toward meeting the proposed guidelines in section 116F.13. The director specifically shall recommend, as part of the report required under section 115A.5501, subdivision 4, whether to adjust, provide enforcement of, repeal, or let stand the guidelines for discardable packaging in section 116F.13. The director periodically shall recommend to the legislative commission on waste management how to significantly reduce the use of discardable packaging and the presence of discardable packaging in solid waste. The director shall consider all means of achieving reduction in both the quantity and toxicity of discardable packaging in use and in the solid waste stream, including requirements for and/or prohibitions on the use of certain materials in the manufacture of disposable packaging, prohibitions on the use of discardable packaging when appropriate, requirements for manufacturers, wholesalers, and retailers to collect discardable packaging, advance disposal or recycling fees on discardable packaging, mandatory recycling of discardable packaging, and any other means of achieving reduction proposed by any interested person. At a minimum, the recommendations must include:

(1) how, by 2000, to reduce by at least 50 percent over 1995 levels the amount of discardable packaging in solid waste delivered to solid waste composting, incineration, refuse-derived fuel, and disposal facilities;

(2) how to reduce, to the greatest extent technically feasible, the presence of any materials or combinations of materials in discardable packaging that are toxic, may combine with other materials during a waste management process to become toxic, or make the packaging impossible, difficult, or costly to recycle; and

(3) how to ensure that any additional costs incurred to redesign packaging, recycle increased quantities or types of materials, and administer any necessary government programs to oversee production, use, sale, and management of discardable packaging be recovered from the manufacture, use, and sale of the packaging, and not from state or local revenue or from the solid waste management system itself.

Subd. 2. [PERIODIC AND SPECIFIC RECOMMENDATIONS.] (a) Until July 1, 1996, any periodic recommendations made by the director under subdivision 1 may not include making any of the provisions of section 115A.561, 116F.12, or 116F.13 more stringent or enforcing any of those provisions.

(b) As part of the report required on July 1, 1996, under section 115A.5501, subdivision 4, the director shall specifically recommend implementation and enforcement of sections 115A.561, 116F.12, and/or 116F.13, with appropriate alterations, if the director finds that:

(1) the 25 percent packaging reduction goal in section 115A.5501 has not been met;

(2) continuing significant reduction of packaging in the waste stream will be adversely affected if one or more of those sections is not implemented;

(3) in relation to section 115A.561, implementation of recycled content standards will encourage or stabilize markets for recyclable materials;

(4) in relation to section 116F.12, there remains a significant quantity of transport packaging in the waste stream and it is unlikely to be reduced by at least 75 percent of 1995 levels by January 1, 1998; or

(5) in relation to section 116F.13, random sampling shows that less than 50 percent of consumer packaging available in retail stores in the state substantially complies with the discardable packaging guidelines.

Subd. 3. [EFFECT OF CERTAIN PROVISIONS.] The provisions of sections 115A.561, relating to recycled content in materials and packaging; 116F.12, relating to management of transport packaging; and 116F.13, relating to discardable packaging are advisory only until the legislature acts to make them enforceable. Neither the director, the commissioner, the attorney general, a county attorney, or any other person may enforce any of the provisions in any of those sections without legislative direction to enforce them.

Sec. 10. [115A.561] [RECYCLED CONTENT IN CERTAIN PRODUCTS AND PACKAGING.]

Subdivision 1. [MINIMUM RECYCLED CONTENT.] (a) Newsprint that is distributed for sale to or use by consumers in this state must contain a minimum percentage of postconsumer material of 50 percent by January 1, 2000, unless the newsprint is consumed by a printer who prints less than 10,000 copies each month of all publications printed by that printer on newsprint, in which case, the newsprint must contain a minimum percentage of postconsumer material of 30 percent by January 1, 2000.

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

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

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

Subd. 2. [EFFECT.] Under section 115A.5502, subdivision 3, this section is advisory only and is unenforceable unless the legislature acts affirmatively to make it enforceable.

Sec. 11. [116F.10] [DEFINITIONS.]

Unless otherwise provided, the definitions in section 115A.03 apply to this chapter.

Sec. 12. [116F.11] [PACKAGING PRACTICES; PREFERENCES; GOALS.]

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

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

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

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

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

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

(6) all other packaging.

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

Sec. 13. [116F.12] [TRANSPORT PACKAGING.]

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

Subd. 2. [PROHIBITION.] (a) Beginning January 1, 1998, a person may not place transport packaging in:

(1) mixed municipal solid waste, industrial waste, medical waste, or construction debris;

- (2) a resource recovery facility other than for reuse or recycling; or
- (3) a disposal facility.

(b) For the purposes of paragraph (a), transport packaging may be delivered to a resource recovery facility or a disposal facility for reuse or recycling as long as the packaging is not placed in that portion of the facility that composts waste, burns waste, processes waste into refuse-derived fuel, or disposes of waste.

Subd. 3. [EFFECT.] Under section 115A.5502, subdivision 3, this section is advisory only and is unenforceable unless the legislature acts affirmatively to make it enforceable.

Sec. 14. [116F.13] [DISCARDABLE PACKAGING.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section:

(1) "discardable packaging" means packaging that is not transport packaging as defined in section 116F.12 or reusable packaging;

(2) "recyclable packaging" means packaging made of a material that is collected either:

- (i) through recycling collection programs available to 75 percent of the state's residents; or
- (ii) by a collection program established by a manufacturer or distributor of the product contained in the packaging that is designed to collect and recycle a minimum of 60 percent of the packaging; and

(3) "reusable packaging" means packaging that is designed to be reused for its original purpose at least five times and for which systems for return and reuse are in operation statewide.

Subd. 2. [GUIDELINES.] For a consumer product sold or otherwise distributed for use in this state, the person who packages the product shall, to the extent practical:

- (1) use the minimal amount of packaging necessary to protect the product;
- (2) use recyclable packaging;
- (3) use packaging that, all layers taken together, meets or exceeds the postconsumer material content requirements in section 115A.561 for the packaging specified in that section and contains the maximum reasonably feasible postconsumer content for packaging not specified in that section; and
- (4) label, in compliance with section 325E.41, the outermost layer of packaging to clearly inform the consumer prior to purchase of the ways in which the packaging, taken as a whole, complies with clauses (1) to (3).

Subd. 3. [EFFECT.] Under section 115A.5502, subdivision 3, this section is advisory only and is unenforceable unless the legislature acts affirmatively to make it enforceable.

Sec. 15. [116F.20] [REFUSAL TO STOCK PRODUCTS IN REUSABLE CONTAINERS.]

Subdivision 1. [DEFINITION.] For purposes of this section, "reusable container" means a container that is designed to be and actually is reused at least five times for its original purpose by any number of persons who are in the business of placing contents in the container.

Subd. 2. [ANTICOMPETITIVE CONDUCT PROHIBITED.] A retailer or wholesaler may not refuse, after request by a manufacturer, bottler, or distributor, to stock a product, including a food or a beverage, for sale because the product is packaged in reusable containers. A person who violates this subdivision engages in anticompetitive conduct by excluding the manufacturer's, bottler's, or distributor's products that utilize reusable containers from fair competition with products packaged in discardable packaging.

Subd. 3. [BURDEN OF PROOF.] A retailer or wholesaler who refuses to stock a product for sale that is packaged in reusable containers and who is accused of anticompetitive conduct under this section has the burden of proving that the product was refused for reasons other than that it is packaged in reusable containers.

Subd. 4. [ENFORCEMENT; REMEDIES.] The attorney general may enforce this section under section 8.31. In addition, a person who would suffer injury from a threatened violation of this section or who does suffer injury from an actual violation of this section may bring an action to enjoin the threatened or actual violation and may recover actual damages, court costs, and reasonable attorney fees from the violator.

Sec. 16. [325E.41] [DECEPTIVE TRADE PRACTICES; ENVIRONMENTAL MARKETING CLAIMS.]

Subdivision 1. [DECEPTIVE CLAIMS; ADOPTION OF FEDERAL GUIDES.] A manufacturer, packager, wholesaler, or retailer who makes, in any manner, an environmental claim for a product, including for the product's packaging, for sale or distribution in this state shall comply with the guides for the use of environmental marketing claims that were issued by the Federal Trade Commission on July 28, 1992, as revised.

Subd. 2. [ENFORCEMENT.] A person who violates this section is subject to the penalties and remedies in section 8.31, including a private right of action.

Sec. 17. [PILOT PROJECTS; SCHOOL MILK.]

The director of the office of waste management shall use a portion of the funds available in fiscal year 1995 for grants under Minnesota Statutes, section 115A.55, for pilot projects to determine the feasibility of long-term use of refillable milk containers for use in schools. The director shall make grants for pilot projects to at least one school or school district located in the metropolitan area, as defined in Minnesota Statutes, section 473.121, and one school or school district located outside the metropolitan area.

Sec. 18. [BEVERAGE CONTAINERS; STUDY AND REPORT.]

By December 1, 1994, the director of the office of waste management shall prepare and submit to the legislative commission on waste management a report that analyzes the costs and benefits of discardable beverage containers in relation to the costs and benefits of reusable beverage containers. The director may rely on existing analyses of the advantages and disadvantages of disposable containers and reusable containers and existing analyses of container deposit systems in operation in other states. The director shall analyze at least the effects of discardable and reusable containers on labor and the availability of jobs related to those containers, on breweries, dairies, and other bottlers in the state, on other businesses in the state including retailers, on public health and the environment, and on solid waste management systems.

Sec. 19. [WOOD WASTE AND WOOD PRODUCTS RESIDUE; MARKETING PLAN.]

By January 1, 1996, the director of the office of waste management, in consultation with wood products manufacturers, users of transport packaging made of wood or wood products, consumers including reusers and recyclers of wood waste and wood products residue, the commissioners of the departments of trade and economic development, public service, and natural resources, the Minnesota technical assistance program, the University of Minnesota extension service, and other interested persons, shall develop a statewide wood waste and wood products residue marketing plan. The plan must:

- (1) identify generators of wood waste and wood products residue;
- (2) identify existing and potential markets for wood waste and wood products residue;
- (3) provide guidelines for the collection, transportation, storage, processing, and reuse or recycling of wood waste and wood products residue; and
- (4) recommend to the legislative commission on waste management any legislation necessary to encourage development of greater capacity in the state to reuse and recycle wood waste and wood products residue to ensure that those items are managed to maximize their environmental and economic benefits to society.

The director shall develop the marketing plan in light of the prohibition on placing transport packaging made of wood or wood products in solid waste or in a solid waste facility under Minnesota Statutes, section 116F.12. The director may include in the marketing plan a recommendation to adjust that prohibition if necessary to implement a sound marketing system for wood waste and wood products residue.

Sec. 20. [APPROPRIATION.]

\$150,000 is appropriated from the general fund to the director of the office of waste management to be available until expended for the purpose of conducting the annual solid waste composition studies required under section 7 and to undertake studies required under section 9."

Delete the title and insert:

"A bill for an act relating to the environment; regulating packaging; requiring a packaging study; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; regulating discardable packaging; prohibiting the refusal to stock reusable containers; prohibiting deceptive environmental marketing claims; requiring a wood waste and wood products residue marketing plan; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 115A.03, subdivision 24b; 115A.072, subdivision 4; and 115A.5501, subdivision 2, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 16B.122, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16B; 115A; 116F; and 325E."

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

The report was adopted.

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

H. F. No. 1835, A bill for an act relating to game and fish; agreements on taking and possession of fish taken from Ontario boundary waters; amending Minnesota Statutes 1993 Supplement, section 97A.531, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1993 Supplement, section 97A.531, is amended by adding a subdivision to read:

Subd. 6. [BORDER WATER ENTERPRISE AGREEMENTS.] (a) The commissioner of natural resources and the commissioner of trade and economic development, in coordination with the federal government, may negotiate and, with the approval of the legislature, enter into agreements with authorized representatives of the province of Ontario and the "first nation" governments in Canada to provide for joint resource management, promotion of tourism, or economic development with respect to lakes through which the Ontario-Minnesota border runs. When negotiating with Ontario officials on game fish limits in Minnesota-Ontario border waters, the commissioner may not agree to more restrictive limits than are allowed in Ontario, unless the commissioner determines that more restrictive limits are necessary to protect Minnesota's fishery resource.

(b) Possession of fish imported into the state from Ontario may not number more than the amount of the most restrictive Ontario possession limit by species placed on Minnesota-based anglers fishing in Ontario waters.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 1845, A bill for an act relating to education; permitting school boards to begin the school year before Labor Day when a religious holiday is observed the day following Labor Day; amending Minnesota Statutes 1992, section 126.12, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [RELIGIOUS HOLIDAY EXEMPTION TO SCHOOL START RESTRICTION.]

For the 1994-1995 school year, a school board may begin the elementary or secondary school year on the Thursday or Friday prior to Labor Day because a religious holiday is observed on the day following Labor Day."

Delete the title and insert:

"A bill for an act relating to education; permitting school boards to begin the 1994-1995 school year before Labor Day because a religious holiday is observed the day following Labor Day."

With the recommendation that when so amended 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. 1891, A bill for an act relating to real property; clarifying and making technical corrections to statutory provisions relating to real property; amending Minnesota Statutes 1992, sections 14.03, subdivision 3; 83.26, subdivision 2; 500.19, subdivision 4; 507.09; 507.332; 508.12, subdivision 1; 508.13; 508.23, subdivision 1; 508.35; 508.37, subdivision 1a; 508.38; 508.45; 508.47, subdivision 5; 508.51; 508.52; 508.55; 508.68; 508.70; 508.71, subdivision 4; 508A.22, subdivision 1; 508A.35; 508A.38; 508A.45; 508A.47, subdivision 5; 508A.51; 508A.52; 508A.55; 508A.68; 508A.71, subdivision 4; 559.21, subdivisions 3, 4, and 8; and 580.12; Minnesota Statutes 1993 Supplement, section 256B.0595, by adding a subdivision; 508.71, subdivision 7; 515B.1-102; 515B.1-103; 515B.1-105; 515B.1-116; 515B.2-104; 515B.2-105; 515B.2-110; 515B.2-118; 515B.2-119; 515B.3-113; 515B.3-116; and 515B.3-117; proposing coding for new law in Minnesota Statutes, chapters 508; and 508A.

Reported the same back with the following amendments:

Page 44, line 33, delete "unit is" and insert "common elements are"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1914, A bill for an act relating to financial institutions; reciprocal interstate banking; removing the geographical limitation contained in the definition of reciprocating state; amending Minnesota Statutes 1992, section 48.92, subdivision 7.

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

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1919, A bill for an act relating to manufactured homes; clarifying certain language governing application fees with in park sales; amending Minnesota Statutes 1992, section 327C.07, subdivisions 1, 2, 3, and 6.

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

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 1925, A bill for an act relating to education; lowering the property tax revenue recognition shift; clarifying state aid payments; modifying the appeal process for school districts to revise the state-aid payment schedule; modifying the tax credit adjustment; amending Minnesota Statutes 1992, sections 121.904, subdivision 4e; and 124.195, subdivision 3a; Minnesota Statutes 1993 Supplement, section 121.904, subdivisions 4a and 4c; Laws 1993, chapter 224, article 1, section 38.

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1934, A bill for an act relating to corporations; modifying provisions for the organization and operation of business corporations; amending Minnesota Statutes 1992, sections 302A.135, subdivision 4; 302A.405, subdivision 1; 302A.471, subdivision 1; 302A.661, subdivision 1; 302A.725, subdivision 3; and 302A.751, subdivisions 1, 2, and 3a; Minnesota Statutes 1993 Supplement, sections 302A.401, subdivision 1; 302A.435, subdivision 1; and 302A.673, subdivision 3.

Reported the same back with the following amendments:

Page 5, strike lines 33 to 35

Page 5, line 36, strike "board deems expedient,"

Page 6, after line 9, insert:

"The actions authorized under this subdivision may be taken upon the terms and conditions and for such considerations, including money, securities, or other instruments for the payment of money or other property as the board deems expedient."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1957, A bill for an act relating to housing and redevelopment authorities; providing for the membership in the Olmsted county housing and redevelopment authority and for dissolution of the Rochester housing and redevelopment authority; making conforming changes; allowing certain cities the option to form their own authorities.

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

The report was adopted.

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

H. F. No. 1965, A bill for an act relating to counties; Olmsted; allowing the examiner of titles to be compensated as are examiners in counties of fewer than 75,000 population; amending Minnesota Statutes 1992, section 508.12, subdivision 1.

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. 1966, A bill for an act relating to peace officers; authorizing officers of states adjoining Minnesota to render assistance to peace officers of this state on request; granting these officers arrest authority in this state under certain circumstances; extending the state and local government tort liability laws to the conduct of these officers; proposing coding for new law in Minnesota Statutes, chapter 626.

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

The report was adopted.

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

H. F. No. 1996, A bill for an act relating to metropolitan government; extending reporting and effective dates for radio systems planning by the metropolitan council; extending the moratorium on applications for 800 megahertz channels.

Reported the same back with the following amendments:

Page 1, lines 12 and 13, delete "1996" and insert "1995"

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

The report was adopted.

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

H. F. No. 1999, A bill for an act relating to insurance; requiring disclosure of information relating to insurance fraud; granting immunity for reporting suspected insurance fraud; requiring insurers to develop antifraud plans; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 60A.

Reported the same back with the following amendments:

Page 1, line 20, after "commerce" insert "for insurers regulated by the commissioner of commerce, and means the commissioner of health for insurers regulated by the commissioner of health"

Page 1, line 26, delete ", incomplete,"

Page 2, line 1, after "information" insert ", or a material and misleading omission,"

Page 3, delete lines 17 to 29

Page 3, line 30, delete "4" and insert "3"

Page 3, line 34, after "release" insert "or reporting"

Page 4, line 36, delete "applications and"

Page 5, line 1, delete "applying for insurance or"

Page 5, line 4, delete "Insurance fraud is a crime in Minnesota."

Page 5, line 7, delete "insurance fraud" and insert "a crime"

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

The report was adopted.

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

H. F. No. 2007, A bill for an act relating to employment; making clear that employee includes "at will" and "at pleasure" employees under the whistleblower law; amending Minnesota Statutes 1992, section 181.931, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 11, delete "an employee"

Page 1, line 12, delete everything before the second "an"

Amend the title as follows:

Page 1, line 3, delete " "at will" and"

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

The report was adopted.

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

H. F. No. 2066, A bill for an act relating to towns; providing for financial audits in certain circumstances; amending Minnesota Statutes 1992, section 367.36, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 367.36, subdivision 1, is amended to read:

Subdivision 1. [INCUMBENT TREASURER; ANNUAL AUDIT.] In a town in which option D is adopted, the incumbent treasurer shall continue in office until the expiration of the term. Thereafter the duties of the treasurer prescribed by law shall be performed by the clerk who shall be referred to as the clerk-treasurer. If the offices of clerk and treasurer are combined and the town's annual revenue is \$100,000 or more, the town board shall provide for an annual audit of the town's financial affairs by the state auditor or a public accountant in accordance with minimum audit procedures prescribed by the state auditor. Upon completion of an audit by a public accountant, the public accountant shall forward a copy of the audit to the state auditor. For purposes of this subdivision, "public accountant" means a certified public accountant, a certified public accounting firm, or a licensed public accountant, all licensed by the board of accountancy under sections 326.17 to 326.23.

Sec. 2. Minnesota Statutes 1992, section 367.36, is amended by adding a subdivision to read:

Subd. 1a. [AUDITS OF SMALL TOWNS.] A small town audit account shall be established within the general fund of the state. On or before June 30 of each year, towns that have combined the offices of clerk and treasurer, have less than \$100,000 in annual revenue based on their financial statement for the preceding calendar year, and have not submitted audited financial statements to the office of the state auditor, shall pay \$100 to the state auditor and the state auditor shall deposit the payment in the small town audit account. On July 1 of each year, the state auditor shall identify the towns that have contributed \$100 to the small town audit account. The state auditor shall randomly select up to five percent of the towns that have contributed to the account and perform an annual audit of their financial statements and accounts for the preceding calendar year. If the state auditor determines that a town audit cannot be performed by the office of the state auditor, the state auditor shall contract with a certified public accountant for the performance of the annual audit. The state auditor or the certified public accountant shall bill the small town audit account for the cost of the town audits that have been performed under this subdivision, up to a maximum of \$3,000 per audit. The town being audited shall be responsible for paying all costs in excess of \$3,000. All amounts billed by the state auditor under this subdivision shall be deposited in the general fund of the state.

Sec. 3. Minnesota Statutes 1992, section 412.591, subdivision 2, is amended to read:

Subd. 2. Cities operating under Optional Plan A may, by an ordinance effective after the expiration of the term of the incumbent treasurer at the date of adoption of Optional Plan A, combine the offices of clerk and treasurer in the office of clerk-treasurer and thereafter the duties of the treasurer as prescribed by this chapter shall be performed by the clerk-treasurer. The offices of clerk and treasurer may be reestablished by ordinance. If the offices of clerk and treasurer are combined as provided by this section, and the city's annual revenue for all governmental and enterprise funds combined is more than \$100,000, the council shall provide for an annual audit of the city's financial affairs by the state auditor or a public accountant in accordance with minimum procedures prescribed by the state auditor.

Sec. 4. Minnesota Statutes 1992, section 412.591, is amended by adding a subdivision to read:

Subd. 2a. [AUDITS OF SMALL CITIES.] A small city audit account shall be established within the general fund of the state. On or before June 30 of each year, cities that have combined the offices of clerk and treasurer, have less than \$100,000 in annual revenue based on their financial statement for the preceding calendar year, and have not submitted audited financial statements to the office of the state auditor, shall pay \$100 to the state auditor and the state auditor shall deposit the payment in the small city audit account. On July 1 of each year, the state auditor shall identify the cities that have contributed \$100 to the small city audit account. The state auditor shall randomly select up to five percent of the cities that have contributed to the account and perform an annual audit of their financial statements and accounts for the preceding calendar year. If the state auditor determines that a city audit cannot be performed by the office of the state auditor, the state auditor shall contract with a certified public accountant for the performance of the annual audit. The state auditor or the certified public accountant shall bill the small city audit account for the cost of the city audits that have been performed under this subdivision, up to a maximum of \$3,000 per audit. The city being audited shall be responsible for paying all costs in excess of \$3,000. All amounts billed by the state auditor under this subdivision shall be deposited in the general fund of the state.

Sec. 5. [REPORT BY STATE AUDITOR.]

By February 1, 1997, the state auditor shall report to the legislature on the implementation of sections 1 to 4. The report shall identify the nature, seriousness, and frequency of audit findings contained in audits conducted under sections 2 and 4. The report shall recommend to the legislature whether towns and cities with combined clerk-treasurers and \$100,000 or less in annual revenues should be: (1) required to have annual audits; (2) subject to random audits; or (3) exempt from all audit requirements.

Sec. 6. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to local government; providing for financial audits of certain cities and towns; establishing audit accounts; amending Minnesota Statutes 1992, sections 367.36, subdivision 1, and by adding a subdivision; and 412.591, subdivision 2, and by adding a subdivision."

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. 2074, A bill for an act relating to crime prevention; juvenile justice; providing for presumptive certification to adult court for juveniles alleged to have committed prison-level felonies; authorizing the court or the prosecutor to designate a juvenile a serious youthful offender; authorizing adult felony sentences for serious youthful offenders; extending juvenile court jurisdiction to age 23 for serious youthful offenders; limiting certification to adult court to felony offenses; extending a right to jury trial to serious youthful offenders; requiring that a juvenile have an in-person consultation with counsel before waiving right to counsel; requiring appointment of counsel or standby counsel for juveniles charged with gross misdemeanors or felonies or when out-of-home placement is proposed; establishing a task force on juvenile justice programming evaluation and planning; requiring that the department of corrections provide programming for serious and repeat juvenile offenders; appropriating money; amending Minnesota Statutes 1992, sections 242.31, subdivision 1; 242.32; 260.115, subdivision 1; 260.125; 260.131, by adding a subdivision; 260.155, subdivision 2; 260.161, subdivision 2; 260.181, subdivision 4; 260.185, subdivision 3; 260.211, subdivision 1; 260.215, subdivision 1; 260.291; 609.055, subdivision 2; 611.15; 611.19; 611.25, subdivision 1; and 611A.02, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 260.155, subdivision 1; 299C.65, subdivision 1; and 401.065, subdivisions 1, 2, and 4; proposing coding for new law in Minnesota Statutes, chapter 260; repealing Minnesota Statutes 1992, section 260.125, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1993 Supplement, 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;

(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, ~~medical assistance, general assistance, work readiness, or general assistance medical care~~ may be disclosed to law enforcement officers who provide the name and social security number of the recipient and satisfactorily demonstrate that: (i) the recipient is a fugitive felon, including the grounds for this determination; (ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and (iii) the request is made in writing and in the proper exercise of those duties; ~~or~~

(16) the current address of a recipient of general assistance, work readiness, or general assistance medical care may be disclosed to probation officers and corrections agents who are supervising the recipient, and 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) Data provided to law enforcement agencies under paragraph (a), clause (15) ~~or~~, (16), or (17), or paragraph (b) are investigative data and are confidential or protected nonpublic while the investigation is active. The data are private after the investigation becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

(d) 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. 2. Minnesota Statutes 1992, section 13.99, subdivision 79, is amended to read:

Subd. 79. [PEACE OFFICERS, COURT SERVICES, AND CORRECTIONS RECORDS OF JUVENILES.] Inspection and maintenance of juvenile records held by police and the commissioner of corrections are governed by section 260.161, subdivision 3. Disclosure to school officials of court services data on juveniles adjudicated delinquent is governed by section 260.161, subdivision 3a.

Sec. 3. Minnesota Statutes 1993 Supplement, section 144.651, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purposes of this section, "patient" means a person who is admitted to an acute care inpatient facility for a continuous period longer than 24 hours, for the purpose of diagnosis or treatment bearing on the physical or mental health of that person. "Patient" also means a minor who is admitted to a residential program as defined in section 253C.01. For purposes of subdivisions 1, 3 to 16, 18, 20 and 30, "patient" also means any person who is receiving mental health treatment on an outpatient basis or in a community support program or other community-based program. "Resident" means a person who is admitted to a nonacute care facility including extended care facilities, nursing homes, and boarding care homes for care required because of prolonged mental or physical illness or disability, recovery from injury or disease, or advancing age. For purposes of all subdivisions except subdivisions 28 and 29, "resident" also means a person who is admitted to a facility licensed as a board and lodging facility under Minnesota Rules, parts 4625.0100 to 4625.2355, or a supervised living facility under Minnesota Rules, parts 4665.0100 to 4665.9900, and which operates a rehabilitation program licensed under Minnesota Rules, parts 9530.4100 to 9530.4450. Although a patient or resident or the legal guardian or conservator of a patient or

resident has requested that directory information be private, the hospital may release directory information to a law enforcement agency, probation officer, or corrections agent pursuant to a lawful investigation pertaining to the patient or resident.

Sec. 4. Minnesota Statutes 1993 Supplement, section 144.651, subdivision 21, is amended to read:

Subd. 21. [COMMUNICATION PRIVACY.] Patients and residents may associate and communicate privately with persons of their choice and enter and, except as provided by the Minnesota Commitment Act, leave the facility as they choose. Patients and residents shall have access, at their expense, to writing instruments, stationery, and postage. Personal mail shall be sent without interference and received unopened unless medically or programmatically contraindicated and documented by the physician in the medical record. There shall be access to a telephone where patients and residents can make and receive calls as well as speak privately. Facilities which are unable to provide a private area shall make reasonable arrangements to accommodate the privacy of patients' or residents' calls. Upon admission to a facility, a patient or resident, or the patient's or resident's legal guardian or conservator, shall be given the opportunity to authorize disclosure of the patient's or resident's presence in the facility, to callers or visitors who may seek to communicate with the patient or resident. This disclosure option must be made available in all cases where federal law prohibits unauthorized disclosure of patient or resident identifying information to callers and visitors. To the extent possible, the legal guardian or conservator of a patient or resident shall consider the opinions of the patient or resident regarding the disclosure of the patient's or resident's presence in the facility. Although a patient or resident or the legal guardian or conservator of a patient or resident has requested that directory information be private, the hospital may release directory information to a law enforcement agency, probation officer, or corrections agent pursuant to a lawful investigation pertaining to the patient or resident. This right is limited where medically inadvisable, as documented by the attending physician in a patient's or resident's care record. Where programmatically limited by a facility abuse prevention plan pursuant to section 626.557, subdivision 14, clause 2, this right shall also be limited accordingly.

Sec. 5. Minnesota Statutes 1993 Supplement, section 144.651, subdivision 26, is amended to read:

Subd. 26. [RIGHT TO ASSOCIATE.] Residents may meet with visitors and participate in activities of commercial, religious, political, as defined in section 203B.11 and community groups without interference at their discretion if the activities do not infringe on the right to privacy of other residents or are not programmatically contraindicated. This includes the right to join with other individuals within and outside the facility to work for improvements in long-term care. Upon admission to a facility, a patient or resident, or the patient's or resident's legal guardian or conservator, shall be given the opportunity to authorize disclosure of the patient's or resident's presence in the facility, to callers or visitors who may seek to communicate with the patient or resident. This disclosure option must be made available in all cases where federal law prohibits unauthorized disclosure of patient or resident identifying information to callers and visitors. To the extent possible, the legal guardian or conservator of a patient or resident shall consider the opinions of the patient or resident regarding the disclosure of the patient's or resident's presence in the facility. Although a patient or resident or the legal guardian or conservator of a patient or resident has requested that directory information be private, the hospital may release directory information to a law enforcement agency, probation officer, or corrections agent pursuant to a lawful investigation pertaining to the patient or resident.

Sec. 6. Minnesota Statutes 1992, section 242.31, subdivision 1, is amended to read:

Subdivision 1. Whenever a person who has been committed to the custody of the commissioner of corrections upon conviction of a crime following reference for prosecution certification to district court under the provisions of section 260.125 is finally discharged by order of the commissioner, that discharge shall restore the person to all civil rights and, if so ordered by the commissioner of corrections, also shall have the effect of setting aside the conviction, nullifying it and purging the person of it. The commissioner shall file a copy of the order with the district court of the county in which the conviction occurred; upon receipt, the court shall order the conviction set aside.

Sec. 7. Minnesota Statutes 1992, section 242.32, is amended to read:

242.32 [CONSTRUCTIVE PROGRAMS; COOPERATION, ~~OTHER AGENCIES~~ SECURE PLACEMENT.]

Subdivision 1. [COMMUNITY-BASED PROGRAMMING.] The commissioner of corrections shall be charged with the duty of developing constructive programs for the prevention and decrease of delinquency and crime among youth and. To that end, the commissioner shall cooperate with counties and existing agencies and to encourage the establishment of new agencies programming, both local and statewide, having as their object the prevention and decrease of delinquency and crime among youth, and to provide a continuum of services for serious and repeat

juvenile offenders who do not require secure placement. The commissioner shall assist local authorities of any county or municipality when so requested by the governing body thereof, in planning, developing and coordinating their educational, welfare, recreational and health activities or other constructive community programs, which have as their object the conservation of youth work jointly with the commissioner of human services and counties and municipalities to develop and provide community-based services for residential placement of juvenile offenders and community-based services for nonresidential programming for juvenile offenders and their families.

Subd. 2. [SECURE PLACEMENT OF JUVENILE OFFENDERS.] Beginning December 1, 1994, the commissioner shall license and assist in the operational funding of several small regional facilities providing secure capacity programming for juveniles who have been adjudicated delinquent or convicted as serious youthful offenders and require secure placement. The programming shall be tailored to the types of juveniles being served, including their offense history, age, gender, cultural and ethnic heritage, chemical dependency problems, and other characteristics. Services offered shall include but not be limited to:

- (1) intensive general educational programs, with an individual educational plan for each juvenile;
- (2) specific educational components in the management of anger and nonviolent conflict resolution;
- (3) treatment for chemical dependency; and
- (4) programming to educate offenders about sexuality and address issues specific to victims and perpetrators of sexual abuse.

The facilities shall collaborate with facilities providing nonsecure residential programming and with community-based aftercare programs.

Subd. 3. [LICENSURE.] The commissioner shall shall establish licensing criteria for secure placement programming for juvenile offenders. The criteria must ensure that the programming is distributed throughout the state. The commissioner is authorized to license secure programming up to a maximum of 50 beds statewide.

Sec. 8. Minnesota Statutes 1993 Supplement, section 253B.03, subdivision 3, is amended to read:

Subd. 3. [VISITORS AND PHONE CALLS.] Subject to the general rules of the treatment facility, a patient has the right to receive visitors and make phone calls. The head of the treatment facility may restrict visits and phone calls on determining that the medical welfare of the patient requires it. Any limitation imposed on the exercise of the patient's visitation and phone call rights and the reason for it shall be made a part of the clinical record of the patient. Upon admission to a facility, a patient or resident, or the patient's or resident's legal guardian or conservator, shall be given the opportunity to authorize disclosure of the patient's or resident's presence in the facility, to callers or visitors who may seek to communicate with the patient or resident. This disclosure option must be made available in all cases where federal law prohibits unauthorized disclosure of patient or resident identifying information to callers and visitors. To the extent possible, the legal guardian or conservator of a patient or resident shall consider the opinions of the patient or resident regarding the disclosure of the patient's or resident's presence in the facility. Although a patient or resident or the legal guardian or conservator of a patient or resident has requested that directory information be private, the hospital may release directory information to a law enforcement agency, probation officer, or corrections agent pursuant to a lawful investigation pertaining to the patient or resident.

Sec. 9. Minnesota Statutes 1993 Supplement, section 253B.03, subdivision 4, is amended to read:

Subd. 4. [SPECIAL VISITATION; RELIGION.] A patient has the right to meet with or call a personal physician, spiritual advisor, and counsel at all reasonable times. Upon admission to a facility, a patient or resident, or the patient's or resident's legal guardian or conservator, shall be given the opportunity to authorize disclosure of the patient's or resident's presence in the facility, to callers or visitors who may seek to communicate with the patient or resident. This disclosure option must be made available in all cases where federal law prohibits unauthorized disclosure of patient or resident identifying information to callers and visitors. To the extent possible, the legal guardian or conservator of a patient or resident shall consider the opinions of the patient or resident regarding the disclosure of the patient's or resident's presence in the facility. Although a patient or resident or the legal guardian or conservator of a patient or resident has requested that directory information be private, the hospital may release directory information to a law enforcement agency, probation officer, or corrections agent pursuant to a lawful investigation pertaining to the patient or resident. The patient has the right to continue the practice of religion.

Sec. 10. Minnesota Statutes 1992, section 260.015, subdivision 5, is amended to read:

Subd. 5. [DELINQUENT CHILD.] (a) Except as otherwise provided in paragraph (b), "delinquent child" means a child:

(a) (1) who has violated any state or local law, except as provided in section 260.193, subdivision 1, and except for juvenile offenders as described in subdivisions 19 to 23;

(b) (2) who has violated a federal law or a law of another state and whose case has been referred to the juvenile court if the violation would be an act of delinquency if committed in this state or a crime or offense if committed by an adult;

(c) (3) who has escaped from confinement to a state juvenile correctional facility after being committed to the custody of the commissioner of corrections; or

(d) (4) who has escaped from confinement to a local juvenile correctional facility after being committed to the facility by the court.

(b) The term delinquent child does not include a child alleged to have committed murder in the first degree or criminal sexual conduct in the first degree after becoming 16 years of age.

Sec. 11. Minnesota Statutes 1992, section 260.111, is amended by adding a subdivision to read:

Subd. 1a. [NO JUVENILE COURT JURISDICTION OVER CERTAIN OFFENDERS.] Notwithstanding any other law to the contrary, the juvenile court lacks jurisdiction over proceedings concerning a child described in section 260.015, subdivision 5, paragraph (b). The district court has original and exclusive jurisdiction in criminal proceedings concerning a child described in section 260.015, subdivision 5, paragraph (b).

Sec. 12. Minnesota Statutes 1992, section 260.115, subdivision 1, is amended to read:

Subdivision 1. Except where a juvenile court has ~~referred~~ certified an alleged violation to a ~~prosecuting authority~~ district court in accordance with the provisions of section 260.125 or a court has original jurisdiction of a child who has committed a ~~minor nonfelony~~ traffic offense, as defined in section 260.193, subdivision 1, clause (c), a court other than a juvenile court shall immediately transfer to the juvenile court of the county the case of a minor who appears before the court on a charge of violating any state or local law or ordinance and who is under 18 years of age or who was under 18 years of age at the time of the commission of the alleged offense.

Sec. 13. Minnesota Statutes 1992, section 260.121, subdivision 3, is amended to read:

Subd. 3. Except when a child is alleged to have committed a ~~minor nonfelony~~ traffic offense, as defined in section 260.193, subdivision 1, clause (c), if it appears at any stage of the proceeding that a child before the court is a resident of another state, the court may invoke the provisions of the interstate compact on juveniles or, if it is in the best interests of the child or the public to do so, the court may place the child in the custody of the child's parent, guardian, or custodian, if the parent, guardian, or custodian agrees to accept custody of the child and return the child to their state.

Sec. 14. Minnesota Statutes 1992, section 260.125, is amended to read:

260.125 [REFERENCE FOR PROSECUTION CERTIFICATION TO DISTRICT COURT.]

Subdivision 1. When a child is alleged to have ~~violated a state or local law or ordinance committed~~ after becoming 14 years of age, an offense that would be a felony if committed by an adult, the juvenile court may enter an order ~~referring certifying the alleged violation proceeding to the appropriate prosecuting authority district court~~ for action under the criminal laws in force governing the commission of and punishment for violations of statutes or local laws or ordinances. The prosecuting authority to whom the matter is referred shall within the time specified in the order of reference, which time shall not exceed 90 days, file with the court making the order of reference notice of intent to prosecute or not to prosecute. If the prosecuting authority files notice of intent not to prosecute or fails to act within the time specified, the court shall proceed as if no order of reference had been made. If such prosecuting authority files with the court notice of intent to prosecute the jurisdiction of the juvenile court in the matter is terminated.

Subd. 2. [ORDER OF REFERENCE CERTIFICATION; REQUIREMENTS.] Except as provided in subdivision 3a or 3b, the juvenile court may order a reference certification to district court only if:

- (a) (1) a petition has been filed in accordance with the provisions of section 260.131;
- (b) (2) a motion for certification has been filed by the prosecuting authority;
- (3) notice has been given in accordance with the provisions of sections 260.135 and 260.141;

(c) (4) a hearing has been held in accordance with the provisions of section 260.155 within 30 days of the filing of the reference certification motion, unless good cause is shown by the prosecution or the child as to why the hearing should not be held within this period in which case the hearing shall be held within 90 days of the filing of the motion; and

(d) (5) the court finds that

(1) there is probable cause, as defined by the rules of criminal procedure promulgated pursuant to section 480.059, to believe the child committed the offense alleged by delinquency petition; and

(2) (6) the court finds either:

(i) that the presumption of certification created by subdivision 2a applies and the child has not rebutted the presumption by clear and convincing evidence demonstrating that retaining the proceeding in the juvenile court serves public safety; or

(ii) that the presumption of certification does not apply and the prosecuting authority has demonstrated by clear and convincing evidence that the child is not suitable to treatment or that the retaining the proceeding in the juvenile court does not serve public safety is not served under the provisions of laws relating to juvenile courts. If the court finds that the prosecutor has not demonstrated by clear and convincing evidence that retaining the proceeding in juvenile court does not serve public safety, the court shall retain the proceeding in juvenile court.

Subd. 2a. [PRESUMPTION OF CERTIFICATION.] It is presumed that a proceeding involving an offense committed by a child will be certified to district court if:

(1) the child was 16 or 17 years old at the time of the offense; and

(2) the delinquency petition alleges that the child committed an offense that would result in a presumptive commitment to prison under the sentencing guidelines and applicable statutes.

If the court determines that probable cause exists to believe the child committed the alleged offense, the burden is on the child to rebut this presumption by demonstrating by clear and convincing evidence that retaining the proceeding in the juvenile court serves public safety. If the court finds that the child has not rebutted the presumption by clear and convincing evidence, the court shall certify the child to district court.

Subd. 2b. [PUBLIC SAFETY.] In determining whether the public safety is served by certifying a child to district court, the court shall consider the following factors:

(1) the seriousness of the alleged offense in terms of community protection, including the existence of any aggravating factors recognized by the sentencing guidelines, the use of a firearm, and the impact on any victim;

(2) the culpability of the child in committing the alleged offense, including the level of the child's participation in planning and carrying out the offense and the existence of any mitigating factors recognized by the sentencing guidelines;

(3) whether the child committed the alleged offense as a member of a group whose members have been involved in repeated, joint, adjudicated felony-level behavior;

(4) the child's prior record of delinquency;

(5) the child's programming history, including the child's past willingness to participate meaningfully in available programming;

(6) the adequacy of the punishment available in the juvenile justice system; and

(7) the dispositional options available for the child.

In considering these factors, the court shall give greater weight to the seriousness of the alleged offense and the child's prior record of delinquency than to the other factors listed in this subdivision.

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

~~(1) is alleged by delinquency petition to have committed an aggravated felony against the person and (a) in committing the offense, the child acted with particular cruelty or disregard for the life or safety of another; or (b) the offense involved a high degree of sophistication or planning by the juvenile; or (c) the juvenile, at the time of the offense, used, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or~~

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

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

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

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

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

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

~~(8) is alleged by delinquency petition to have committed an aggravated felony against the person, other than a violation of section 609.713, in furtherance of criminal activity by an organized gang; or~~

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

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

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

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

Subd. 3a. [PRIOR REFERENCE CERTIFICATION; EXCEPTION.] Notwithstanding the provisions of subdivisions 2, and 3 2a, and 2b, the court shall order a reference certification in any felony case where if the prosecutor shows that the child has been previously referred for prosecution prosecuted on a felony charge by an order of reference certification issued pursuant to either a hearing held under subdivision 2 or pursuant to the waiver of the right to such a hearing, other than a prior reference certification in the same case.

This subdivision only applies if the child is convicted of the offense or offenses for which the child was prosecuted pursuant to the order of reference certification or of a lesser-included lesser-included offense which is a felony.

This subdivision does not apply to juvenile offenders who are subject to criminal court jurisdiction under section 609.055.

Subd. 3b. [ADULT CHARGED WITH JUVENILE OFFENSE.] The juvenile court has jurisdiction to hold a certification hearing on motion of the prosecuting authority to certify the matter to district court if:

(1) an adult is alleged to have committed an offense before the adult's 18th birthday; and

(2) a petition is filed under section 260.131 after the adult's 19th birthday and before expiration of the time for filing under section 628.26.

The court may not certify the matter to district court under this subdivision if the adult demonstrates that the delay was purposefully caused by the state in order to gain an unfair advantage.

Subd. 4. [EFFECT OF ORDER.] When the juvenile court enters an order referring certifying an alleged violation to a prosecuting authority district court, the prosecuting authority shall proceed with the case as if the jurisdiction of the juvenile court had never attached.

Subd. 5. [WRITTEN FINDINGS; OPTIONS.] The court shall decide whether to order certification to district court within 15 days after the certification hearing was completed, unless additional time is needed, in which case the court may extend the period up to another 15 days. If the juvenile court orders a reference for prosecution certification, and the presumption described in subdivision 2a does not apply, the order shall contain in writing, findings of fact and conclusions of law as to why the child is not suitable to treatment or the public safety is not served under by retaining the provisions of laws relating to proceeding in the juvenile courts court. If the juvenile court, after a hearing conducted pursuant to subdivision 2, decides not to order a reference for prosecution certification to district court, the decision shall contain, in writing, findings of fact and conclusions of law as to why a reference for prosecution certification is not ordered. If the juvenile court decides not to order certification in a case in which the presumption described in subdivision 2a applies, the court shall designate the child a serious youthful offender and include in its decision written findings of fact and conclusions of law as to why the retention of the proceeding in juvenile court serves public safety, with specific reference to the factors listed in subdivision 2b. If the court decides not to order certification in a case in which the presumption described in subdivision 2a does not apply, the court may designate the child a serious youthful offender.

Subd. 6. [FIRST-DEGREE MURDER.] When a motion for certification has been filed in a case in which the petition alleges that the child committed murder in the first degree, the prosecuting authority shall present the case to the grand jury for consideration of indictment under chapter 628 within 14 days after the petition was filed.

Subd. 7. [INAPPLICABILITY TO CERTAIN OFFENDERS.] This section does not apply to a child described in section 260.015, subdivision 5, paragraph (b).

Sec. 15. [260.126] [SERIOUS YOUTHFUL OFFENDER PROCEEDINGS.]

Subdivision 1. [DESIGNATION.] A child alleged to have committed a felony offense is a serious youthful offender if:

(1) the child was 14 to 17 years old at the time of the alleged offense, a certification hearing was held, and the court designated the child a serious youthful offender; or

(2) the child was 16 or 17 years old at the time of the alleged offense, the offense would result in a presumptive commitment to prison under the sentencing guidelines and applicable statutes, other than murder in the first degree or criminal sexual conduct in the first degree, and the prosecutor has designated in the delinquency petition that the child is a serious youthful offender.

Subd. 2. [PROCEEDINGS.] A child who is a serious youthful offender has the right to a trial by jury and to the effective assistance of counsel, as described in section 260.155, subdivision 2.

Subd. 3. [DISPOSITION.] (a) If a serious youthful offender proceeding results in a guilty plea or finding of guilt, the court shall:

(1) impose one or more juvenile dispositions under section 260.185; and

(2) impose an adult criminal sentence, the execution of which shall be stayed on the condition that the offender not violate the provisions of the disposition order and not commit a new offense.

(b) If a child designated as a serious youthful offender in the delinquency petition is convicted of an offense that would not result in a presumptive commitment to prison under the sentencing guidelines and applicable statutes, the court shall adjudicate the child delinquent and order a disposition under section 260.185.

Subd. 4. [EXECUTION OF ADULT SENTENCE.] When it appears that a person convicted as a serious youthful offender has violated the conditions of the stayed sentence, or is alleged to have committed a new offense, the court may, without notice, revoke the stay and probation and direct that the offender be taken into immediate custody. The court shall notify the offender in writing of the reasons alleged to exist for revocation of the stay of execution of the adult sentence. If the offender challenges the reasons, the court shall hold a summary hearing on the issue at which the offender is entitled to be heard and represented by counsel. After the hearing, if the court finds that reasons exist to revoke the stay of execution of sentence, the court shall treat the offender as an adult and order any of the adult sanctions authorized by section 609.14, subdivision 3. If the offender was convicted of an offense described in subdivision 1, clause (2), and the court finds that reasons exist to revoke the stay, the court must order execution of the previously-imposed sentence unless the court makes written findings regarding the mitigating factors that justify continuing the stay.

Sec. 16. Minnesota Statutes 1992, section 260.131, is amended by adding a subdivision to read:

Subd. 4. [DELINQUENCY PETITION; SERIOUS YOUTHFUL OFFENDER.] When a prosecutor files a delinquency petition alleging that a child committed a felony offense after reaching the age of 16 years, the prosecutor shall indicate in the petition whether the prosecutor designates the child a serious youthful offender.

Sec. 17. Minnesota Statutes 1992, section 260.132, is amended to read:

260.132 [PROCEDURE; HABITUAL TRUANTS, RUNAWAYS, JUVENILE PETTY AND MISDEMEANOR OFFENDERS.]

Subdivision 1. [NOTICE.] When a peace officer, or attendance officer in the case of a habitual truant, has probable cause to believe that a child:

(1) is in need of protection or services under section 260.015, subdivision 2a, clause (11) or (12); or;

(2) is a juvenile petty offender; or

(3) has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult;

the officer may issue a notice to the child to appear in juvenile court in the county in which the child is found or in the county of the child's residence or, in the case of a juvenile petty offense, or a petty misdemeanor or misdemeanor delinquent act, the county in which the offense was committed. The officer shall file a copy of the notice to appear with the juvenile court of the appropriate county. If a child fails to appear in response to the notice, the court may issue a summons notifying the child of the nature of the offense alleged and the time and place set for the hearing. If the peace officer finds it necessary to take the child into custody, sections 260.165 and 260.171 shall apply.

Subd. 2. [EFFECT OF NOTICE.] Filing with the court a notice to appear containing the name and address of the child, specifying the offense alleged and the time and place it was committed, has the effect of a petition giving the juvenile court jurisdiction. In the case of running away, the place where the offense was committed may be stated

in the notice as either the child's custodial parent's or guardian's residence or lawful placement or where the child was found by the officer. In the case of truancy, the place where the offense was committed may be stated as the school or the place where the child was found by the officer.

Subd. 3. [NOTICE TO PARENT.] Whenever a notice to appear or petition is filed alleging that a child is in need of protection or services under section 260.015, subdivision 2a, clause (11) or (12), ~~or is a juvenile petty offender, or has committed a delinquent act that would be a petty misdemeanor or misdemeanor if committed by an adult,~~ the court shall summon and notify the person or persons having custody or control of the child of the nature of the offense alleged and the time and place of hearing. This summons and notice shall be served in the time and manner provided in section 260.135, subdivision 1.

Sec. 18. Minnesota Statutes 1993 Supplement, section 260.155, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] (a) Except for hearings arising under section 260.261, hearings on any matter shall be without a jury and may be conducted in an informal manner, except that a child who is a serious youthful offender has the right to a jury trial on the issue of guilt. The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent, a serious youthful offender, or a juvenile petty offender, and hearings conducted pursuant to section 260.125 except to the extent that the rules themselves provide that they do not apply. In all adjudicatory proceedings involving a child alleged to be in need of protection or services, the court shall admit only evidence that would be admissible in a civil trial. To be proved at trial, allegations of a petition alleging a child to be in need of protection or services must be proved by clear and convincing evidence.

(b) Except for proceedings involving a child alleged to be in need of protection or services and petitions for the termination of parental rights, hearings may be continued or adjourned from time to time. In proceedings involving a child alleged to be in need of protection or services and petitions for the termination of parental rights, hearings may not be continued or adjourned for more than one week unless the court makes specific findings that the continuance or adjournment is in the best interests of the child. If a hearing is held on a petition involving physical or sexual abuse of a child who is alleged to be in need of protection or services or neglected and in foster care, the court shall file the decision with the court administrator as soon as possible but no later than 15 days after the matter is submitted to the court. When a continuance or adjournment is ordered in any proceeding, the court may make any interim orders as it deems in the best interests of the minor in accordance with the provisions of sections 260.011 to 260.301.

(c) Except as otherwise provided in this paragraph, the court shall exclude the general public from these hearings under this chapter and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court; ~~except that,~~ The court shall open the hearings to the public in delinquency or serious youthful offender proceedings where the child is alleged to have committed an offense or has been proven to have committed an offense that would be a felony if committed by an adult and the child was at least 16 years of age at the time of the offense, except that the court may exclude the public from portions of a certification hearing to discuss psychological material or other evidence that would not be accessible to the public in an adult proceeding.

(d) In all delinquency cases a person named in the charging clause of the petition as a person directly damaged in person or property shall be entitled, upon request, to be notified by the court administrator in writing, at the named person's last known address, of (1) the date of the ~~reference~~ certification or adjudicatory hearings, and (2) the disposition of the case.

(e) Adoption hearings shall be conducted in accordance with the provisions of laws relating to adoptions.

Sec. 19. Minnesota Statutes 1992, section 260.155, subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT OF COUNSEL.] (a) The ~~minor child,~~ parent, guardian or custodian have the right to effective assistance of counsel in connection with a proceeding in juvenile court. Before a child who is charged by delinquency petition with a misdemeanor offense waives the right to counsel or enters a plea, the child shall consult in person with counsel who shall provide a full and intelligible explanation of the child's rights. The court shall appoint counsel, or stand-by counsel if the child waives the right to counsel, for a child who is:

(1) charged by delinquency petition with a gross misdemeanor or felony offense; or

(2) the subject of a delinquency proceeding in which out-of-home placement has been proposed.

(b) If they desire counsel but are unable to employ it, the court shall appoint counsel to represent the ~~minor~~ child or the parents or guardian in any other case in which it feels that such an appointment is desirable.

Sec. 20. Minnesota Statutes 1992, section 260.155, is amended by adding a subdivision to read:

Subd. 4b. [PARENT OR GUARDIAN; PRESENCE AT HEARING REQUIRED.] In any proceedings concerning a minor alleged or found to be delinquent, the juvenile court may issue a subpoena requiring the presence of the minor's parent or guardian at any or all hearings held during the delinquency proceedings. The failure of a parent or guardian to comply with the subpoena may be punished as provided in section 260.145.

Sec. 21. Minnesota Statutes 1993 Supplement, 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 26 years and shall release the records on an individual to another juvenile court that has jurisdiction of the juvenile, 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 also shall provide copies of records concerning delinquency adjudications, on request, to law enforcement agencies, probation officers, and corrections agents.

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. Unless otherwise provided by law, all court records 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 28. If the offender commits another violation of sections 609.342 to 609.345 as an adult, or the court convicts a child as a serious youthful offender, 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 provided counsel as required by section 260.155, subdivision 2.

Sec. 22. Minnesota Statutes 1992, section 260.161, subdivision 1a, is amended to read:

Subd. 1a. [RECORD OF ADJUDICATIONS; NOTICE TO BUREAU OF CRIMINAL APPREHENSION.] (a) The juvenile court shall forward to the bureau of criminal apprehension the following data on juveniles adjudicated delinquent for having committed ~~an act described in subdivision 1, paragraph (b)~~ felony-level criminal sexual conduct:

- (1) the name and birth date of the juvenile;
- (2) the type of act for which the juvenile was adjudicated delinquent and date of the offense; and
- (3) the date and county of the adjudication.

(b) The bureau shall retain data on a juvenile until the offender reaches the age of 25 28. If the offender commits another violation of sections 609.342 to 609.345 as an adult, the bureau shall retain the data for as long as the data would have been retained if the offender had been an adult at the time of the juvenile offense.

(c) The juvenile court shall forward to the bureau the following data on individuals convicted as serious youthful offenders:

- (1) the name and birthdate of the offender;
- (2) the crime committed by the offender and the date of the crime; and

(3) the date and county in which the offender was convicted.

The bureau shall retain the serious youthful offender data until 15 years have elapsed since the disposition order expired. If the offender's stayed adult sentence is executed under section 260.126, subdivision 4, the bureau shall retain the data for as long as the data would have been retained if the offender had been an adult at the time of the offense.

Sec. 23. Minnesota Statutes 1992, section 260.161, subdivision 2, is amended to read:

Subd. 2. Except as provided in this subdivision and in subdivision 1, and except for legal records arising from proceedings or portions of proceedings that are public under section 260.155, subdivision 1, none of the records of the juvenile court and none of the records relating to an appeal from a nonpublic juvenile court proceeding, except the written appellate opinion, shall be open to public inspection or their contents disclosed except (a) by order of a court or (b) as required by sections 245A.04, 611A.03, 611A.04, 611A.06, and 629.73. The records of juvenile probation officers and county home schools are records of the court for the purposes of this subdivision. Court services data relating to delinquent acts that are contained in records of the juvenile court may be released as allowed under section 13.84, subdivision 5a. This subdivision applies to all proceedings under this chapter, including appeals from orders of the juvenile court, except that this subdivision does not apply to proceedings under section 260.255, 260.261, or 260.315 when the proceeding involves an adult defendant. The court shall maintain the confidentiality of adoption files and records in accordance with the provisions of laws relating to adoptions. In juvenile court proceedings any report or social history furnished to the court shall be open to inspection by the attorneys of record and the guardian ad litem a reasonable time before it is used in connection with any proceeding before the court.

When a judge of a juvenile court, or duly authorized agent of the court, determines under a proceeding under this chapter that a child has violated a state or local law, ordinance, or regulation pertaining to the operation of a motor vehicle on streets and highways, except parking violations, the judge or agent shall immediately report the violation to the commissioner of public safety. The report must be made on a form provided by the department of public safety and must contain the information required under section 169.95.

Sec. 24. Minnesota Statutes 1993 Supplement, 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 are private data 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 paragraphs (d) and (e). 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.

(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~~ petty misdemeanor-level traffic offense under section 260.193.

(e) Peace officer records of children who are or may be delinquent or who may be engaged in criminal activity may be disseminated to school officials without a juvenile court order when the information in the records is pertinent and necessary to maintaining order and safety in the school building and on school property.

A school official who receives peace officer records under this paragraph may use the information only for the purpose of maintaining order and safety in the school building and on school property. The classification of the data while in the hands of the school official is governed by section 13.03, subdivision 4.

When records are disseminated under this paragraph, the law enforcement agency must notify the parent or guardian of the subject of the record that the information has been shared with school officials.

As used in this paragraph, "school" means a public or private elementary, middle, or secondary school.

Sec. 25. Minnesota Statutes 1992, section 260.161, is amended by adding a subdivision to read:

Subd. 3a. [COURT SERVICES DATA ON JUVENILES; DISCLOSURE TO SCHOOL OFFICIALS.] Private or confidential court services data on juveniles who have been adjudicated delinquent may be disseminated to school officials without a juvenile court order when the information in the records is pertinent and necessary to maintaining order and safety in the school building and on school property.

A school official who receives court services data under this subdivision may use the information only for the purpose of maintaining order and safety in the school building and on school property. The classification of the data while in the hands of the school official is governed by section 13.03, subdivision 4.

When data are disseminated under this subdivision, the court services agency must notify the parent or guardian of the subject of the data that the information has been shared with school officials.

As used in this subdivision, "school" means a public or private elementary, middle, or secondary school.

Sec. 26. Minnesota Statutes 1992, section 260.181, subdivision 4, is amended to read:

Subd. 4. [TERMINATION OF JURISDICTION.] The court may dismiss the petition or otherwise terminate its jurisdiction on its own motion or on the motion or petition of any interested party at any time. Unless terminated by the court, and except as otherwise provided in this subdivision, the jurisdiction of the court shall continue until the individual becomes 19 23 years of age if the court determines it is in the best interest of the individual to do so. Court jurisdiction under section 260.015, subdivision 2a, clause (12), may not continue past the child's 17th birthday.

Sec. 27. Minnesota Statutes 1992, section 260.185, subdivision 3, is amended to read:

Subd. 3. [CONTINUANCE.] When it is in the best interests of the child to do so and when the child has admitted the allegations contained in the petition before the judge or referee, or when a hearing has been held as provided for in section 260.155 and the allegations contained in the petition have been duly proven but, in either case, before a finding of delinquency has been entered, the court may continue the case for a period not to exceed 90 days on any one order. Such a continuance may be extended for one additional successive period not to exceed 90 days and only after the court has reviewed the case and entered its order for an additional continuance without a finding of delinquency. During this continuance the court may enter an order in accordance with the provisions of subdivision 1, clauses (a) or (b) or enter an order to hold the child in detention for a period not to exceed 15 days on any one order for the purpose of completing any consideration, or any investigation or examination ordered in accordance with the provisions of section 260.151. This subdivision does not apply to a serious youthful offender proceeding.

Sec. 28. Minnesota Statutes 1992, section 260.193, subdivision 1, is amended to read:

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

(b) "Major traffic offense" includes any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law not included within the provisions of clause (c).

(c) "~~Minor~~ Nonfelony traffic offense" means a petty misdemeanor, misdemeanor, or gross misdemeanor violation of a state or local traffic law, ordinance, or regulation, or a petty misdemeanor, misdemeanor, or gross misdemeanor violation of a federal, state, or local water traffic law ~~constituting an offense punishable only by fine of not more than \$100.~~

Sec. 29. Minnesota Statutes 1992, section 260.193, subdivision 3, is amended to read:

Subd. 3. Except as provided in subdivision 4, a child who commits a ~~minor nonfelony~~ traffic offense and at the time of the offense was at least 16 years old shall be subject to the laws and court procedures controlling adult traffic violators and shall not be under the jurisdiction of the juvenile court. When a child is alleged to have committed a ~~minor nonfelony~~ traffic offense and is at least 16 years old at the time of the offense, the peace officer making the charge shall follow the arrest procedures prescribed in section 169.91 and shall make reasonable effort to notify the child's parent or guardian of the nature of the charge.

Sec. 30. Minnesota Statutes 1992, section 260.193, subdivision 4, is amended to read:

Subd. 4. The juvenile court shall have original jurisdiction if the child is alleged to have committed both major and ~~minor nonfelony~~ traffic offenses in the same behavioral incident.

Sec. 31. Minnesota Statutes 1992, section 260.193, subdivision 6, is amended to read:

Subd. 6. Before making a disposition of any child found to be a juvenile major traffic offender or to have violated a misdemeanor- or gross misdemeanor-level traffic law before reaching the age of 16 years, the court shall obtain from the department of public safety information of any previous traffic violation by this juvenile. In the case of a juvenile water traffic offender, the court shall obtain from the office where the information is now or hereafter may be kept information of any previous water traffic violation by the juvenile.

Sec. 32. Minnesota Statutes 1992, section 260.193, is amended by adding a subdivision to read:

Subd. 7a. [CRIMINAL COURT DISPOSITIONS; NONFELONY TRAFFIC OFFENDERS.] (a) A juvenile who is charged with a nonfelony traffic offense in district court shall be treated as an adult before trial, except that the juvenile may be held in secure, pretrial custody only in a secure juvenile detention facility.

(b) A juvenile who is convicted of a nonfelony traffic offense in district court shall be treated as an adult for sentencing purposes, except that the court may order the juvenile placed out of the home only in a residential treatment facility or in a juvenile correctional facility.

Sec. 33. Minnesota Statutes 1992, section 260.211, subdivision 1, is amended to read:

Subdivision 1. No adjudication upon the status of any child in the jurisdiction of the juvenile court shall operate to impose any of the civil disabilities imposed by conviction, nor shall any child be deemed a criminal by reason of this adjudication, nor shall this adjudication be deemed a conviction of crime, except that a serious youthful offender conviction shall be treated in the same manner as an adult felony criminal conviction for purposes of the sentencing guidelines. The disposition of the child or any evidence given by the child in the juvenile court shall not be admissible as evidence against the child in any case or proceeding in any other court, except that an adjudication may later be used to determine a proper sentence, nor shall the disposition or evidence disqualify the child in any future civil service examination, appointment, or application.

Sec. 34. Minnesota Statutes 1992, section 260.215, subdivision 1, is amended to read:

Subdivision 1. A violation of a state or local law or ordinance by a child before becoming 18 years of age is not a crime unless the juvenile court:

(1) refers certifies the matter to the appropriate prosecuting authority district court in accordance with the provisions of section 260.125; or

- (2) transfers the matter to a court in accordance with the provisions of section 260.193; or
(3) convicts the child as a serious youthful offender.

Sec. 35. Minnesota Statutes 1992, section 260.291, is amended to read:

260.291 [APPEAL.]

Subdivision 1. [PERSONS ENTITLED TO APPEAL; PROCEDURE.] (a) An appeal may be taken by the aggrieved person from a final order of the juvenile court affecting a substantial right of the aggrieved person, including but not limited to an order adjudging a child to be in need of protection or services, neglected and in foster care, delinquent, or a juvenile traffic offender. The appeal shall be taken within 30 days of the filing of the appealable order. The court administrator shall notify the person having legal custody of the minor of the appeal. Failure to notify the person having legal custody of the minor shall not affect the jurisdiction of the appellate court. The order of the juvenile court shall stand, pending the determination of the appeal, but the reviewing court may in its discretion and upon application stay the order.

(b) An appeal may be taken by an aggrieved person from an order of the juvenile court on the issue of certification of a child to district court. Certification appeals shall be expedited as provided by applicable rules.

Subd. 2. [APPEAL.] The appeal from a juvenile court is taken to the court of appeals as in ~~other~~ civil cases, except as provided in subdivision 1.

Sec. 36. Minnesota Statutes 1993 Supplement, section 299A.35, subdivision 1, is amended to read:

Subdivision 1. [PROGRAMS.] The commissioner shall, in consultation with the chemical abuse prevention resource council, administer a grant program to fund community-based programs that are designed to enhance the community's sense of personal security and to assist the community in its crime control efforts. Examples of qualifying programs include, but are not limited to, the following:

(1) programs to provide security systems for residential buildings serving low-income persons, elderly persons, and persons who have physical or mental disabilities;

(2) community-based programs designed to discourage young people from involvement in unlawful drug or street gang activities;

(3) neighborhood block clubs and innovative community-based crime watch programs;

(4) community-based programs designed to enrich the educational, cultural, or recreational opportunities of at-risk elementary or secondary school age youth, including programs designed to keep at-risk youth from dropping out of school and encourage school dropouts to return to school;

(5) support services for a municipal curfew enforcement program including, but not limited to, rent for drop-off centers, staff, supplies, equipment, and the referral of children who may be abused or neglected; and

(6) community-based programs designed to intervene with juvenile offenders who are identified as likely to engage in repeated criminal activity in the future unless intervention is undertaken;

(7) community-based collaboratives that coordinate five or more programs designed to enrich the educational, cultural, or recreational opportunities of at-risk elementary or secondary school age youth, including programs designed to keep at-risk youth from dropping out of school and to encourage school dropouts to return to school; and

(8) other community-based crime prevention programs that are innovative and encourage substantial involvement by members of the community served by the program.

Sec. 37. Minnesota Statutes 1993 Supplement, section 299A.35, subdivision 2, is amended to read:

Subd. 2. [GRANT PROCEDURE.] A local unit of government or a nonprofit community-based entity may apply for a grant by submitting an application with the commissioner. The applicant shall specify the following in its application:

- (1) a description of each program for which funding is sought;

(2) the amount of funding to be provided to the program;

(3) the geographical area to be served by the program;

(4) statistical information as to the number of arrests in the geographical area for violent crimes and for crimes involving schedule I and II controlled substances. "Violent crime" includes a violation of or an attempt or conspiracy to violate any of the following laws: sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.21; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1; 609.561; 609.562; 609.582, subdivision 1; 609.687; or any provision of chapter 152 that is punishable by a maximum sentence greater than ten years; and

(5) the number of economically disadvantaged youth in the geographical areas to be served by the program.

The commissioner shall give priority to funding programs that demonstrate substantial involvement by members of the community served by the program and either serve the geographical areas that have the highest crime rates, as measured by the data supplied under clause (4), or serve geographical areas that have the largest concentrations of economically disadvantaged youth. The maximum amount that may be awarded to an applicant is \$50,000; except that if the applicant is a community-based collaborative under subdivision 1, clause (7), the maximum amount that can be awarded is \$50,000 for each program participating in the collaborative.

Sec. 37. [299A.60] [SCHOOL-RELATED CRIME TELEPHONE LINE.]

The commissioner shall operate at least one statewide toll-free 24-hour telephone line for the purpose of receiving reports from students and school employees regarding suspected criminal activity occurring in school zones, as defined in section 152.01, subdivision 14a. The commissioner shall promptly forward reports received through the telephone line to the appropriate local law enforcement agency. The commissioner may pay a reward in an amount not to exceed \$100 for information leading to the arrest or prosecution of an adult or juvenile offender for committing or attempting to commit an offense in a school zone.

Sec. 38. Minnesota Statutes 1993 Supplement, section 299C.65, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHING GROUP.] The criminal and juvenile information policy group consists of the chair of the sentencing guidelines commission, the commissioner of corrections, the commissioner of public safety, and the state court administrator.

The policy group shall study and make recommendations to the governor, the supreme court, and the legislature on:

(1) a framework for integrated criminal justice information systems, including the development and maintenance of a community data model for state, county, and local criminal justice information;

(2) the responsibilities of each entity within the criminal and juvenile justice systems concerning the collection, maintenance, dissemination, and sharing of criminal justice information with one another;

(3) actions necessary to ensure that information maintained in the criminal justice information systems is accurate and up-to-date;

(4) the development of an information system containing criminal justice information on gross misdemeanor-level and felony-level juvenile offenders that is part of the integrated criminal justice information system framework;

(5) the development of an information system containing criminal justice information on misdemeanor arrests, prosecutions, and convictions that is part of the integrated criminal justice information system framework;

(6) comprehensive training programs and requirements for all individuals in criminal justice agencies to ensure the quality and accuracy of information in those systems;

(7) continuing education requirements for individuals in criminal justice agencies who are responsible for the collection, maintenance, dissemination, and sharing of criminal justice data;

(8) a periodic audit process to ensure the quality and accuracy of information contained in the criminal justice information systems;

(9) the equipment, training, and funding needs of the state and local agencies that participate in the criminal justice information systems;

(10) the impact of integrated criminal justice information systems on individual privacy rights; and

(11) the impact of proposed legislation on the criminal justice system, including any fiscal impact, need for training, changes in information systems, and changes in processes;

(12) the collection of data on race and ethnicity in criminal justice information systems;

(13) the development of a tracking system for domestic abuse orders for protection;

(14) processes for expungement, correction of inaccurate records, destruction of records, and other matters relating to the privacy interests of individuals; and

(15) the development of a data base for serious youthful offender records.

Sec. 39. [388.24] [PRETRIAL DIVERSION PROGRAMS FOR JUVENILES.]

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

(1) "offender" means a child under the jurisdiction of the juvenile court who:

(i) is or may be petitioned for a felony, gross misdemeanor, or misdemeanor offense, other than an offense against the person, but who has not yet entered a plea in the proceedings;

(ii) has not previously been adjudicated in Minnesota or any other state of any offense against the person; and

(iii) has not previously been adjudicated for an offense in Minnesota and then had the petition dismissed as part of a diversion program, including a program that existed before July 1, 1994; and

(2) "pretrial diversion" means the decision of a prosecutor to refer an offender to a diversion program on condition that the delinquency petition against the offender will be dismissed or the petition will not be filed after a specified period of time if the offender successfully completes the program.

Subd. 2. [ESTABLISHMENT OF PROGRAM.] By January 1, 1995, every county attorney shall establish a pretrial diversion program for offenders. If the county attorney's county participates in the community corrections act as part of a group of counties under section 401.02, the county attorney may establish a pretrial diversion program in conjunction with other county attorneys in that group of counties. The program must be designed and operated to further the following goals:

(1) to provide eligible offenders with an alternative to confinement and a delinquency adjudication;

(2) to reduce the costs and caseload burdens on juvenile courts and the juvenile justice system;

(3) to minimize recidivism among diverted offenders;

(4) to promote the collection of restitution to the victim of the offender's crime; and

(5) to develop responsible alternatives to the juvenile justice system for eligible offenders.

Subd. 3. [PROGRAM COMPONENTS.] A diversion program established under this section may:

(1) provide screening services to the court and the prosecuting authorities to help identify likely candidates for pretrial diversion;

(2) establish goals for diverted offenders and monitor performance of these goals;

(3) perform chemical dependency assessments of diverted offenders where indicated, make appropriate referrals for treatment, and monitor treatment and aftercare;

- (4) provide individual, group, and family counseling services;
- (5) oversee the payment of victim restitution by diverted offenders;
- (6) assist diverted offenders in identifying and contacting appropriate community resources;
- (7) provide educational services to diverted offenders to enable them to earn a high school diploma or GED; and
- (8) provide accurate information on how diverted offenders perform in the program to the court, prosecutors, defense attorneys, and probation officers.

Subd. 4. [REPORTS.] By January 1, 1996, and biennially thereafter, each county attorney shall report to the department of corrections and the legislature on the operation of a pretrial diversion program required by this section. The report shall include a description of the program, the number of offenders participating in the program, the number and characteristics of the offenders who successfully complete the program, the number and characteristics of the offenders who fail to complete the program, and an evaluation of the program's effect on the operation of the juvenile justice system in the county.

Sec. 40. Minnesota Statutes 1993 Supplement, section 401.065, subdivision 1, is amended to read:

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

- (1) "offender" means a person who:
 - (i) is or may be charged with a felony, gross misdemeanor, or misdemeanor crime, other than a crime against the person, but who has not yet entered a plea in the proceedings;
 - (ii) has not previously been convicted as an adult in Minnesota or any other state of any crime against the person; and
 - (iii) has not previously been charged with a crime as an adult in Minnesota and then had charges dismissed as part of a diversion program, including a program that existed before July 1, 1994; and
- (2) "pretrial diversion" means the decision of a prosecutor to refer an offender to a diversion program on condition that the criminal charges against the offender will be dismissed or the case will not be charged after a specified period of time if the offender successfully completes the program.

Sec. 41. Minnesota Statutes 1993 Supplement, section 401.065, is amended by adding a subdivision to read:

Subd. 3a. [REPORTING OF DATA TO CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS).] Every county attorney who establishes a diversion program under this section shall report the following information to the bureau of criminal apprehension:

- (1) the name and date of birth of each diversion program participant and any other identifying information the superintendent considers necessary;
- (2) the date on which the individual began to participate in the diversion program;
- (3) the date on which the individual is expected to complete the diversion program;
- (4) the date on which the individual successfully completed the diversion program, where applicable; and
- (5) the date on which the individual was removed from the diversion program for failure to successfully complete the individual's goals, where applicable.

The superintendent shall cause the information described in this subdivision to be entered into and maintained in the criminal history file of the Minnesota criminal justice information system.

Sec. 42. Minnesota Statutes 1992, section 609.055, subdivision 2, is amended to read:

Subd. 2. [ADULT PROSECUTION.] (a) Except as otherwise provided in paragraph (b), children of the age of 14 years or over but under 18 years may be prosecuted for a criminal felony offense if the alleged violation is duly

referred certified to the appropriate prosecuting authority district court or may be designated a serious youthful offender in accordance with the provisions of chapter 260. A child who is 16 years of age or older but under 18 years of age is capable of committing a crime and may be prosecuted for a felony if:

(1) the child has been previously referred for prosecution certified to the district court on a felony charge by an order of reference issued pursuant to a hearing under section 260.125, subdivision 2, or pursuant to the waiver of the right to such a hearing, or prosecuted pursuant to this subdivision; and

(2) the child was convicted of the felony offense or offenses for which the child was prosecuted or of a lesser included felony offense.

(b) A child who is alleged to have committed murder in the first degree or criminal sexual conduct in the first degree after becoming 16 years of age is capable of committing a crime and may be prosecuted for the felony.

Sec. 43. Minnesota Statutes 1993 Supplement, section 609.11, subdivision 9, is amended to read:

Subd. 9. [APPLICABLE OFFENSES.] The crimes for which mandatory minimum sentences shall be served as provided in this section are: murder in the first, second, or third degree; assault in the first, second, or third degree; burglary; kidnapping; false imprisonment; manslaughter in the first or second degree; aggravated robbery; simple robbery; criminal sexual conduct under the circumstances described in sections 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); and 609.344, subdivision 1, clauses (a) to (e) and (h) to (j); escape from custody; arson in the first, second, or third degree; drive-by shooting under section 609.66, subdivision 1e; a felony violation of chapter 152; or any attempt to commit any of these offenses.

Sec. 44. [609.484] [FAILURE TO APPEAR FOR JUVENILE DISPOSITION.]

Subdivision 1. [FELONY.] A person is guilty of a felony if:

(1) the person was prosecuted in juvenile court for an offense that would have been a felony if committed by an adult;

(2) the juvenile court made findings pursuant to an admission in court or after trial; and

(3) the person failed to appear in juvenile court for a disposition after having been notified that a failure to appear for a disposition is a criminal offense.

Subd. 2. [SENTENCE.] A person who violates this section may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 45. Minnesota Statutes 1993 Supplement, section 609.66, subdivision 1d, is amended to read:

Subd. 1d. [FELONY; POSSESSION ON SCHOOL PROPERTY IN SCHOOL ZONE.] (a) Whoever possesses, stores, or keeps a dangerous weapon as defined in section 609.02, subdivision 6, or uses or brandishes a replica firearm or a BB gun in a school property zone is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(b) Whoever possesses, stores, or keeps a replica firearm or a BB gun in a school zone is guilty of a gross misdemeanor.

(c) As used in this subdivision;

(1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less in diameter;

(2) "dangerous weapon" has the meaning given it in section 609.02, subdivision 6;

(3) "replica firearm" has meaning given it in section 609.713; and

(4) "school property" means:

(1) a public or private elementary, middle, or secondary school building and its grounds, whether leased or owned by the school; and

~~(2) the area within a school bus when that bus is being used to transport one or more elementary, middle, or secondary school students zone" means:~~

(i) any property used for educational, extracurricular, or cocurricular purposes that is owned, leased, or controlled by a school district, an entity operating a nonpublic school, as defined in section 123.932, subdivision 3, or a public or private postsecondary educational institution;

(ii) the area surrounding school property as described in clause (i) to a distance of 300 feet or one city block, whichever distance is greater, beyond the school property; and

(iii) the area within a school bus when that bus is being used to transport one or more elementary, middle, or secondary school students.

(e) (d) This subdivision does not apply to:

(1) licensed peace officers, military personnel, or students participating in military training, who are performing official duties;

(2) persons who carry pistols according to the terms of a permit;

(3) persons who keep or store in a motor vehicle pistols in accordance with sections 624.714 and 624.715 or other firearms in accordance with section 97B.045;

(4) firearm safety or marksmanship courses or activities conducted on school property;

(5) possession of dangerous weapons or replica firearms by a ceremonial color guard;

(6) a gun or knife show held on school property; ~~or~~

(7) possession of dangerous weapons or replica firearms with written permission of the principal; or

(8) possession of dangerous weapons or replica firearms on residential or commercial premises within a school zone by an owner, tenant, or invitee for a lawful purpose with respect to those premises.

Sec. 46. Minnesota Statutes 1992, section 611.15, is amended to read:

611.15 [NOTIFICATION OF RIGHT TO REPRESENTATION.]

In every criminal case or proceeding, including a juvenile delinquency or serious youthful offender proceeding, in which any person entitled by law to representation by counsel shall appear without counsel, the court shall advise such person of the right to be represented by counsel and that counsel will be appointed to represent the person if the person is financially unable to obtain counsel.

Sec. 47. Minnesota Statutes 1992, section 611.19, is amended to read:

611.19 [WAIVER OF APPOINTMENT OF COUNSEL.]

Where counsel is waived by a defendant, the waiver shall in all instances be made in writing, signed by the defendant, except that in such situation if the defendant refuses to sign the written waiver, then the court shall make a record evidencing such refusal of counsel. Waiver of counsel by a child who is the subject of a delinquency or serious youthful offender proceeding is governed by section 260.155, subdivisions 2 and 8.

Sec. 48. Minnesota Statutes 1992, section 611.25, subdivision 1, is amended to read:

Subdivision 1. [REPRESENTATION.] (a) The state public defender shall represent, without charge;

(1) a defendant or other person appealing from a conviction of a felony or gross misdemeanor. The state public defender shall represent, without charge;

(2) a person convicted of a felony or gross misdemeanor who is pursuing a postconviction proceeding and who has not already had a direct appeal of the conviction; and

(3) a child who is appealing from a delinquency adjudication or from a serious youthful offender conviction.

(b) The state public defender may represent, without charge, all other persons pursuing a postconviction remedy under section 590.01, who are financially unable to obtain counsel.

(c) The state public defender shall represent any other person, who is financially unable to obtain counsel, when directed to do so by the supreme court or the court of appeals, except that the state public defender shall not represent a person in any action or proceeding in which a party is seeking a monetary judgment, recovery or award. When requested by a district public defender or appointed counsel, the state public defender may assist the district public defender, appointed counsel, or an organization designated in section 611.216 in the performance of duties, including trial representation in matters involving legal conflicts of interest or other special circumstances, and assistance with legal research and brief preparation. When the state public defender is directed by a court to represent a defendant or other person, the state public defender may assign the representation to any district public defender.

Sec. 49. Minnesota Statutes 1992, section 611A.02, is amended by adding a subdivision to read:

Subd. 3. [NOTICE OF THE RIGHTS OF VICTIMS IN JUVENILE COURT.] (a) The crime victim and witness advisory council shall develop a notice of the rights of victims in juvenile court that explains:

(1) the rights of victims in the juvenile court;

(2) when a juvenile matter is public;

(3) the procedures to be followed in juvenile court proceedings; and

(4) other relevant matters.

(b) The juvenile court shall distribute a copy of the notice to each victim of juvenile crime who attends a juvenile court proceeding, along with a notice of services for victims available in that judicial district.

Sec. 50. Minnesota Statutes 1992, section 611A.77, subdivision 1, is amended to read:

Subdivision 1. [GRANTS.] The state court administrator shall award grants to nonprofit organizations to create or expand mediation programs for crime victims and offenders. For purposes of this section, "offender" means an adult charged with a nonviolent crime or a juvenile ~~with respect to whom~~ who has been referred to a mediation program before or after a petition for delinquency has been filed in connection with a nonviolent offense, and "nonviolent crime" and "nonviolent offense" exclude any offense in which the victim is a family or household member, as defined in section 518B.01, subdivision 2.

Sec. 50. Minnesota Statutes 1993 Supplement, section 624.713, subdivision 1, is amended to read:

Subdivision 1. [INELIGIBLE PERSONS.] The following persons shall not be entitled to possess a pistol or semiautomatic military-style assault weapon:

(a) a person under the age of 18 years except that a person under 18 may carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual presence or under the direct supervision of the person's parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition, or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol or semiautomatic military-style assault weapon and approved by the commissioner of natural resources;

(b) a person who has been convicted or adjudicated delinquent in this state or elsewhere of a crime of violence unless ten years have elapsed since the person has been restored to civil rights or the sentence or delinquency disposition has expired, whichever occurs first, and during that time the person has not been convicted or adjudicated delinquent of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) a person who is or has ever been confined or committed in Minnesota or elsewhere as a "mentally ill," "mentally retarded," or "mentally ill and dangerous to the public" person as defined in section 253B.02, to a treatment facility,

unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that the person is no longer suffering from this disability;

(d) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or gross misdemeanor violation of chapter 152, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that the person has not abused a controlled substance or marijuana during the previous two years;

(e) a person who has been confined or committed to a treatment facility in Minnesota or elsewhere as "chemically dependent" as defined in section 253B.02, unless the person has completed treatment. Property rights may not be abated but access may be restricted by the courts;

(f) a peace officer who is informally admitted to a treatment facility pursuant to section 253B.04 for chemical dependency, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility. Property rights may not be abated but access may be restricted by the courts;

(g) a person who has been charged with committing a crime of violence and has been placed in a pretrial diversion program by the court before disposition, until the person has completed the diversion program and the charge of committing the crime of violence has been dismissed; or

(h) a person who has been convicted in another state of committing an offense similar to the offense described in section 609.224, subdivision 3, against a family or household member, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of section 609.224, subdivision 3, or a similar law of another state.

A person who issues a certificate pursuant to this subdivision in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm committed by the individual who is the subject of the certificate.

Sec. 51. Minnesota Statutes 1993 Supplement, section 624.7132, subdivision 15, is amended to read:

Subd. 15. [PENALTIES.] (a) Except as otherwise provided in paragraph (b), a person who does any of the following is guilty of a gross misdemeanor:

(a) (1) transfers a pistol or semiautomatic military-style assault weapon in violation of subdivisions 1 to 13;

(b) (2) transfers a pistol or semiautomatic military-style assault weapon to a person who has made a false statement in order to become a transferee, if the transferor knows or has reason to know the transferee has made the false statement;

(c) (3) knowingly becomes a transferee in violation of subdivisions 1 to 13; or

(d) (4) makes a false statement in order to become a transferee of a pistol or semiautomatic military-style assault weapon knowing or having reason to know the statement is false.

(b) A person who does either of the following is guilty of a felony:

(1) transfers a pistol or semiautomatic military-style assault weapon to a person under the age of 18 in violation of subdivisions 1 to 13; or

(2) transfers a pistol or semiautomatic military-style assault weapon to a person under the age of 18 who has made a false statement in order to become a transferee, if the transferor knows or has reason to know the transferee has made the false statement.

Sec. 52. Minnesota Statutes 1993 Supplement, section 624.7181, subdivision 2, is amended to read:

Subd. 2. [GROSS MISDEMEANOR PENALTIES.] Whoever carries a rifle or shotgun on or about the person in a public place is guilty of a gross misdemeanor. A person under the age of 21 who carries a semiautomatic military style assault weapon, as defined in section 624.712, subdivision 7, on or about the person in a public place is guilty of a felony.

Sec. 53. [JUDICIAL DISTRICT DELINQUENCY DISPOSITION PRINCIPLES.]

By January 1, 1996, the chief judge in each judicial district shall publish the written criteria used by judges in the district in determining juvenile delinquency dispositions. The judges of the district shall develop the written criteria in consultation with local county attorneys, public defenders, local corrections personnel, victim advocates, and the public. Each chief judge shall submit a copy of the written criteria to the head of the conference of chief judges by September 1, 1995, who shall submit copies of the criteria to the chairs of the senate crime prevention committee and the house judiciary committee by November 1, 1995.

Sec. 54. [USE OF SERIOUS YOUTHFUL OFFENDER ADJUDICATIONS AS ADULT CRIMINAL HISTORY POINTS.]

The sentencing guidelines commission shall modify the guidelines to take effect August 1, 1994, to provide that a serious youthful offender conviction is treated under the guidelines in the same manner as a felony conviction of an adult.

Sec. 55. [SENTENCING GUIDELINES MODIFICATIONS.]

Subdivision 1. [MODIFICATIONS TO SENTENCING GUIDELINES REQUIRED.] The sentencing guidelines commission shall adopt the modifications described in subdivision 2 and shall apply them to persons whose crimes occur on or after August 1, 1994.

Subd. 2. [PRIOR JUVENILE OFFENSES; CRIMINAL HISTORY SCORE.] The commission shall modify sentencing guideline II.B.4 as follows:

(1) it shall change clause (c) to allow juvenile offenses occurring after the juvenile's 14th birthday to be included in the offender's criminal history score;

(2) it shall change clause (d) to permit juvenile offenses to be included in an offender's criminal history score if the offender was under 28 years of age at the time the current felony was committed; and

(3) it shall change clause (e) to exclude violent crimes, as defined in Minnesota Statutes, section 609.152, subdivision 1, from the maximum limit on the number of criminal history score points an offender may receive for prior juvenile offenses.

Sec. 56. [TASK FORCE ON JUVENILE PROGRAMMING EVALUATION AND PLANNING.]

Subdivision 1. [DUTIES; REPORT.] The task force on juvenile programming evaluation and planning shall report to the chairs of the senate committee on crime prevention and the house committee on judiciary and the legislative auditor by November 30, 1994, concerning the results of the tasks described in this section.

Subd. 2. [SURVEY OF PROGRAMMING.] (a) The commissioners of corrections and human services shall conduct a comprehensive survey of existing juvenile programming available across the state and report its findings to the task force. For purposes of the survey, juvenile programming includes all out-of-home placement and nonresidential programs in which juveniles are placed as part of a diversion from juvenile court or as the result of a juvenile court delinquency or serious youthful offender proceeding or children in need of protection or services proceeding.

(b) The survey shall determine for each program: whether juveniles were placed there through a child protection proceeding, a juvenile delinquency or serious youthful offender proceeding, or through diversion; whether payment is by the state, a local government entity, the child's family, or another source; the extent to which the program provides family and community reintegration services; the extent to which the program provides a comprehensive educational assessment of each child and an educational plan to address the child's educational needs during the placement and after reentry into the community, including critical skill thinking and conflict resolution; and the extent to which aftercare is provided.

(c) The survey shall determine for each program: the race and sex of juveniles placed there; the race and sex of staff members; the number of juveniles requiring special services; and the cultural appropriateness of the programming.

(d) The survey shall determine for each program the availability of special services including but not limited to:

programming for juvenile female offenders; resources for sex offenders; chemical dependency services; mental health assessments; suicide prevention services; services for abuse victims; and services for the developmentally disabled.

Subd. 3. [TASK FORCE DUTIES.] The task force shall make recommendations concerning:

(1) a full continuum of programming to fulfill the service needs identified by the survey conducted under subdivision 2 for serious youthful offenders adjudicated juveniles and the cost of providing those services;

(2) the location of secure juvenile capacity recommended by the supreme court advisory task force on the juvenile justice system;

(3) existing programs that counties and the state should not continue to fund and a specific list of priorities to be used at the state and county level in evaluating programs for juvenile offenders;

(4) the appropriate financial responsibility for serious youthful offenders and adjudicated juveniles placed out of their homes, the need for additional programming, and the circumstances, if any, under which the state should be responsible for the costs of programming;

(5) a planning process and time line to implement a full range of programming and services for adjudicated juveniles and serious youthful offenders;

(6) necessary changes in state rules, statutes, and licensing requirements, including changes in statutes and rules relating to the dispositional and discharge authority of the commissioner of corrections that are needed to implement the serious youthful offender category; and

(7) funding needs, including the short- and long-range costs to the following of implementing this act and the recommendations of the supreme court advisory task force on the juvenile justice system:

(i) the probation and correctional systems;

(ii) the public defender system;

(iii) the judiciary; and

(iv) other governmental entities.

Subd. 4. [MEMBERSHIP.] The task force consists of individuals who are representatives or designees of the following and have demonstrated experience in the juvenile justice field, appointed by the chairs of the senate crime prevention committee and the house judiciary committee:

(1) the commissioner of corrections;

(2) the commissioner of human services;

(3) the commissioner of education;

(4) the office of drug policy and violence prevention;

(5) probation officers;

(6) community corrections officers;

(7) public defenders;

(8) prosecutors;

(9) juvenile corrections specialists;

(10) law enforcement officials;

(11) chemical dependency counselors;

- (12) mental health experts;
- (13) children's services providers;
- (14) victim advocates;
- (15) district court judges;
- (16) the council on Black Minnesotans;
- (17) the office for Spanish-speaking people;
- (18) the Asian-Pacific Minnesotans council;
- (19) the Indian affairs council;
- (20) the association of counties; and
- (21) the council on the disabled.

The commissioner of corrections or the commissioner's designee shall serve as chair of the task force.

Sec. 57. [LEGISLATIVE AUDITOR.]

Subdivision 1. [EVALUATION OF CORRECTIONS PROGRAMMING.] The legislative audit commission is requested to direct the legislative auditor to conduct an evaluation of programming at existing state-run facilities serving youthful offenders, including those at Sauk Centre, St. Cloud, Thistledeew, and Red Wing and report to the legislature by January 1, 1995, concerning its findings. The evaluation of the programming shall focus on the following factors:

- (1) recidivism;
- (2) participation by youthful offenders;
- (3) subjective effectiveness among probation officials;
- (4) subjective effectiveness among youthful offenders; and
- (5) comparison with programming operating effectively in other states.

Subd. 2. [EVALUATION OF REPORT OF TASK FORCE ON JUVENILE PROGRAMMING EVALUATION AND PLANNING.] The legislative audit commission is requested to direct the legislative auditor to receive and analyze the report of the task force on juvenile programming evaluation and planning submitted under section 56. The evaluation of the task force recommendations shall include a comprehensive independent assessment of relevant factors, including but not limited to those enumerated in section 56, subdivision 3. If the commission undertakes this evaluation, the legislative auditor shall report to the chairs of the senate committee on crime prevention and the house judiciary committee by February 15, 1995.

Sec. 58. [SUPREME COURT.]

Subdivision 1. [DATA COLLECTION.] The supreme court shall develop a sentencing form for use in serious youthful offender proceedings and a procedure for data collection to ensure that serious youthful offender data will be compatible with other criminal justice data. The supreme court shall consult with the criminal and juvenile information policy group in carrying out this duty.

Subd. 2. [TRAINING.] By August 1, 1994, the supreme court shall prepare and conduct a training course for judges and members of their staffs concerning the provisions of this act. In particular, the course shall inform judges of the juvenile disposition options available, the procedural requirements of serious youthful offender proceedings, and the sentencing form to be used in those proceedings to ensure that serious youthful offender data will be compatible with other criminal justice data.

Sec. 59. [APPROPRIATIONS.]

Subdivision 1. [FISCAL YEAR.] Unless otherwise specified the appropriations made in this section are for the fiscal year ending June 30, 1995.

Subd. 2. [CORRECTIONS.] \$120,000 is appropriated to the commissioner of corrections from the general fund to develop and implement a plan for serious youthful offenders.

\$100,000 is appropriated to the commissioner of corrections from the general fund to ensure that the race and cultural heritage of juvenile programming staff reflect the characteristics of the juvenile offender population.

\$1,090,000 is appropriated to the commissioner of corrections from the general fund for adult and juvenile diversion programs.

\$170,000 is appropriated to the commissioner of corrections from the general fund for training of corrections department and community corrections staff.

\$3,000,000 is appropriated to the commissioner of corrections from the general fund to be used to hire or fund the hiring of additional state and county probation officers and of community corrections officers under Minnesota Statutes, chapter 401. The funds shall be allocated by the commissioner for probation officers for offenders under age 23 based on weighted caseloads determined by the commissioner after consultation with those entities receiving the funds. The distributions shall be reported by the commissioner annually to the chairs of the senate crime prevention and house judiciary finance committees.

\$187,000 is appropriated to the commissioner of corrections from the general fund for independent evaluations of several residential treatment facilities or programs for juveniles.

\$1,534,000 is appropriated to the commissioner of corrections from the general fund to license and to assist in the operational funding of small, regionally based secure capacity for juvenile offenders.

\$70,000 is appropriated from the general fund to the commissioner of corrections, for the purpose of expanding the sentencing to service program to include work crews whose primary function is the removal of graffiti and other defacing signs or symbols from public property and from the property of requesting private property owners.

Subd. 3. [BOARD OF PUBLIC DEFENSE.] (a) \$3,905,000 is appropriated to the state board of public defense from the general fund for the provision of counsel for juveniles charged with delinquency.

(b) \$400,000 is appropriated from the general fund to the state board of public defense for the provision of appellate services for juveniles.

Subd. 4. [EDUCATION.] (a) \$1,000,000 is appropriated to the commissioner of education from the general fund in fiscal year 1995 for violence prevention education grants under Minnesota Statutes, section 126.78. One hundred percent of this appropriation must be paid according to the process established in Minnesota Statutes, section 124.195, subdivision 9. appropriation may be used for administration of the programs funded in this subdivision.

(b) \$2,500,000 is appropriated to the commissioner of education from the general fund in fiscal year 1995 for learning readiness programs under Minnesota Statutes, sections 121.831 and 124.2615. This amount is added to the appropriation for learning readiness in Laws 1991, chapter 224, article 4, section 44, subdivision 16. Notwithstanding Minnesota Statutes, section 124.195, subdivision 10, 100 percent of the appropriation in this paragraph must be paid in fiscal year 1995. This additional appropriation is available in fiscal year 1995 only.

Subd. 5. [PUBLIC SAFETY.] \$1,400,000 is appropriated to the commissioner of public safety from the general fund for community crime reduction grants under Minnesota Statutes, section 299A.35. In awarding grants for programs qualifying under section 299A.35, subdivision 1, clause (4), the commissioner shall give first priority to any application received from a nonprofit community-based entity with a demonstrated record of success in helping at-risk youth stay in school and encouraging school dropouts to return to school. A qualified applicant may be awarded a grant to operate such a program in a community other than the applicant's community if the commissioner determines that the community needs the program but that no qualified entity exists within the community to operate the program.

\$307,000 is appropriated to the commissioner of public safety from the general fund for the costs of performing initial analysis and design work for the juvenile criminal history system, the statewide misdemeanor system, including violent and enhanceable crimes, and the domestic abuse orders for protection tracking system.

\$20,000 is appropriated from the general fund to the commissioner of public safety for the purpose of operating the statewide school-related crime telephone line and for paying rewards for information received over the statewide telephone line. Any unexpended funds in fiscal year 1995 do not cancel and carry forward to fiscal year 1996.

Subd. 6. [ATTORNEY GENERAL.] \$20,000 is appropriated from the general fund to the office of the attorney general to conduct training for county attorneys on juvenile laws and on the provisions of this act.

Subd. 7. [DISTRICT COURTS.] \$372,000 is appropriated from the general fund to the district courts to be used to fund four additional district court judgeships. The supreme court, in consultation with the state court administrator and the conference of chief judges, shall determine the districts in which these judgeships will be located, based on increased court caseloads resulting from the provisions of this act.

Subd. 8. [SUPREME COURT.] \$245,000 is appropriated to the supreme court from the general fund for the costs of performing initial analysis and design work for the juvenile criminal history system, the statewide misdemeanor system, and the tracking system for domestic abuse orders for protection.

Subd. 9. [HUMAN SERVICES.] \$10,000 is appropriated from the general fund to the commissioner of human services for the survey of existing juvenile programming.

Subd. 10. [DEPARTMENT OF JOBS AND TRAINING.] \$2,000,000 is appropriated from the general fund to the commissioner of jobs and training, to be used to award grants to cities for creating and expanding curfew enforcement, truancy prevention, and after-school and summer recreational programs for children and youth.

\$50,000 is appropriated from the general fund to the commissioner of jobs and training to fully match federal funds available to administer the juvenile justice program.

Sec. 60. [REPEALER.]

Minnesota Statutes 1992, section 260.125, subdivision 3, is repealed.

Sec. 61. [EFFECTIVE DATE.]

Sections 1 to 58 and 60 are effective August 1, 1994, and apply to violations occurring on or after that date. Section 59, subdivision 7, is effective March 1, 1995."

Delete the title and insert:

"A bill for an act relating to crime prevention; juvenile justice; providing for adult court jurisdiction over juveniles alleged to have committed first degree murder or first degree criminal sexual conduct after age 16; providing for presumptive certification to adult court for juveniles alleged to have committed other prison-level felonies; authorizing the court or the prosecutor to designate a juvenile a serious youthful offender; authorizing adult felony sentences for serious youthful offenders; extending juvenile court jurisdiction to age 23; limiting certification to adult court to felony offenses; extending a right to jury trial to serious youthful offenders; requiring that a juvenile have an in-person consultation with counsel before waiving right to counsel; requiring appointment of counsel or standby counsel for juveniles charged with gross misdemeanors or felonies or when out-of-home delinquency placement is proposed; providing for adult court jurisdiction over juveniles alleged to have committed nonfelony-level traffic offenses after age 16; authorizing the juvenile court to require parents to attend delinquency hearings; providing for the sharing of certain data collected or maintained on juveniles; requiring county attorneys to establish juvenile diversion programs; providing mandatory minimum sentences for drive-by shooting crimes; expanding the crime relating to the possession of dangerous weapons on school property; increasing penalties for certain firearms offenses involving youth; establishing a task force on juvenile justice programming evaluation and planning; requiring that the department of corrections provide programming for serious and repeat juvenile offenders; appropriating money; amending Minnesota Statutes 1992, sections 13.99, subdivision 79; 242.31, subdivision 1; 242.32; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.115, subdivision 1; 260.121, subdivision 3; 260.125; 260.131, by adding a subdivision; 260.132; 260.155, subdivision 2, and by adding a subdivision; 260.161, subdivisions 1a, 2, and by adding a subdivision; 260.181, subdivision 4; 260.185, subdivision 3; 260.193, subdivisions 1, 3, 4, 6, and by adding a subdivision; 260.211, subdivision 1; 260.215, subdivision 1; 260.291; 609.055, subdivision 2; 611.15; 611.19; 611.25, subdivision 1; 611A.02,

by adding a subdivision; and 611A.77, subdivision 1; Minnesota Statutes 1993 Supplement, sections 13.46, subdivision 2; 144.651, subdivisions 2, 21, and 26; 253B.03, subdivisions 3 and 4; 260.155, subdivision 1; 260.161, subdivisions 1 and 3; 299A.35, subdivisions 1 and 2; 299C.65, subdivision 1; 401.065, subdivision 1, and by adding a subdivision; 609.11, subdivision 9; 609.66, subdivision 1d; 624.713, subdivision 1; 624.7132, subdivision 15; and 624.7181, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 260; 299A; 388; and 609; repealing Minnesota Statutes 1992, section 260.125, subdivision 3."

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. 2099, A bill for an act relating to change of name; altering procedural requirements for a change of name application; amending Minnesota Statutes 1992, section 259.10.

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

The report was adopted.

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

H. F. No. 2130, A bill for an act relating to counties; St. Louis; assigned the former town of Payne to the 7th commissioner district.

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

The report was adopted.

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

H. F. No. 2140, A bill for an act relating to public utilities; providing legislative authorization of the construction of a facility for the temporary dry cask storage of spent nuclear fuel at Prairie Island nuclear generating plant; providing conditions for any future expansion of storage capacity; approving the continued operation of pool storage at Monticello and Prairie Island nuclear generating plants; requiring development of wind power; regulating nuclear power plants; requiring increased conservation investments; providing low-income discounted electric rates; appropriating money; amending Minnesota Statutes 1992, sections 216B.16, by adding a subdivision; 216B.241, subdivision 1a; and 216B.243, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 1 to 4, and insert:

"Section 1. [116C.7201] [AUTHORIZATION FOR INDEPENDENT SPENT FUEL STORAGE INSTALLATION AT PRAIRIE ISLAND.]

Subdivision 1. [FINDINGS.] In regard to the proposal to construct and operate an independent spent fuel storage installation (dry cask storage facility) at Prairie Island, the legislature finds that:

(1) the environmental quality board, in compliance with chapter 116D, prepared and found adequate an environmental impact statement that found no significant adverse environmental effects from the construction and operation of the proposed dry cask storage facility;

(2) the public utilities commission, in compliance with section 216B.243, issued a limited certificate of need for the use of 17 casks to store spent nuclear fuel at the proposed dry cask storage facility; and

(3) the United States Nuclear Regulatory Commission reviewed and approved a safety analysis on the proposed dry cask storage facility and granted a license for the facility.

Subd. 2. [AUTHORIZATION.] Construction and operation of the proposed dry cask storage facility is hereby expressly authorized under the terms and conditions contained in the certificate of need issued by the public utilities commission, docket number E002/CN-91-91, without further environmental review under chapter 116D or further administrative review under section 216B.243.

Subd. 3. [ADDITIONAL CASKS; AUTHORIZATION AND LIMITATION.] (a) The use of additional casks to store waste generated at the Prairie Island nuclear generating plant beyond the 17 casks authorized under the certificate of need is hereby expressly authorized only upon:

(1) completion of environmental review under chapter 116D that finds no significant adverse environmental effects associated with use of the additional casks and that is found adequate by the environmental quality board; and

(2) issuance of a certificate of need by the public utilities commission, under section 216B.243, for use of the additional casks.

(b) The public utilities commission may not issue a certificate of need for more than 17 dry casks without express authorization of the legislature under section 116C.72.

Sec. 2. [116C.7202] [NUCLEAR GENERATING PLANTS; STORAGE POOLS; AUTHORIZATION.]

The continued operation of the spent nuclear fuel pool storage facilities at the Monticello and Prairie Island nuclear generating plants is hereby expressly authorized."

Page 2, line 33, delete "5" and insert "3"

Page 3, line 19, delete "nuclear"

Page 3, line 20, delete everything before "facility" and delete "wastes" and insert "spent nuclear fuel or other high-level radioactive waste"

Page 3, line 24, after "disposal" insert "or long-term storage"

Page 3, line 26, after "storage" insert "or disposal"

Page 6, delete section 2

Page 6, line 25, delete "3" and insert "2"

Page 6, line 26, delete everything after the period

Page 6, delete line 27

Amend the title as follows:

Page 1, lines 12 and 13, delete "appropriating money;"

Page 1, delete line 17, and insert "chapters 116C; and 216B."

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

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 2171, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of efforts of cities and towns to comply with the allocation; establishing penalties for noncompliance; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

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

H. F. No. 2207, A bill for an act relating to local government; authorizing the board of county commissioners of Benton county to establish an economic development authority.

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

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 2249, A bill for an act relating to agricultural businesses; providing an interest buy-down program for farmers and small businesses; creating a program of farm disaster property tax relief payments; providing supplemental funding for certain emergency employment programs; creating a crop disaster insurance program; increasing funding for the farm advocates program, agricultural resource centers, farm and small business management programs at technical colleges, and the Farmers' Legal Action Group; expanding research on grain diseases and genetics; appropriating money.

Reported the same back with the following amendments:

Page 9, line 2, delete "\$15,000,000" and insert "\$30,000,000"

Page 10, after line 27, insert:

"ARTICLE 5

PROTEIN ANALYSIS EQUIPMENT LEASE PILOT PROGRAM

Section 1. [17B.042] [PROTEIN ANALYSIS EQUIPMENT; COMMISSIONER MAY PROVIDE BY LEASE.]

Subdivision 1. [EQUIPMENT LEASING PROGRAM; PURPOSE.] The legislature finds that Minnesota wheat producers face a critical problem because country elevators currently use a wide variety of technologies, brands, and models of wheat protein analysis equipment. Inaccurate and inconsistent protein readings on wheat samples result in the loss of millions of dollars of income each year for farmers, and contribute to further decline in the economic base of Minnesota's rural communities. The legislature further finds that country elevators often lack the resources to acquire adequate, reliable protein testing equipment on their own. It is therefore found to be in the public interest for the commissioner of agriculture to establish a voluntary program to lease to country elevators, at cost, high quality wheat protein testing equipment.

Subd. 2. [SELECTION OF EQUIPMENT; PILOT LEASING PROGRAM.] Not later than April 1, 1995, the commissioner shall evaluate available wheat protein analysis equipment and determine a brand and model to be used in the pilot lease program. Selection may be made on the basis of competitive bid price but must also take into consideration operational factors such as reliability, replicability, durability, ease of calibration and use, and the availability of comprehensive operator training.

Subd. 3. [PARTICIPATION IN PILOT EQUIPMENT LEASE PROGRAM; ELIGIBILITY.] The commissioner shall designate up to eight counties in which to implement the pilot equipment lease program.

Subd. 4. [TERMS OF LEASE.] The commissioner shall establish terms and conditions of the protein equipment test program so that the cost of equipment will be amortized over the estimated useful life of the equipment.

Subd. 5. [MANDATORY EQUIPMENT OPERATOR TRAINING.] The principal protein test equipment operator in each country elevator that participates in the pilot equipment lease program must undergo comprehensive training as determined appropriate by the commissioner.

Sec. 2. [APPROPRIATION.]

\$2,000,000 is appropriated from the general fund to the commissioner of agriculture for purposes of the pilot equipment lease program in section 1. Of this appropriation, not more than \$25,000 may be used for costs of administering the program.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Page 10, line 28, delete "5" and insert "6"

Page 10, line 32, delete "\$3,000,000" and insert "\$5,000,000"

Page 10, line 36, after the period, insert "The commissioner may allow projects that would not have been funded by the federal government in order to fund public projects, employing flood victims, that are not necessarily related to flood damage, but which local governments are unable to undertake because of flood expenses. The commissioner may also fund the leasing or other use of specialized equipment and services for projects undertaken with this appropriation."

Page 11, delete lines 20 to 25 and insert:

"Sec. 5. [APPROPRIATION; WHEAT SCAB RESEARCH.]

\$430,000 is appropriated from the general fund to the commissioner of agriculture for the fiscal biennium ending June 30, 1995, to make grants to the University of Minnesota or other Minnesota educational institutions for research into the problem of wheat scab (vomitoxin) in Minnesota. The research should be designed to minimize the adverse effects of future wheat scab infestations in the short term while seeking to fully eliminate the problem in the long term.

Before making grants under this section, the commissioner shall develop grant criteria including:

- (1) locating a small grains specialist in the wheat growing area of the state;
- (2) long-term variety development and short-term marketing solutions;
- (3) alternative agronomic and management techniques for wheat production that minimize scab and describe the biology and the pathology of wheat scab infestation; and
- (4) alternative uses for scabby wheat that minimize the adverse effects of mycotoxin produced by the scab infestation."

Page 11, after line 30, insert:

"Sec. 7. [APPROPRIATION; HIGH OIL SOYBEANS RESEARCH.]

\$200,000 is appropriated from the general fund to the commissioner of agriculture for the fiscal biennium ending June 30, 1995, to make research grants to the University of Minnesota or other educational institutions in Minnesota to develop higher protein, higher oil content varieties of soybeans that would grow in Minnesota."

Page 11, line 31, delete "7" and insert "8"

Amend the title as follows:

Page 1, line 5, after the semicolon insert "authorizing a protein analysis equipment lease pilot program;"

Page 1, line 11, after "diseases" insert ", soybean varieties"

Page 1, line 12, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 17B"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 423, 613, 1835, 1845, 1891, 1914, 1934, 1957, 1965, 1966, 2007, 2099 and 2130 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Weaver introduced:

H. F. No. 2517, A bill for an act relating to game and fish; allowing nonresidents to take rough fish by harpooning; amending Minnesota Statutes 1992, section 97C.381.

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

Neary, Long, Abrams, Dawkins and Kelso introduced:

H. F. No. 2518, A bill for an act relating to taxation; property; changing the method of determining tax capacity for residential homesteads; amending Minnesota Statutes 1992, section 273.13, subdivision 22; and Minnesota Statutes 1993 Supplement, section 273.1398, subdivision 1.

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

Mariani, Bishop, Dawkins, Wejcman and Pugh introduced:

H. F. No. 2519, A bill for an act relating to prostitution; creating a civil cause of action for persons who are coerced into prostitution; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Weaver, Lynch and Pugh introduced:

H. F. No. 2520, A bill for an act relating to the environment; authorizing a person who wishes to construct or expand an air emission facility to reimburse certain costs of the pollution control agency; amending Minnesota Statutes 1992, section 116.07, subdivision 4d.

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

Pauly introduced:

H. F. No. 2521, A bill for an act relating to liquor; authorizing the city of Eden Prairie to issue additional on-sale licenses.

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

Molnau; Swenson; Brown, C.; McCollum and Johnson, V., introduced:

H. F. No. 2522, A bill for an act relating to natural resources; authorizing departmental sponsored competition in natural resources conservation related activities; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Brown, C., and Milbert introduced:

H. F. No. 2523, A bill for an act relating to occupations and professions; requiring that concrete and masonry workers be licensed as residential contractors; amending Minnesota Statutes 1993 Supplement, sections 326.83, subdivisions 7, 19, and by adding a subdivision; 326.842; and 326.94, subdivision 1.

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

Beard and Sarna introduced:

H. F. No. 2524, A bill for an act relating to consumer protection; providing that certain application fees must be refunded; proposing coding for new law in Minnesota Statutes, chapter 504.

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

Greenfield, Cooper, Leppik and Lourey introduced:

H. F. No. 2525, A bill for an act relating to health; MinnesotaCare; establishing and regulating community integrated service networks; defining terms; creating a reinsurance and risk adjustment association; classifying data; requiring reports; mandating studies; modifying provisions relating to the regulated all-payer option; requiring administrative rulemaking; setting timelines and requiring plans for implementation; designating essential community providers; establishing an expedited fact finding and dispute resolution process; requiring proposed legislation; establishing task forces; providing for demonstration models; mandating universal coverage; requiring insurance reforms; providing grant programs; establishing the Minnesota health care administrative simplification act; implementing electronic data interchange standards; creating the Minnesota center for health care electronic data interchange; providing standards for the Minnesota health care identification card; appropriating money; providing penalties; amending Minnesota Statutes 1992, sections 60A.15, subdivision 1; 62A.303; 62D.04, by adding a subdivision; 62E.02, subdivisions 10, 18, 20, and 23; 62E.10, subdivisions 1, 2, and 3; 62E.141; 62E.16; 62J.03, by adding a subdivision; 62L.02, subdivisions 9, 13, 16, 17, 24, and by adding subdivisions; 62L.03, subdivision 1; 62L.05, subdivisions 1, 5, and 8; 62L.08, subdivisions 2, 5, 6, and 7; 62L.12; 62L.21, subdivision 2; 62M.02, subdivisions 5 and 21; 62M.03, subdivisions 1, 2, and 3; 62M.05, subdivision 3; 62M.06, subdivision 3; 62M.09, subdivision 5; and 295.50, by adding subdivisions; Minnesota Statutes 1993 Supplement, sections 43A.317, by adding a subdivision; 60K.14, subdivision 7; 61B.20, subdivision 13; 62A.011, subdivision 3; 62A.65, subdivisions 2, 3, 4, 5, and by adding a subdivision; 62D.12, subdivision 17; 62J.03, subdivision 6; 62J.04, subdivisions 1 and 1a; 62J.09, subdivision 2; 62J.33, by adding subdivisions; 62J.35, subdivisions 2 and 3; 62J.38; 62J.41, subdivision 2; 62J.45, by adding subdivisions; 62L.02, subdivisions 8, 11, 15, 19, and 26; 62L.03, subdivisions 3, 4, and 5; 62L.04, subdivision 1; 62L.08, subdivisions 4 and 8; 62N.01; 62N.02, subdivisions 1, 8, and by adding a subdivision; 62N.06, subdivision 1; 62N.065, subdivision 1; 62N.10, subdivisions 1 and 2; 62N.22; 62N.23; 62P.01; 62P.03; 62P.04; 62P.05; 144.1486; 151.21, subdivisions 7 and 8; 256.9352, subdivision 3; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, and 12b; 295.53, subdivisions 1, 2, and 5; 295.54; 295.58; and 295.582; proposing coding for new law in Minnesota Statutes, chapters 62A; 62J; 62N; and 62P; proposing coding for new law as Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1992, sections 62A.02, subdivision 5; 62E.51; 62E.52; 62E.53; 62E.531; 62E.54; 62E.55; and 256.362, subdivision 5; Minnesota Statutes 1993 Supplement, sections 62J.04, subdivision 8; 62N.07; 62N.075; 62N.08; 62N.085; and 62N.16;

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

Beard and Battaglia introduced:

H. F. No. 2526, A bill for an act relating to transportation; providing that cities with a combined population of at least 5,000 may qualify for municipal state aid if certain conditions are met; amending Minnesota Statutes 1992, section 162.09, subdivision 4.

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

Kinkel and Solberg introduced:

H. F. No. 2527, A bill for an act relating to education; authorizing school district No. 118, Remer-Longville, to transfer funds from bus purchase fund to capital expenditure fund.

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

Haukoos, by request, introduced:

H. F. No. 2528, A bill for an act relating to traffic regulations; regulating operation of recreational vehicle combinations; amending Minnesota Statutes 1993 Supplement, section 169.81, subdivision 3c.

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

Haukoos introduced:

H. F. No. 2529, A bill for an act relating to Freeborn county; permitting the appointment of the recorder and auditor/treasurer; authorizing the reorganization of county offices.

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

Molnau, Vickerman and Lourey introduced:

H. F. No. 2530, A bill for an act relating to insurance; health; restricting termination or reductions of coverage for fibrocystic conditions; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Seagren, Vickerman, Van Engen, Knight and Tompkins introduced:

H. F. No. 2531, A bill for an act relating to human services; providing for the restructuring of certain public assistance programs; amending Minnesota Statutes 1992, sections 256.73, by adding a subdivision; 256.74, by adding a subdivision; 256.98, subdivision 8; 256D.09, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 256.031, subdivision 3; 256.734; 256.87, subdivisions 1, 1a, and 5; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Erhardt; Anderson, R.; Wolf; Dehler and Ness introduced:

H. F. No. 2532, A bill for an act relating to human services; providing for the restructuring of certain public assistance programs; amending Minnesota Statutes 1992, sections 256.73, by adding a subdivision; 256.74, by adding a subdivision; 256.98, subdivision 8; 256D.09, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 256.031, subdivision 3; 256.734; 256.87, subdivisions 1, 1a, and 5; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Koppendraye and Cooper introduced:

H. F. No. 2533, A bill for an act relating to local government; removing notice requirements for emergency on-site inspections by town boards; amending Minnesota Statutes 1992, section 366.01, subdivision 11.

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

Bauerly; Kelso; Johnson, A.; Skoglund and Weaver introduced:

H. F. No. 2534, A bill for an act relating to education; modifying the referendum revenue reduction; appropriating money; amending Minnesota Statutes 1993 Supplement, section 124A.03, subdivision 3b.

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

Wolf, Rukavina, Rhodes, Goodno and Perlit introduced:

H. F. No. 2535, A bill for an act relating to employment; modifying the definition of employer for personnel records review purposes; amending Minnesota Statutes 1992, section 181.960, subdivision 3.

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

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

H. F. No. 2536, A bill for an act relating to family law; clarifying pension plan obligations; amending Minnesota Statutes 1992, section 518.581, subdivision 2.

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

Bauerly introduced:

H. F. No. 2537, A bill for an act relating to Benton county; providing a sales tax exemption for construction materials and supplies purchased for use in constructing a correctional facility.

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

Weaver, Skoglund, Abrams, Lieder and Delmont introduced:

H. F. No. 2538, A bill for an act relating to elections; simplifying certain prerequisites to petitioning for a removal election of a county official; amending Minnesota Statutes 1992, sections 351.16, subdivision 1; 351.17; and 351.19, subdivisions 2 and 4.

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

Lasley, Jennings, Murphy, Lourey and Koppendraye introduced:

H. F. No. 2539, A bill for an act relating to human services; establishing, for persons with developmental disabilities, an integrated network of campus and community services in the catchment area served by the Cambridge regional human services center; authorizing a study; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1992, section 246.57, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 246 and 252.

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

Peterson; Brown, C.; Kalis; Johnson, V., and Anderson, R., introduced:

H. F. No. 2540, A bill for an act relating to traffic regulations; allowing implements of husbandry to travel to the left of the roadway center during daylight hours while displaying a flashing amber lamp as an alternative to an escort vehicle; amending Minnesota Statutes 1993 Supplement, section 169.18, subdivision 5.

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

Krueger, Nelson and Wenzel introduced:

H. F. No. 2541, A bill for an act relating to education; setting transportation aid for independent school district No. 793, Staples, for residents of independent school district No. 483, Motley.

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

Limmer introduced:

H. F. No. 2542, A bill for an act relating to corrections; modifying the intensive community supervision program to increase numbers of offenders participating in the program; amending Minnesota Statutes 1992, sections 244.12, subdivisions 1 and 2; and 244.15, subdivision 4; Minnesota Statutes 1993 Supplement, section 244.14, subdivision 3.

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

Limmer introduced:

H. F. No. 2543, A bill for an act relating to corrections; authorizing the commissioner of corrections to limit placement of convicted felons awaiting completion of presentence investigation reports in state correctional facilities; amending Minnesota Statutes 1992, section 609.115, subdivision 1.

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

Swenson, Wejcman, Carruthers, Skoglund and Limmer introduced:

H. F. No. 2544, A bill for an act relating to crimes; driving while intoxicated; permitting and, under certain circumstances, requiring consecutive sentences for multiple crimes committed by DWI offenders and DWI offenders who drive without insurance or without a valid driver's license; increasing minimum penalties and requiring intensive probation and treatment for chronic DWI offenders; increasing the bail limit for certain persons charged with driving after license revocation or cancellation; requiring chemical dependency treatment programs to contain certain elements to be eligible to receive court-ordered referrals of chronic DWI offenders; increasing the excise tax rate imposed on alcoholic beverages; reimbursing local and state agencies for costs incurred in apprehending, prosecuting, supervising, and treating chronic DWI offenders; requiring the commissioner of public safety to study the cost and feasibility of establishing a DWI offender tracking system; appropriating money; amending Minnesota Statutes 1992, sections 169.121, subdivision 3b; 169.126, subdivision 2; 169.797, subdivision 4; 171.043; 297C.02, subdivisions 1, 2, and 3; 297C.08; and 629.471, subdivision 2; Minnesota Statutes 1993 Supplement, sections 169.121, subdivisions 3 and 3a; 169.129; 171.24; and 609.035; proposing coding for new law in Minnesota Statutes, chapters 169; and 299A.

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

Waltman introduced:

H. F. No. 2545, A bill for an act relating to health care; providing an additional payment to certain persons with mental retardation or related conditions; appropriating money; amending Minnesota Statutes 1992, section 256B.501, by adding a subdivision.

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

Kelley, McGuire, Macklin, Skoglund and Perlt introduced:

H. F. No. 2546, A bill for an act relating to privacy; regulating the use and dissemination of personally identifiable information on videotape consumers; proposing coding for new law as Minnesota Statutes, chapter 325L.

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

Gutknecht, Waltman, Limmer and Rodosovich introduced:

H. F. No. 2547, A bill for an act relating to the legislature; providing for the composition of the legislative audit commission; amending Minnesota Statutes 1993 Supplement, section 3.97, subdivision 2.

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

Gutknecht; Brown, C.; Limmer; Carruthers and Delmont introduced:

H. F. No. 2548, A bill for an act relating to crime; prohibiting prosecutors from entering into plea or sentence negotiation agreements in certain cases involving the use or possession of a firearm; amending Minnesota Statutes 1993 Supplement, section 609.11, subdivision 7.

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

Swenson, McGuire and Carruthers introduced:

H. F. No. 2549, A bill for an act relating to controlled substances; providing that marijuana penalties in sale and possession crimes may be based on number of marijuana plants; amending Minnesota Statutes 1992, sections 152.021, subdivisions 1 and 2; 152.022, subdivision 2; and 152.023, subdivision 1; Minnesota Statutes 1993 Supplement, sections 152.022, subdivision 1; and 152.023, subdivision 2.

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

Wagenius, Rodosovich, Osthoff, Lasley and Haukoos introduced:

H. F. No. 2550, A bill for an act relating to elections; providing for access to broadcast facilities for state and local candidates; imposing penalties; amending Minnesota Statutes 1992, section 211B.05, by adding a subdivision.

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

Pugh introduced:

H. F. No. 2551, A bill for an act relating to retirement; enabling certain retired members of the public employees retirement association to rescind a selection of a joint and survivor annuity and to receive a normal retirement annuity.

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

Wenzel; Workman; Anderson, R.; Rest and Anderson, I., introduced:

H. F. No. 2552, A bill for an act relating to taxation; exempting passenger restraint systems for children from the sales and use tax and the motor vehicle excise tax; amending Minnesota Statutes 1992, sections 297A.25, by adding a subdivision; and 297B.01, subdivision 8.

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

Reding introduced:

H. F. No. 2553, A bill for an act relating to retirement; public employees retirement association; permitting purchase of service credit by certain soil and water conservation district employees.

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

Winter, Lieder, Dauner, Goodno and Wenzel introduced:

H. F. No. 2554, A bill for an act relating to agriculture; providing for an agricultural processing facility loan program administered by the rural finance authority; providing for funding; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

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

Winter, Steensma, Reding and Goodno introduced:

H. F. No. 2555, A bill for an act relating to the environment; providing for a limitation on water quality fee increases; providing for a report to the legislature.

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

Clark, Long, Workman, Winter and Rest introduced:

H. F. No. 2556, A bill for an act relating to taxation; income; allowing a lead abatement credit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Olson, E., and Johnson, R., introduced:

H. F. No. 2557, A bill for an act relating to taxation; allowing accelerated depreciation for certain property on Indian reservations; allowing a subtraction from federal taxable income for wages claimed under the Indian employment credit; amending Minnesota Statutes 1992, section 290.01, subdivisions 19b and 19d; Minnesota Statutes 1993 Supplement, section 290.01, subdivision 19.

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

Weaver, Van Dellen, Kahn and Dempsey introduced:

H. F. No. 2558, A bill for an act relating to local government; requiring publicly owned or leased motor vehicles to be identified; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Bettermann introduced:

H. F. No. 2559, A bill for an act relating to employment; modifying provisions relating to payment of wages; amending Minnesota Statutes 1992, sections 181.032; 181.13; and 181.14.

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

Bettermann introduced:

H. F. No. 2560, A bill for an act relating to workers' compensation; permitting a collective bargaining agreement to address certain obligations and procedures relating to workers' compensation; proposing coding for new law in Minnesota Statutes, chapter 176.

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

Kelso and Vellenga introduced:

H. F. No. 2561, A bill for an act relating to education; transferring responsibilities of head start program from the department of jobs and training to the department of education.

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

Bettermann introduced:

H. F. No. 2562, A bill for an act relating to employment; modifying experience requirements for the labor and industry boiler inspection division chief; amending Minnesota Statutes 1992, section 183.375, subdivision 2.

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

McGuire introduced:

H. F. No. 2563, A bill for an act relating to health; modifying provisions for nursing home moratorium exceptions; amending Minnesota Statutes 1993 Supplement, section 144A.071, subdivision 4a.

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

Hasskamp introduced:

H. F. No. 2564, A bill for an act relating to wetlands; providing an exemption to replacement plans for wetlands within certain cities; amending Minnesota Statutes 1993 Supplement, section 103G.2241.

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

Nelson; Krueger; Anderson, I.; Rodosovich and Jaros introduced:

H. F. No. 2565, A bill for an act relating to education; appropriating money for the Northwest Technical College Center for International Training.

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

Onnen, Leppik, Lynch, Greenfield and Vellenga introduced:

H. F. No. 2566, A bill for an act relating to health; requiring a program to promote the long-term development of children and to prevent abuse; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Pauly and Mosel introduced:

H. F. No. 2567, A bill for an act relating to state government; permitting state employees to donate vacation leave for the benefit of a certain state employee.

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

Molnau, Mariani and Lynch introduced:

H. F. No. 2568, A bill for an act relating to crimes; prohibiting possession of tobacco by minors; prescribing penalties; amending Minnesota Statutes 1993 Supplement, section 609.685, subdivision 3.

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

Finseth, Swenson, Pugh, McGuire and Delmont introduced:

H. F. No. 2569, A bill for an act relating to corrections; requiring inspection of correctional facilities and lockups at least once every biennium; amending Minnesota Statutes 1992, sections 241.021, subdivision 2; and 642.09; Minnesota Statutes 1993 Supplement, section 241.021, subdivision 1.

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

McGuire introduced:

H. F. No. 2570, A bill for an act relating to recreational vehicles; authorizing off-road vehicle decal registration system for those off-road vehicles not operated on highways; imposing misdemeanor penalty for violation of rules; amending Minnesota Statutes 1993 Supplement, sections 84.798, subdivision 3; and 84.805; repealing Minnesota Statutes 1993 Supplement, section 84.798, subdivision 5.

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

Wejcman, Carlson, Morrison, Vellenga and Clark introduced:

H. F. No. 2571, A bill for an act relating to education; specifying that certain opportunities industrialization centers are eligible institutions for the purposes of the post-secondary enrollment options program; amending Minnesota Statutes 1992, section 124.3514, subdivision 3.

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

Waltman introduced:

H. F. No. 2572, A bill for an act relating to natural resources; authorizing the exchange of certain state lands in Wabasha and Fillmore counties under certain conditions.

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

Johnson, A.; Kahn; Garcia; Trimble and Mariani introduced:

H. F. No. 2573, A bill for an act relating to state government; requiring the attorney general to provide affirmative action officers for the state university system; amending Minnesota Statutes 1992, section 43A.191, subdivision 1.

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

Orenstein and Limmer introduced:

H. F. No. 2574, A bill for an act relating to ethics in government; specifying permitted and prohibited gifts to legislators and legislative employees; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Farrell, Trimble, McCollum and Osthoff introduced:

H. F. No. 2575, A bill for an act relating to economic development; appropriating money for the first phase development and infrastructure analysis of the Phalen corridor.

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

Dawkins introduced:

H. F. No. 2576, A bill for an act relating to taxation; providing an income tax credit for certain home mortgage interest paid by individuals; amending Minnesota Statutes 1992, section 290.06, by adding a subdivision.

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

Rukavina and Beard introduced:

H. F. No. 2577, A bill for an act relating to employment; establishing a retraining and targeted training grants program for certain workers; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Cooper, Pelowski, Solberg, Anderson, R., and Davids introduced:

H. F. No. 2578, A bill for an act relating to health; establishing reimbursement criteria for ambulance services; requiring negotiation of ambulance service rates in the integrated service network system; providing exemptions from growth limits and fee schedules for ambulance services; modifying the definition of volunteer ambulance service; requiring a rate regulation study; amending Minnesota Statutes 1993 Supplement, section 295.52, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 62J; 62N; and 62P.

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

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

H. F. No. 2579, A bill for an act relating to liquor; authorizing counties to issue off-sale licenses in certain towns; amending Minnesota Statutes 1992, section 340A.405, subdivision 2.

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

Wejcman and Jefferson introduced:

H. F. No. 2580, A bill for an act relating to education; adding opportunities industrialization centers to the post-secondary enrollment options program; amending Minnesota Statutes 1992, section 123.3514, subdivision 3.

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

Clark, Neary, Cooper and Jennings introduced:

H. F. No. 2581, A bill for an act relating to health; giving the commissioner of administration authority to negotiate contracts for all prescription drugs sold in Minnesota; allowing correction orders to be issued; establishing a cause of action; establishing a formulary and a drug technology assessment committee; requiring price disclosure and cost savings; requiring a study of a statewide list of covered drugs; proposing coding for new law in Minnesota Statutes, chapters 16B; and 144.

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

Cooper, Kalis, Mosel, Nelson and Brown, C., introduced:

H. F. No. 2582, A bill for an act relating to health; providing a definition of first responder; requiring the commissioner to adopt rules to regulate first responders; amending Minnesota Statutes 1992, sections 144.801, by adding a subdivision; and 144.804, by adding a subdivision.

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

Winter, Steensma, Trimble, Girard and Olson, K., introduced:

H. F. No. 2583, A bill for an act relating to the history of the state; authorizing the southwest regional development commission to establish a historical display facility known as Prairieland Expo; providing a grant to the southwest regional development commission; appropriating money; authorizing the sale of bonds.

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

Jacobs; Tunheim; Bertram; Olson, E., and Onnen introduced:

H. F. No. 2584, A bill for an act relating to telecommunications; exempting independent, cooperative, and municipal telephone companies from rate regulation by public utilities commission; amending Minnesota Statutes 1992, sections 237.01, subdivision 3; 237.081, subdivisions 1 and 1a; and 237.22; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Wejcman introduced:

H. F. No. 2585, A bill for an act relating to crime victims; strengthening the autonomy of the ombudsman; expanding the powers of the ombudsman to inspect records and premises; providing the ombudsman with subpoena powers; amending Minnesota Statutes 1992, sections 611A.73, subdivision 3; and 611A.74.

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

Rice, Lourey and Brown, C., introduced:

H. F. No. 2586, A bill for an act relating to public safety; increasing fee for motor vehicle transfers and dedicating proceeds to pay for state patrol vehicles; establishing state patrol motor vehicle account and appropriating money in the account; amending Minnesota Statutes 1992, section 168A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299D.

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

Seagren introduced:

H. F. No. 2587, A bill for an act relating to state departments and agencies; department of employee relations; providing for implementation of management training programs, authorizing the use of facsimile machines; abolishing the career executive service; amending Minnesota Statutes 1992, sections 13.67; 43A.21, subdivision 3; and 43A.32, subdivision 2; repealing Minnesota Statutes 1992, section 43A.21, subdivision 5.

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

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

H. F. No. 2588, A bill for an act relating to energy; modifying provisions relating to liquefied petroleum gas sales; establishing an account; amending Minnesota Statutes 1993 Supplement, sections 239.785, subdivision 2, and by adding a subdivision; Laws 1993, chapter 369, section 11.

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

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

H. F. No. 2589, A bill for an act relating to motor fuels; specifying ten-county area as carbon monoxide control area; requiring annual registration of oxygenate blenders; specifying records that must be maintained by oxygenate blenders and allowing for audits; making technical amendments relating to regulation of oxygenated fuels; amending Minnesota Statutes 1992, sections 239.05, subdivisions 6a and 10b; and 239.791, subdivisions 3, 4, 5, 7, and by adding a subdivision; Minnesota Statutes 1993 Supplement, section 239.791, subdivision 8; repealing Minnesota Statutes 1993 Supplement, section 239.791, subdivision 6.

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

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

H. F. No. 2590, A bill for an act relating to energy; classifying and requiring information on applications for the municipal energy conservation investment loan program; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 216C.37, subdivision 3, and by adding subdivisions; Minnesota Statutes 1993 Supplement, section 216C.37, subdivision 1; repealing Minnesota Statutes 1992, section 216C.37, subdivision 8.

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

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

H. F. No. 2591, A bill for an act relating to utilities; eliminating duplicate reporting relating to energy demand forecasting information by public utilities; amending Minnesota Statutes 1992, sections 116C.57, subdivision 3; 216B.241, subdivision 1a; and 216C.17, subdivision 2; Minnesota Statutes 1993 Supplement, sections 216B.2422, by adding a subdivision; and 216C.17, subdivision 3; repealing Minnesota Statutes 1993 Supplement, section 116C.54.

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

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

H. F. No. 2592, A bill for an act relating to taxation; increasing certain mineral related taxes; amending Minnesota Statutes 1992, sections 273.165, subdivision 1; and 298.26.

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

Leppik, Simoneau, Rukavina, Winter and Gruenes introduced:

H. F. No. 2593, A bill for an act relating to state government; administrative procedure; regulating rulemaking; amending Minnesota Statutes 1992, sections 3.842, by adding a subdivision; 14.03, subdivision 3; 14.131; 14.15, subdivision 4; 14.16, by adding a subdivision; 14.18, subdivision 1; 14.19; 14.23; 14.365; 17.84; 43A.04, by adding a subdivision; and 84.027, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 3.984, subdivision 2; and 16A.1285, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 4; and 14; repealing Minnesota Statutes 1992, sections 3.846; 14.11; 14.115; 14.1311; 14.235; 14.29; 14.30; 14.305; 14.31; 14.32; 14.33; 14.34; 14.35; 14.36; and 17.83.

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

Long, Lynch, Simoneau and Gruenes introduced:

H. F. No. 2594, A bill for an act relating to the environment; establishing a cleanup program for closed landfills; establishing an advisory committee; authorizing rulemaking; providing penalties; authorizing the sale of bonds; appropriating money; amending Minnesota Statutes 1992, section 115B.05, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 115B.42, subdivision 2; and 116.07, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 115B.

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

Van Engen, Goodno, Solberg, Rukavina and Milbert introduced:

H. F. No. 2595, A bill for an act relating to taxation; property; reducing the time required for seasonal recreational property occupied by a relative to qualify for homestead treatment; amending Minnesota Statutes 1993 Supplement, section 273.124, subdivision 1.

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

McGuire and Swenson introduced:

H. F. No. 2596, A bill for an act relating to alcoholic beverages; extending the dram shop act to include illegal gifts of alcoholic beverages to persons under age 21; amending Minnesota Statutes 1992, section 340A.801, subdivision 1; repealing Minnesota Statutes 1992, section 340A.801, subdivision 6.

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

Pugh introduced:

H. F. No. 2597, A bill for an act relating to criminal procedure; requiring local correctional departments to perform pretrial bail evaluation for certain felonies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 629.

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

Evans; Anderson, I.; Murphy; Kahn and Van Dellen introduced:

H. F. No. 2598, A bill for an act relating to state government; board of government innovation and cooperation; authorizing local governments to apply to the board for waivers on behalf of nonprofit organizations providing services to the local governments; modifying certain powers and duties of the board; modifying grant programs administered by the board; appropriating money; amending Minnesota Statutes 1993 Supplement, sections 465.795, subdivision 7; 465.796, subdivision 2; 465.797, subdivisions 1, 2, 3, 4, and 5; 465.798; and 465.799; proposing coding for new law in Minnesota Statutes, chapter 465; repealing Minnesota Statutes 1992, section 465.80, subdivision 3; Minnesota Statutes 1993 Supplement, section 465.80, subdivisions 1, 2, 4, and 5.

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

Van Engen, Cooper, Swenson, Beard and Steensma introduced:

H. F. No. 2599, A bill for an act relating to capital improvements; appropriating money for the Prairie Woods environmental learning center in Kandiyohi county; authorizing the sale of state bonds.

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

Rodosovich, for the Higher Education Finance Division, introduced:

H. F. No. 2600, 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; proposing coding for new law in Minnesota Statutes, chapter 135A.

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

Gruenes and Stanius introduced:

H. F. No. 2601, A bill for an act relating to game and fish; authorizing certain disabled permit holders to take deer of either sex; amending Minnesota Statutes 1992, section 97B.055, subdivision 3.

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

Rodosovich introduced:

H. F. No. 2602, A bill for an act relating to elections; codifying and recodifying the legislative district boundaries used for the 1992 election, with adjustments to avoid dividing the cities of Willernie and New Hope and simplify the division of Ham Lake; providing for distribution and correction of redistricting plans; amending Minnesota Statutes 1992, sections 2.031, subdivision 2; 2.043; 2.053; 2.063; 2.073; 2.083; 2.093, subdivision 2; 2.103; 2.113; 2.123; 2.133; 2.143; 2.153, subdivision 2; 2.163; 2.173; 2.183; 2.193; 2.203, subdivision 1; 2.213; 2.223; 2.233; 2.243; 2.253; 2.263; 2.273; 2.283; 2.293; 2.313; 2.323; 2.333; 2.343; 2.353; 2.363; 2.373; 2.383; 2.393; 2.403; 2.413; 2.433; 2.443; 2.453, subdivision 1; 2.463; 2.473, subdivision 2; 2.483, subdivision 2; 2.493; 2.503; 2.513, subdivision 1; 2.523; 2.533; 2.543, subdivision 1; 2.553; 2.563; 2.573; 2.583; 2.593, subdivision 2; 2.603; 2.613, subdivision 2; 2.623; 2.633, subdivision 2; 2.643; 2.653, subdivision 1; 2.663; 2.673; 2.683, subdivision 1; 2.693; and 2.703, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 2.

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

Pugh introduced:

H. F. No. 2603, A bill for an act relating to civil actions; consolidating and recodifying statutes providing limitations on private personal injury liability; amending Minnesota Statutes 1992, section 144.761, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 604A; repealing Minnesota Statutes 1992, sections 31.50; 87.021; 87.0221; 87.023; 87.024; 87.025; 87.026; 87.03; 604.05; 604.08; 604.09; and 609.662, subdivision 5.

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

Clark, Lourey, Greenfield and Mariani introduced:

H. F. No. 2604, A bill for an act relating to insurance; requiring health plans and other forms of health coverage to cover sign and other language translations; requiring coverage of sign and other language translations under workers' compensation; requiring reimbursement for sign and other language translation services provided to enrollees of state health care programs; appropriating money; amending Minnesota Statutes 1992, sections 65B.44, subdivision 2; 176.011, subdivision 24; and 176.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62A; 65A; and 256.

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

Dorn introduced:

H. F. No. 2605, A bill for an act relating to transportation; bonding; abolishing requirement that electorate approve bonds in excess of tax limitations for airports and authorizing issuance by 60 percent vote of governing body; allowing taxes to be levied by local governing body to pay bond principal or interest; allowing one municipality to issue bonds on behalf of other municipalities in a joint agreement; amending Minnesota Statutes 1992, sections 360.036, subdivisions 2 and 3; 360.037, subdivision 2; and 360.042, subdivision 10.

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

Bettermann, Koppendraye, Kelso, Bauerly and Sviggum introduced:

H. F. No. 2606, A bill for an act relating to education; preventing the prevailing wage law from applying to school district construction and debt service equalization; amending Minnesota Statutes 1992, section 124.95, subdivision 5.

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

Winter, Reding and Farrell introduced:

H. F. No. 2607, A bill for an act relating to human services; clarifying the definition of insurer; amending Minnesota Statutes 1992, section 518.003, by adding a subdivision.

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

Gruenes introduced:

H. F. No. 2608, A bill for an act relating to human services; directing the commissioner to seek waivers of federal restrictions on lump sum payments for medical services.

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

Pelowski, Carlson, Morrison, Dorn and Opatz introduced:

H. F. No. 2609, A bill for an act relating to education; defining higher education board authority for bargaining with certain employees; designating certain higher education board employees as unclassified; clarifying transfer provisions for the merger of community colleges, state universities, and technical colleges; transferring bonding authority for the state universities to the higher education board; clarifying the calculation of instructional appropriations; establishing the higher education board as the sole state agency for federal funding for vocational education; providing for appointments of additional student members on the higher education board; authorizing the higher education board to supervise and control construction, improvement, and repair of its facilities; amending Minnesota Statutes 1992, sections 43A.06, subdivision 1; 43A.08, subdivision 1; 43A.18, by adding a subdivision; 135A.03, subdivision 1; 136.31; 136.32; 136.33; 136.34; 136.35; 136.36; 136.37; 136.38; 136.41, by adding a subdivision; 136C.06; 136E.01, subdivisions 1 and 2; and 179A.10, subdivision 1; Minnesota Statutes 1993 Supplement, sections 43A.18, subdivision 4; and 136.41, subdivision 8; Laws 1991, chapter 356, article 9, sections 8, subdivision 1; 9; 12; and 13; proposing coding for new law in Minnesota Statutes, chapter 136E; repealing Minnesota Statutes 1992, sections 136.31, subdivision 6; 136.40; 136.41, subdivisions 1, 2, 3, 4, 5, 6, and 7; and 136.42.

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

Pauly, Sekhon, Commers, Sviggum and Bergson introduced:

H. F. No. 2610, A bill for an act relating to the environment; making the field citation pilot project permanent law; authorizing penalties for unauthorized waste disposal; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Vellenga, Mariani, Wejcman, Dawkins and Carruthers introduced:

H. F. No. 2611, A bill for an act relating to public administration; authorizing spending to make public improvements of a capital nature; authorizing issuance of bonds; authorizing assessment of debt service; appropriating money.

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

Anderson, R.; Solberg; Kelso; Skoglund and Johnson, R., introduced:

H. F. No. 2612, A bill for an act relating to public administration; authorizing spending to make public improvements of a capital nature; authorizing issuance of bonds; authorizing assessment of debt service; appropriating money.

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

Luther introduced:

H. F. No. 2613, A bill for an act relating to crimes; enhancing penalty to gross misdemeanor for refusing to submit to testing to determine if violator is driving under influence of alcohol or controlled substance, when child under age of 16 is in vehicle; amending Minnesota Statutes 1993 Supplement, section 169.121, subdivision 3.

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

Jefferson introduced:

H. F. No. 2614, A bill for an act relating to government data; classifying certain data obtained by the department of trade and economic development as nonpublic; amending Minnesota Statutes 1992, section 13.76, by adding a subdivision.

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

Trimble introduced:

H. F. No. 2615, A bill for an act relating to commerce; regulating currency exchanges; expanding the definition of a currency exchange; providing for a national criminal history check on license applicants; requiring employees to register and undergo a background check; requiring a new owner to file an initial license application; increasing the required surety bond principal amount; prohibiting the issuance of money orders; prescribing penalties; amending Minnesota Statutes 1992, sections 53A.01, subdivision 1; 53A.05, subdivision 2; 53A.08; 53A.09; and 53A.10; Minnesota Statutes 1993 Supplement, section 53A.03; proposing coding for new law in Minnesota Statutes, chapter 53A.

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

Trimble introduced:

H. F. No. 2616, A bill for an act relating to wild animals; requiring permits from the commissioner of natural resources to administer chemical substances to wild animals; amending Minnesota Statutes 1992, section 97A.501, by adding a subdivision.

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

Jacobs, Osthoff and Gruenes introduced:

H. F. No. 2617, A bill for an act relating to alcoholic beverages; defining terms; prohibiting certain solicitations by retailers; authorizing consignment sales of beer by wholesalers to temporary licensees; removing requirement that retail licensees be citizens or resident aliens; authorizing counties to issue on-sale licenses to hotels; allowing registered political committees in existence for less than three years to obtain temporary on-sale licenses; placing restrictions on the number of temporary licenses issued to any organization or for any location; imposing new restrictions on issuance of more than one off-sale license to any person in a municipality; regulating certain wine tastings; restricting use of coupons by retailers, wholesalers, and manufacturers; providing penalties; amending Minnesota Statutes 1992, sections 340A.101, subdivision 13; 340A.308; 340A.404, subdivisions 6 and 10; 340A.405, subdivision 4; 340A.410, by adding a subdivision; 340A.412, subdivision 3; and 340A.416, subdivision 3; Minnesota Statutes 1993 Supplement, sections 340A.402; and 340A.415; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

Clark, Greenfield, Dawkins, Lourey and Rukavina introduced:

H. F. No. 2618, A bill for an act relating to health; changing the membership of regional coordinating boards; creating the Minnesota health assurance board; designating the board as the sole seller of insurance policies; requiring statewide and regional health care budgets; abolishing the Minnesota health care commission; appropriating money; amending Minnesota Statutes 1992, section 62J.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1992, section 62J.05, as amended; Minnesota Statutes 1993 Supplement, section 62J.09, subdivisions 2 and 8.

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

Winter, Vellenga and Steensma introduced:

H. F. No. 2619, A bill for an act relating to education; authorizing state bonding for construction of new residential facilities for the Lakeview school; authorizing issuance of bonds; appropriating money.

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

Farrell, Mariani, Garcia and McCollum introduced:

H. F. No. 2620, A bill for an act relating to motor vehicles; authorizing commissioner of public safety to study motor vehicle safety standards and inspection programs and make recommendations to legislature; appropriating money.

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

Anderson, I., introduced:

H. F. No. 2621, A bill for an act relating to rural development finance authorities; authorizing a city-county rural development finance authority in Koochiching county; repealing Laws 1987, chapter 182.

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

Anderson, I., introduced:

H. F. No. 2622, A bill for an act relating to state lands; authorizing the department of natural resources to sell certain state land in the counties of Itasca and St. Louis.

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

Anderson, I., introduced:

H. F. No. 2623, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Itasca county.

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

Reding, Knickerbocker, Rest, Solberg and Evans introduced:

H. F. No. 2624, A bill for an act relating to employee relations; ratifying labor agreements.

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

Mahon; Brown, C.; Long and Delmont introduced:

H. F. No. 2625, A bill for an act relating to the metropolitan waste control commission; reducing the salary range of the chair; providing for a part-time chair; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7; and 473.503.

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

Wenzel introduced:

H. F. No. 2626, A bill for an act relating to retirement; authorizing purchase of prior service credit from the teachers retirement association by a certain member.

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

Hausman; Johnson, A.; Greiling; Carlson and Lasley introduced:

H. F. No. 2627, A bill for an act relating to libraries; establishing a grant program for library services to children and their families; appropriating money.

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

Battaglia and Rukavina introduced:

H. F. No. 2628, A bill for an act relating to state lands; authorizing the private sale of certain tax-forfeited lands bordering public waters in Cook county.

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

Lourey introduced:

H. F. No. 2629, A bill for an act relating to civil commitment; clarifying the standards for emergency admissions; requiring notice; establishing a community care pilot project for certain committed patients in the catchment area served by the Moose Lake regional treatment center; amending Minnesota Statutes 1992, section 253B.05, subdivisions 2 and 3.

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

Carlson introduced:

H. F. No. 2630, A bill for an act relating to traffic regulations; increasing from \$500 to \$1,000 the threshold level of reportable motor vehicle accidents; amending Minnesota Statutes 1993 Supplement, section 169.09, subdivision 7.

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

Garcia; Johnson, A.; Jacobs; Weaver and McCollum introduced:

H. F. No. 2631, A bill for an act relating to taxation; exempting transit providers receiving reimbursement for transporting persons needing medical assistance from payment of excise tax on gasoline; amending Minnesota Statutes 1993 Supplement, section 296.02, subdivision 1a.

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

Gutknecht, Van Dellen and Hugoson introduced:

H. F. No. 2632, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; requiring a special vote on new taxes, tax increases, and tax extensions.

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

McGuire introduced:

H. F. No. 2633, A bill for an act relating to recreational vehicles; imposing misdemeanor penalty for violation of off-road motorcycle registration laws and rules; amending Minnesota Statutes 1993 Supplement, section 84.796.

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

Lourey introduced:

H. F. No. 2634, A bill for an act relating to transportation; requiring understandable notice of requirements for appealing town road damage awards; amending Minnesota Statutes 1992, section 164.07, subdivision 6.

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

Wagenius, Kahn, Munger, Trimble and Pauly introduced:

H. F. No. 2635, A bill for an act relating to the environment; requiring, as part of the environmental review of proposed projects and activities, an analysis of the effect of the projects or activities on total carbon dioxide emissions

in the state in order to minimize the burden on existing industry to reduce carbon dioxide emissions; proposing coding for new law in Minnesota Statutes, chapter 116D.

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

Jefferson introduced:

H. F. No. 2636, A bill for an act relating to the jobs and training department; making changes of a technical and housekeeping nature; amending Minnesota Statutes 1992, sections 248.011; 248.07, subdivisions 1, 2, 3, 4, 5, 13, 14a, and 16; 248.11; 268A.09; and 268A.11, subdivisions 1 and 3; Minnesota Statutes 1993 Supplement, sections 248.10; and 268A.02, subdivision 2; repealing Minnesota Statutes 1992, sections 268A.12.

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

Jefferson introduced:

H. F. No. 2637, A bill for an act relating to juvenile justice; requiring student participation and completion of courses in violence prevention and nonviolent conflict resolution; providing that juveniles who commit certain crimes have a right to trial by a jury of their peers; providing for implementation of a juvenile justice peer group jury system; amending Minnesota Statutes 1993 Supplement, section 260.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 126; and 260.

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

Sekhon, Munger, Trimble, Pauly and Bishop introduced:

H. F. No. 2638, A bill for an act relating to metropolitan waste control commission; authorizing the commission to enter into agreements to implement total watershed management; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Greiling, Carlson and Johnson, A., introduced:

H. F. No. 2639, A bill for an act relating to education; requiring school districts to provide staff development training for food service employees; appropriating money; proposing coding for new law in chapter 126.

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

Pugh introduced:

H. F. No. 2640, A bill for an act relating to courts; unauthorized practice of law; exempting certain conduct from the ban on unauthorized practice; amending Minnesota Statutes 1993 Supplement, section 481.02, subdivision 3.

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

Greenfield, Leppik, Orenstein and Rukavina introduced:

H. F. No. 2641, A bill for an act relating to insurance; utilization review; making utilization review for workers' compensation health care subject to state regulation; amending Minnesota Statutes, sections 62M.01, subdivision 2; 62M.02, subdivisions 6, 12, and 21; and 62M.15.

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

Pugh introduced:

H. F. No. 2642, A bill for an act relating to crime prevention; juvenile mental health; requiring mental health assessments of all juveniles alleged or found to be delinquent and all children reported or found to be in need of protection or services; expanding youth intervention programs to underserved communities and populations; appropriating money; amending Minnesota Statutes 1992, section 260.152.

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

Murphy introduced:

H. F. No. 2643, A bill for an act relating to workers' compensation; providing coverage for certain civil air patrol volunteers; amending Minnesota Statutes 1992, section 176.011, subdivision 9.

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

Dawkins introduced:

H. F. No. 2644, A bill for an act relating to companion animals; establishing a low-cost spaying and neutering program; imposing a tax on wholesale sales of dog and cat food; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 346; proposing coding for new law as Minnesota Statutes, chapter 297E.

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

Greiling and McGuire introduced:

H. F. No. 2645, A bill for an act relating to counties; providing for the filling by appointment of certain offices previously elective; providing for conforming changes; amending Minnesota Statutes 1992, section 382.01; repealing Minnesota Statutes 1992, section 382.02.

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

Olson, E.; Tunheim and Lieder introduced:

H. F. No. 2646, A bill for an act relating to agriculture; expanding the restricted seed potato growing area; amending Minnesota Statutes 1992, section 21.1196, subdivision 1.

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

Murphy and Lourey introduced:

H. F. No. 2647, A bill for an act relating to education; establishing a Time and Technology Enhanced Curriculum school pilot project; appropriating money.

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

McCollum, Garcia, Lieder, Krinkie and Osthoff introduced:

H. F. No. 2648, A bill for an act relating to traffic regulations; applying inspection requirements for commercial motor vehicles to school buses; amending Minnesota Statutes 1992, section 169.781, subdivision 1.

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

Hasskamp introduced:

H. F. No. 2649, A bill for an act relating to motor vehicles; requiring the registrar of motor vehicles to appoint a deputy registrar in the city of Crosby.

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

Bergson and Lieder introduced:

H. F. No. 2650, A bill for an act relating to elections; regulating certain political conduct of judges, appointees to judicial office, and candidates for judicial office; proposing coding for new law in Minnesota Statutes, chapter 211B.

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

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

H. F. No. 2651, A bill for an act relating to the state board of investment; management of funds under the board's control; amending Minnesota Statutes 1992, sections 11A.17, subdivisions 1, 4, 9, 10a, and 14; 11A.18, subdivision 9; 11A.24, subdivisions 3, 5, and 6; 353D.05, subdivision 2; and 354B.07, subdivision 2; Minnesota Statutes 1993 Supplement, sections 11A.24, subdivisions 1 and 4; 352D.04, subdivision 1; and 354B.05, subdivision 3.

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

Jennings, Simoneau, Garcia and Stanius introduced:

H. F. No. 2652, A bill for an act relating to human services; adjusting reimbursement rates for special transportation services; amending Minnesota Statutes 1993 Supplement, section 256B.0625, subdivision 17.

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

Dawkins; Reding; Johnson, R.; Knickerbocker and Mariani introduced:

H. F. No. 2653, A bill for an act relating to retirement; revising laws governing postretirement adjustments for the St. Paul teachers retirement fund association; proposing coding for new law in Minnesota Statutes, chapter 354A.

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

Carruthers, Jacobs, Jaros, Simoneau and Workman introduced:

H. F. No. 2654, A bill for an act relating to tax increment financing; exempting redevelopment districts from certain reductions in state aids; amending Minnesota Statutes 1993 Supplement, section 273.1399, subdivision 1.

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

Lasley; Olson, K., and Ness introduced:

H. F. No. 2655, A bill for an act relating to education; modifying the secondary vocational aid formula; amending Minnesota Statutes 1993 Supplement, section 124.573, subdivision 2b.

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

Orenstein introduced:

H. F. No. 2656, A bill for an act relating to motor vehicles; allowing owners of passenger automobiles to register them for one or more quarters of the registration year; amending Minnesota Statutes; amending Minnesota Statutes 1992, sections 168.017, subdivisions 3, 4, and by adding a subdivision.

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

Vellenga, Winter and McCollum introduced:

H. F. No. 2657, A bill for an act relating to state parks; allowing handicapped persons to receive a special permit; amending Minnesota Statutes 1992, section 85.053, subdivision 7.

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

Kahn, Reding, Opatz, Gruenes and Johnson, R., introduced:

H. F. No. 2658, A bill for an act relating to retirement; waiving the annuity reduction for certain faculty in the state university system who return to teaching part-time after retirement; mandating employer-paid health insurance for these faculty; proposing coding for new law in Minnesota Statutes, chapters 136 and 354.

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

Hasskamp introduced:

H. F. No. 2659, A bill for an act relating to employment; providing for the payment of the minimum wage to an on-call employee; amending Minnesota Statutes 1992, section 177.24, subdivision 1.

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

Kinkel, Dauner and Nelson introduced:

H. F. No. 2660, A bill for an act relating to taxation; sales and use; expanding the definition of isolated and occasional sales; amending Minnesota Statutes 1992, section 297A.25, subdivision 12.

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

Johnson, R., introduced:

H. F. No. 2661, A bill for an act relating to lawful gambling; regulating the deposit of gambling receipts; amending Minnesota Statutes 1992, section 349.19, subdivision 2.

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

Lourey, Nelson, Brown, K., Ostrom and Tompkins introduced:

H. F. No. 2662, A bill for an act relating to employment; appropriating money for the displaced homemaker program.

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

Johnson, A., Bauerly, Jefferson and Vellenga introduced:

H. F. No. 2663, A bill for an act relating to information practices; providing for release of certain information on juvenile offenders to schools and victims; limiting release of records; requiring schools to designate juvenile liaison

officers; providing for the preparation of an information policy training plan; appropriating money; amending Minnesota Statutes 1992, sections 13.84, subdivision 5a; and 260.161, subdivision 2, and by adding subdivisions; Minnesota Statutes 1993 Supplement, section 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 123.

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

Kelso and Simoneau introduced:

H. F. No. 2664, A bill for an act relating to information practices; providing for release of certain information on juvenile offenders to schools and victims; limiting release of records; requiring schools to designate juvenile liaison officers; providing for the preparation of an information policy training plan; appropriating money; amending Minnesota Statutes 1992, sections 13.84, subdivision 5a; and 260.161, subdivision 2, and by adding subdivisions; Minnesota Statutes 1993 Supplement, section 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 123.

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

McGuire, Battaglia, Munger, Swenson and Peterson introduced:

H. F. No. 2665, A bill for an act relating to parks and recreation; adding lands to certain state parks; converting certain recreation areas to state parks; deleting land from a recreation area; combining a trail and certain waysides into a recreation area; abolishing a state park; amending Minnesota Statutes 1992, section 85.054, by adding a subdivision; repealing Minnesota Statutes 1992, sections 85.012, subdivision 24; and 85.013, subdivisions 16, 18a, 24, 26, and 28.

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

Brown, C.; Nelson; Tompkins; Mariani and Johnson, V., introduced:

H. F. No. 2666, A bill for an act relating to local government; prohibiting the adoption of certain zoning ordinances by municipalities and counties; amending Minnesota Statutes 1992, sections 394.25, by adding a subdivision; and 462.357, by adding a subdivision.

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

Jefferson and Carruthers introduced:

H. F. No. 2667, A bill for an act relating to corrections; establishing the right step academy for African-American youths as an alternative to incarceration; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Pauly introduced:

H. F. No. 2668, A bill for an act relating to ethics in government; providing a code of ethics for public servants; establishing an ethics and campaign practices board; imposing penalties; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 6; and 10A.02, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Mosel, Peterson, Girard and Lieder introduced:

H. F. No. 2669, A bill for an act relating to water; establishing the drinking water revolving fund administered by the public facilities authority and the department of health; amending Minnesota Statutes 1992, section 446A.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 446A.

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

Kahn, Sarna and Knickerbocker introduced:

H. F. No. 2670, A bill for an act relating to retirement; adding Hennepin county paramedics and emergency medical technicians to membership in the public employees police and fire fund; amending Minnesota Statutes 1992, section 353.64, by adding a subdivision.

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

Rodosovich introduced:

H. F. No. 2671, A bill for an act relating to elections; codifying the congressional district plan adopted by the Minnesota special redistricting panel; proposing coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 1992, sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.

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

Rodosovich introduced:

H. F. No. 2672, A bill for an act relating to elections; eliminating combined precincts but authorizing a combined polling place under the same conditions; adding three years to the time precinct boundaries may be changed; requiring separate precincts for each congressional district; limiting precinct boundary changes close to an election; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 2 and 3; 204B.22, subdivision 1; and 205A.11; Minnesota Statutes 1993 Supplement, section 204B.14, subdivisions 4 and 5; repealing Minnesota Statutes 1992, sections 204B.14, subdivision 8; and 204B.16, subdivision 2.

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

Pugh; Brown, C.; McGuire; Johnson, V., and Olson, K., introduced:

H. F. No. 2673, A bill for an act relating to government; providing that a public body may close one or more meetings for preliminary consideration of charges against an individual subject to its authority; amending Minnesota Statutes 1992, section 471.705, subdivision 1d.

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

Olson, K.; Bauerly; Kelso; Hausman and Brown, K., introduced:

H. F. No. 2674, A bill for an act relating to education; clarifying that special education aids and levies for school districts are not reduced by medical assistance and insurance payments; amending Minnesota Statutes 1992, section 124.90, by adding a subdivision.

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

Lourey introduced:

H. F. No. 2675, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public waters in Aitkin county.

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

Jacobs, Osthoff, Frerichs, Goodno and Anderson, I., introduced:

H. F. No. 2676, A bill for an act relating to alcoholic beverages; agreements between brewers and wholesalers; regulating refusals by brewers to supply beer to wholesalers; regulating assignments of brand extensions; specifying circumstances in which agreements between brewers and wholesalers may be terminated or not renewed; prohibiting certain practices by brewers; amending Minnesota Statutes 1992, sections 325B.02; 325B.04; 325B.05; 325B.12; proposing coding for new law in Minnesota Statutes, chapter 325B.

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

Brown, C.; Clark and Olson, E., introduced:

H. F. No. 2677, A bill for an act relating to burial grounds; modifying provisions for enforcement of certain civil actions; amending Minnesota Statutes 1993 Supplement, section 307.082.

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

Dawkins introduced:

H. F. No. 2678, A bill for an act relating to education; making modifications to the Minnesota youth works act; providing for appointments; amending Minnesota Statutes 1993 Supplement, sections 121.702, subdivisions 2 and 9; 121.703; 121.705; 121.706; 121.707, subdivisions 1, 2, 3, 4, 5, 6, and 7; 121.708; 121.710; and 121.885, subdivisions 1, 2, and 4.

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

Dauner, Goodno and Nelson introduced:

H. F. No. 2679, A bill for an act relating to boilers and engines; modifying provisions relating to hobby boilers and show engines; amending Minnesota Statutes 1992, section 183.411, subdivision 2; repealing Minnesota Statutes 1992, section 183.411, subdivision 1a.

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

Jefferson, Trimble and Farrell introduced:

H. F. No. 2680, A bill for an act relating to charitable organizations; changing definitions; modifying registration and waiver requirements; amending Minnesota Statutes 1993 Supplement, section 309.501, subdivisions 1, 3, and 4.

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

Knight and Dempsey introduced:

H. F. No. 2681, A bill for an act relating to health; exempting dentists from the MinnesotaCare provider tax; amending Minnesota Statutes 1993 Supplement, section 295.53, by adding a subdivision.

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

Olson, E.; Johnson, R.; Finseth; Kinkel and Tunheim introduced:

H. F. No. 2682, A bill for an act relating to wild animals; compensation to livestock owners for damage done by certain protected mammals; amending Minnesota Statutes 1992, section 3.737, subdivisions 1 and 4.

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

Bergson; Winter; Wenzel; Johnson, V., and Johnson, A., introduced:

H. F. No. 2683, A bill for an act relating to the military; extending the date for the closure of national guard armories; amending Laws 1992, chapter 511, article 2, sections 49 and 50.

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

Knight, Wolf and Dempsey introduced:

H. F. No. 2684, A bill for an act proposing an amendment to the Minnesota Constitution, by adding a section to article XII requiring full funding of state mandates on local governments.

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

Wenzel introduced:

H. F. No. 2685, A bill for an act relating to the military; appropriating money for a day care center at Camp Ripley.

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

Knight, Wolf and Dempsey introduced:

H. F. No. 2686, A bill for an act relating to state government; placing limits on growth in the number of state employees; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Rukavina; Anderson, I.; Rodosovich and Kinkel introduced:

H. F. No. 2687, A bill for an act relating to capital improvements; appropriating money for capital improvements at Mesabi Community College; authorizing the sale of bonds.

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

Lourey, Murphy, Solberg, Ozment and Munger introduced:

H. F. No. 2688, A bill for an act relating to capital improvements; appropriating money for a scrap paper sorting facility operated by the department of corrections on prison grounds; authorizing the sale of state bonds.

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

Greenfield introduced:

H. F. No. 2689, A bill for an act relating to civil commitment; clarifying certain procedures for hearings on the administration of neuroleptic medications; amending Minnesota Statutes 1992, section 253B.03, subdivision 6c.

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

McGuire, Long, Clark and Greenfield introduced:

H. F. No. 2690, A bill for an act relating to parentage; providing for assistance in correcting inaccurate birth certificate information about a person who was a state ward; requiring blood tests and sharing of medical records; proposing coding for new law in Minnesota Statutes, chapter 257.

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

Hasskamp introduced:

H. F. No. 2691, A bill for an act relating to natural resources; making violations of rules governing ecologically harmful species misdemeanors; amending Minnesota Statutes 1992, section 84.9691.

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

Wenzel introduced:

H. F. No. 2692, A bill for an act relating to state lands; authorizing private sale of certain state land in Crow Wing county to resolve an encroachment situation.

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

Pugh, McGuire, Wagenius, Battaglia and Weaver introduced:

H. F. No. 2693, A bill for an act relating to appropriations; appropriating money and authorizing the sale of bonds for contamination cleanup grants.

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

Lieder and Johnson, V., introduced:

H. F. No. 2694, A bill for an act relating to transportation; establishing a county state-aid dispute resolution board; modifying highway fund apportionment to counties; amending Minnesota Statutes 1992, sections 162.02, subdivisions 7, 8, and by adding a subdivision; and 162.07, subdivisions 1, 3, and 5.

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

Lieder, Rice, Dauner and Wenzel introduced:

H. F. No. 2695, A bill for an act relating to agriculture; appropriating money for a capital access program to facilitate construction of an agricultural product processing facility.

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

Olson, E.; Johnson, R., and Tunheim introduced:

H. F. No. 2696, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 38, Red Lake.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. Nos. 1651, 1473, 1660 and 1752.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 2081, 1898 and 1894.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1651, A bill for an act relating to local government; requiring publicly owned or leased motor vehicles to be identified; proposing coding for new law in Minnesota Statutes, chapter 471.

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

S. F. No. 1473, A bill for an act relating to civil commitment; modifying certain provisions concerning the petition and prepetition procedures; providing instructions to the revisor of statutes; amending Minnesota Statutes 1992, section 253B.07, subdivisions 1, 2, 4, and by adding a subdivision.

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

S. F. No. 1660, A bill for an act relating to statutes of limitations; enacting the uniform conflict of laws-limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

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

S. F. No. 1752, A bill for an act relating to highways; designating the Laura Ingalls Wilder historic highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

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

S. F. No. 2081, A bill for an act relating to state agencies; providing that the open appointments act applies to certain appointments made by the governor and by legislators; authorizing the secretary of state to collect data regarding appointments to multimember agencies by electronic means; requiring multimember agencies to register with the secretary of state; requiring the secretary of state to publish information collected through registration; requiring the secretary of state to furnish copies of registration data to the legislative reference library; extending the expiration date of certain advisory councils; eliminating the family and group family day care task force; amending Minnesota Statutes 1992, sections 15.0597, subdivisions 1 and 5; 115A.072, subdivision 1; and 115A.12; Minnesota Statutes 1993 Supplement, sections 15.0597, subdivisions 2 and 4; and 16B.61, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 1992, section 256.9751, subdivision 2.

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

S. F. No. 1898, A bill for an act relating to insurance; health; requiring coverage for equipment and supplies for the management and treatment of diabetes; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

S. F. No. 1894, A bill for an act relating to administrative rules; repealing obsolete rules of the departments of agriculture, commerce, health, human services, public safety, public service, and revenue and the pollution control agency; removing internal references to repealed rules; amending Minnesota Rules, parts 1540.2140; 4400.4500, subpart

3; 7001.0140, subpart 2; 7001.0180; 7005.0100, subpart 8a; 7007.0100, subpart 7; 7009.0010, subpart 1; 7009.0030; 7009.0080; 7023.9050; 7035.2835, subpart 3; 7035.2835, subpart 6; 7035.2875, subpart 3; 7040.2800, subpart 1; 7045.0460, subpart 2; 8130.3500, subpart 3; and 8130.6500, subpart 5; repealing Minnesota Rules, parts 1540.0010, subparts 12, 18, 21, 22, and 24; 1540.0060; 1540.0070; 1540.0080; 1540.0100; 1540.0110; 1540.0120; 1540.0130; 1540.0140; 1540.0150; 1540.0160; 1540.0170; 1540.0180; 1540.0190; 1540.0200; 1540.0210; 1540.0220; 1540.0230; 1540.0240; 1540.0260; 1540.0320; 1540.0330; 1540.0340; 1540.0350; 1540.0370; 1540.0380; 1540.0390; 1540.0400; 1540.0410; 1540.0420; 1540.0440; 1540.0450; 1540.0460; 1540.0490; 1540.0500; 1540.0510; 1540.0520; 1540.0770; 1540.0780; 1540.0800; 1540.0810; 1540.0830; 1540.0880; 1540.0890; 1540.0900; 1540.0910; 1540.0920; 1540.0930; 1540.0940; 1540.0950; 1540.0960; 1540.0970; 1540.0980; 1540.0990; 1540.1000; 1540.1005; 1540.1010; 1540.1020; 1540.1030; 1540.1040; 1540.1050; 1540.1060; 1540.1070; 1540.1080; 1540.1090; 1540.1100; 1540.1110; 1540.1120; 1540.1130; 1540.1140; 1540.1150; 1540.1160; 1540.1170; 1540.1180; 1540.1190; 1540.1200; 1540.1210; 1540.1220; 1540.1230; 1540.1240; 1540.1250; 1540.1255; 1540.1260; 1540.1280; 1540.1290; 1540.1300; 1540.1310; 1540.1320; 1540.1330; 1540.1340; 1540.1350; 1540.1360; 1540.1380; 1540.1400; 1540.1410; 1540.1420; 1540.1430; 1540.1440; 1540.1450; 1540.1460; 1540.1470; 1540.1490; 1540.1500; 1540.1510; 1540.1520; 1540.1530; 1540.1540; 1540.1550; 1540.1560; 1540.1570; 1540.1580; 1540.1590; 1540.1600; 1540.1610; 1540.1620; 1540.1630; 1540.1640; 1540.1650; 1540.1660; 1540.1670; 1540.1680; 1540.1690; 1540.1700; 1540.1710; 1540.1720; 1540.1730; 1540.1740; 1540.1750; 1540.1760; 1540.1770; 1540.1780; 1540.1790; 1540.1800; 1540.1810; 1540.1820; 1540.1830; 1540.1840; 1540.1850; 1540.1860; 1540.1870; 1540.1880; 1540.1890; 1540.1900; 1540.1905; 1540.1910; 1540.1920; 1540.1930; 1540.1940; 1540.1950; 1540.1960; 1540.1970; 1540.1980; 1540.1990; 1540.2000; 1540.2010; 1540.2015; 1540.2020; 1540.2090; 1540.2100; 1540.2110; 1540.2120; 1540.2180; 1540.2190; 1540.2200; 1540.2210; 1540.2220; 1540.2230; 1540.2240; 1540.2250; 1540.2260; 1540.2270; 1540.2280; 1540.2290; 1540.2300; 1540.2310; 1540.2320; 1540.2325; 1540.2330; 1540.2340; 1540.2350; 1540.2360; 1540.2370; 1540.2380; 1540.2390; 1540.2400; 1540.2410; 1540.2420; 1540.2430; 1540.2440; 1540.2450; 1540.2490; 1540.2500; 1540.2510; 1540.2530; 1540.2540; 1540.2550; 1540.2560; 1540.2570; 1540.2580; 1540.2590; 1540.2610; 1540.2630; 1540.2640; 1540.2650; 1540.2660; 1540.2720; 1540.2730; 1540.2740; 1540.2760; 1540.2770; 1540.2780; 1540.2790; 1540.2800; 1540.2810; 1540.2820; 1540.2830; 1540.2840; 1540.3420; 1540.3430; 1540.3440; 1540.3450; 1540.3460; 1540.3470; 1540.3560; 1540.3600; 1540.3610; 1540.3620; 1540.3630; 1540.3700; 1540.3780; 1540.3960; 1540.3970; 1540.3980; 1540.3990; 1540.4000; 1540.4010; 1540.4020; 1540.4030; 1540.4040; 1540.4080; 1540.4190; 1540.4200; 1540.4210; 1540.4220; 1540.4320; 1540.4330; 1540.4340; 2642.0120, subpart 1; 2650.0100; 2650.0200; 2650.0300; 2650.0400; 2650.0500; 2650.0600; 2650.1100; 2650.1200; 2650.1300; 2650.1400; 2650.1500; 2650.1600; 2650.1700; 2650.1800; 2650.1900; 2650.2000; 2650.2100; 2650.3100; 2650.3200; 2650.3300; 2650.3400; 2650.3500; 2650.3600; 2650.3700; 2650.3800; 2650.3900; 2650.4000; 2650.4100; 2655.1000; 2660.0070; 2770.7400; 4610.2210; 7002.0410; 7002.0420; 7002.0430; 7002.0440; 7002.0450; 7002.0460; 7002.0470; 7002.0480; 7002.0490; 7011.0300; 7011.0305; 7011.0310; 7011.0315; 7011.0320; 7011.0325; 7011.0330; 7011.0400; 7011.0405; 7011.0410; 7011.2220, subpart 4; 7047.0010; 7047.0020; 7047.0030; 7047.0040; 7047.0050; 7047.0060; 7047.0070; 7100.0300; 7100.0310; 7100.0320; 7100.0330; 7100.0335; 7100.0340; 7100.0350; 7100.0360; 7510.6100; 7510.6200; 7510.6300; 7510.6350; 7510.6400; 7510.6500; 7510.6600; 7510.6700; 7510.6800; 7510.6900; 7510.6910; 7600.0100; 7600.0200; 7600.0300; 7600.0400; 7600.0500; 7600.0600; 7600.0700; 7600.0800; 7600.0900; 7600.1000; 7600.1100; 7600.1200; 7600.1300; 7600.1400; 7600.1500; 7600.1600; 7600.1700; 7600.1800; 7600.1900; 7600.2000; 7600.2100; 7600.2200; 7600.2300; 7600.2400; 7600.2500; 7600.2600; 7600.2700; 7600.2800; 7600.2900; 7600.3000; 7600.3100; 7600.3200; 7600.3300; 7600.3400; 7600.3500; 7600.3600; 7600.3700; 7600.3800; 7600.3900; 7600.4000; 7600.4100; 7600.4200; 7600.4300; 7600.4400; 7600.4500; 7600.4600; 7600.4700; 7600.4800; 7600.4900; 7600.5000; 7600.5100; 7600.5200; 7600.5300; 7600.5400; 7600.5500; 7600.5600; 7600.5700; 7600.5800; 7600.5900; 7600.6000; 7600.6100; 7600.6200; 7600.6300; 7600.6400; 7600.6500; 7600.6600; 7600.6700; 7600.6800; 7600.6900; 7600.7000; 7600.7100; 7600.7200; 7600.7210; 7600.7300; 7600.7400; 7600.7500; 7600.7600; 7600.7700; 7600.7750; 7600.7800; 7600.7900; 7600.8100; 7600.8200; 7600.8300; 7600.8400; 7600.8500; 7600.8600; 7600.8700; 7600.8800; 7600.8900; 7600.9000; 7600.9100; 7600.9200; 7600.9300; 7600.9400; 7600.9500; 7600.9600; 7600.9700; 7600.9800; 7600.9900; 7605.0100; 7605.0110; 7605.0120; 7605.0130; 7605.0140; 7605.0150; 7605.0160; 7625.0100; 7625.0110; 7625.0120; 7625.0200; 7625.0210; 7625.0220; 7625.0230; 8120.1100, subpart 3; 8121.0500, subpart 2; 8130.9500, subpart 6; 8130.9912; 8130.9913; 8130.9916; 8130.9920; 8130.9930; 8130.9956; 8130.9958; 8130.9968; 8130.9972; 8130.9980; 8130.9992; 8130.9996; 9540.0100; 9540.0200; 9540.0300; 9540.0400; 9540.0500; 9540.1000; 9540.1100; 9540.1200; 9540.1300; 9540.1400; 9540.1500; 9540.2000; 9540.2100; 9540.2200; 9540.2300; 9540.2400; 9540.2500; 9540.2600; and 9540.2700.

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

CONSENT CALENDAR

H. F. No. 1890, A bill for an act relating to Lake of the Woods county; allowing the county to forgive the amount owing on a contract for deed.

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

The bill was passed and its title agreed to.

H. F. No. 1955, A bill for an act relating to Wright county; permitting the transfer of a sheltered workshop facility to its operator without bids or consideration.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1956, A bill for an act relating to local government; authorizing the public library systems of the county of Anoka and the city of Anoka to merge and the county to provide library services for the city.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 1885, A bill for an act relating to financial institutions; regulating administrative hearings on bank applications, certain bank mergers, certain emergency notices, certain credit union accounts, and motor vehicle sales finance contracts; making technical and clarifying changes; amending Minnesota Statutes 1992, sections 46.041, subdivision 4; 47.0153, subdivision 1; 47.0154; 48.47; 48.70; 52.191; 52.24, subdivision 2; 59A.03, subdivision 1; 168.69; Minnesota Statutes 1993 Supplement, sections 47.54, subdivision 4; and 56.155, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 48 and 52; repealing Minnesota Statutes 1992, sections 48.26; and 48.88, subdivision 2; Laws 1982, chapter 429, section 6.

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

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

Those who voted in the affirmative were:

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

Rest	Sarna	Solberg	Tomassoni	Van Engen	Weaver	Worke
Rhodes	Seagren	Stanius	Tompkins	Vellenga	Wejcman	Workman
Rice	Sekhon	Steensma	Trimble	Vickerman	Wenzel	Spk. Anderson, I.
Rodosovich	Skoglund	Sviggum	Tunheim	Wagenius	Winter	
Rukavina	Smith	Swenson	Van Dellen	Waltman	Wolf	

The bill was passed and its title agreed to.

H. F. No. 1886, A bill for an act relating to insurance; regulating insurers, investments, rehabilitations and liquidations, policy loans, and alternative coverage mechanisms; amending Minnesota Statutes 1992, sections 60A.052, subdivision 2; 60A.11, subdivision 13; 60A.111, subdivision 2; 60A.13, subdivision 8; 60B.60, subdivisions 2 and 3; 61A.28, subdivisions 11 and 12; 62F.02, subdivision 1; and 62F.03, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 60A.23, subdivision 4; 60D.20, subdivision 2; and 62B.12; repealing Minnesota Statutes 1992, section 60D.19, 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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 228, A bill for an act relating to local government; providing for annexation elections; changing conditions permitting annexation by ordinance; amending Minnesota Statutes 1992, sections 414.031, by adding a subdivision; and 414.033, subdivision 2; repealing Minnesota Statutes 1992, section 414.033, subdivision 2a.

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

The question was taken on the passage of the bill and the roll was called. There were 77 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abrams	Brown, C.	Farrell	Hasskamp	Jennings	Kelso	Leppik
Anderson, R.	Cooper	Finseth	Haukoos	Johnson, R.	Kinkel	Lieder
Battaglia	Dauner	Frerichs	Holsten	Johnson, V.	Klinzing	Limmer
Beard	Davids	Garcia	Huntley	Kahn	Koppendrayner	Lourey
Bertram	Delmont	Greenfield	Jacobs	Kalis	Krueger	Luther
Bishop	Erhardt	Gutknecht	Jaros	Kelley	Lasley	Macklin

Mahon	Murphy	Onnen	Reding	Seagren	Sviggum	Weaver
McCollum	Neary	Orfield	Rhodes	Sekhon	Tomassoni	Wejcman
Milbert	Ness	Ozment	Rice	Smith	Tompkins	Wenzel
Molnau	Olson, E.	Perlt	Rukavina	Solberg	Tunheim	Winter
Mosel	Olson, M.	Peterson	Sarna	Steensma	Waltman	Workman

Those who voted in the negative were:

Asch	Commers	Greiling	Krinkie	Opatz	Rodosovich	Vickerman
Bauerly	Dawkins	Gruenes	Lindner	Orenstein	Skoglund	Wagenius
Bergson	Dehler	Hausman	Lynch	Osthoff	Stanis	Wolf
Bettermann	Dempsey	Hugoson	Mariani	Ostrom	Swenson	Worke
Brown, K.	Dorn	Jefferson	McGuire	Pawlenty	Trimble	Spk. Anderson, I.
Carlson	Evans	Johnson, A.	Morrison	Pelowski	Van Dellen	
Carruthers	Girard	Knickerbocker	Nelson	Pugh	Van Engen	
Clark	Goodno	Knight	Olson, K.	Rest	Vellenga	

The bill was passed and its title agreed to.

GENERAL ORDERS

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

REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 1496, 524, 1186, 1811 and 1906 were recommended to pass.

H. F. Nos. 1880 and 1964 were recommended for progress.

S. F. No. 1512 was recommended for progress.

H. F. No. 1788, the first engrossment, which it recommended to pass with the following amendment offered by Vellenga:

Page 2, line 21, delete "separate"

On the motion of Carruthers, the report of the Committee of the Whole was adopted.

ROLL CALLS IN THE COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll call was taken in the Committee of the Whole:

Weaver moved to amend H. F. No. 1811, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [SCHOOL BUS DRIVER APPRECIATION.]

It is the intent of the legislature to recognize the responsibilities borne and the dedication demonstrated by Minnesota's school bus drivers for the safe delivery of our school children. The public schools may offer instruction and programs honoring and fostering appreciation and respect for Minnesota's school bus drivers."

Delete the title and insert:

"A bill for an act relating to education; recognizing the dedication of school bus drivers."

The question was taken on the Weaver amendment and the roll was called. There were 41 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abrams	Finseth	Haukoos	Koppendraye	Molnau	Stanis	Waltman
Bettermann	Frerichs	Hausman	Krinkie	Olson, M.	Svigum	Weaver
Bishop	Girard	Hugoson	Leppik	Ornen	Van Dellen	Wolf
Commers	Goodno	Kahn	Lindner	Pawlenty	Van Engen	Worke
Dehler	Gruenes	Kelley	Lynch	Rhodes	Vellenga	Workman
Erhardt	Gutknecht	Knight	McCollum	Seagren	Vickerman	

Those who voted in the negative were:

Anderson, R.	Dauids	Jaros	Lieder	Nelson	Reding	Tompkins
Asch	Dawkins	Jefferson	Lourey	Ness	Rest	Trimble
Battaglia	Delmont	Jennings	Luther	Opatz	Rice	Tunheim
Bauerly	Dempsey	Johnson, A.	Macklin	Orenstein	Rodosovich	Wagenius
Beard	Dorn	Johnson, R.	Mahon	Orfield	Rukavina	Wejcmn
Bergson	Evans	Johnson, V.	Mariani	Osthoff	Sarna	Wenzel
Bertram	Farrell	Kalis	McGuire	Ostrom	Sekhon	Winter
Brown, K.	Garcia	Kelso	Milbert	Ozment	Skoglund	Spk. Anderson, I.
Carlson	Greenfield	Kinkel	Morrison	Pauly	Smith	
Carruthers	Greiling	Klinzing	Mosel	Pelowski	Solberg	
Clark	Holsten	Knickerbocker	Munger	Perlt	Steensma	
Cooper	Huntley	Krueger	Murphy	Peterson	Swenson	
Dauner	Jacobs	Lasley	Neary	Pugh	Tomassoni	

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

MOTIONS AND RESOLUTIONS

Koppendraye moved that his name be stricken as an author on H. F. No. 423. The motion prevailed.

Jacobs moved that his name be stricken and the name of Frerichs be added as chief author on H. F. No. 834. The motion prevailed.

Garcia moved that the name of Anderson, I., be added as an author on H. F. No. 1215. The motion prevailed.

Lourey moved that the name of Asch be added as an author on H. F. No. 1316. The motion prevailed.

Anderson, I., moved that the name of Brown, C., be added as chief author on H. F. No. 1363. The motion prevailed.

Peterson moved that the name of Brown, C., be added as an author on H. F. No. 1966. The motion prevailed.

Molnau moved that the names of Trimble and Dawkins be added as authors on H. F. No. 2157. The motion prevailed.

Sekhon moved that the name of Brown, K., be added as an author on H. F. No. 2277. The motion prevailed.

Hasskamp moved that her name be stricken as an author on H. F. No. 2304. The motion prevailed.

Skoglund moved that the name of Mosel be added as an author on H. F. No. 2462. The motion prevailed.

Evans moved that H. F. No. 2078 be recalled from the Committee on Labor-Management Relations and be re-referred to the Committee on Judiciary. The motion prevailed.

Greenfield moved that H. F. No. 2102 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Dawkins moved that H. F. No. 2308 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Housing. The motion prevailed.

Clark moved that H. F. No. 2428 be recalled from the Committee on Taxes and be re-referred to the Committee on Housing. The motion prevailed.

Clark moved that H. F. No. 2432 be recalled from the Committee on Taxes and be re-referred to the Committee on Housing. The motion prevailed.

Dawkins moved that H. F. No. 2436 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Lourey moved that H. F. No. 2452 be recalled from the Committee on Environment and Natural Resources Finance and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Clark moved that H. F. No. 2473 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Housing. The motion prevailed.

Greenfield moved that H. F. No. 2525 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

McGuire moved that H. F. No. 2596 be recalled from the Committee on Regulated Industries and Energy and be re-referred to the Committee on Judiciary. The motion prevailed.

Bettermann moved that H. F. No. 2606 be recalled from the Committee on Labor-Management Relations and be re-referred to the Committee on Education. The motion prevailed.

Kahn moved that S. F. No. 788 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Regulated Industries and Energy. The motion prevailed.

Jaros moved that H. F. No. 2427 be returned to its author. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 936:

Vickerman, Beard and Bergson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1094:

Stanis, Reding, Bertram, Osthoff and Farrell.

The Speaker announced the following House committee assignments for the 1994 session:

1994 HOUSE COMMITTEE ASSIGNMENTS

Agriculture —

Wenzel, Chair
Steensma, Vice Chair
Bauerly
Bertram
Cooper
Dauner
Mosel
Nelson
Olson, K.
Peterson
Trimble
Winter

Bettermann
Dehler
Girard
Hugoson
Knight
Koppendrayer
Molnau
Ness

Capital Investment —

Kalis, Chair
Trimble, Vice Chair
Beard
Jefferson
Kelso
Krueger
Lieder
Reding
Rodosovich
Simoneau
Solberg, ex officio
Steensma

Bishop
Dempsey
Girard
Stanius
Waltman

Commerce and Economic Development —

Sarna, Chair
Evans, Vice Chair
Anderson, R.
Asch
Clark
Farrell
Hasskamp
Jaros
Johnson, R.
Kinkel
Long
Lourey
Luther
Milbert
Murphy
Opatz
Perlt
Rice
Turheim

Bishop
Commers
Erhardt
Haukoos
Holsten
Knickerbocker
Lindner
Olson, M.
Smith

International Trade, Technology and Economic Development Division/
Commerce and Economic Development

Jaros, Chair
Milbert, Vice Chair
Asch
Clark
Lourey
Luther
Rice
Sarna

Bishop
Commers
Erhardt
Haukoos
Smith

Tourism and Small Business Division/Commerce and Economic Development

Tunheim, Chair
Hasskamp, Vice Chair
Anderson, R.
Evans
Farrell
Johnson, R.
Kinkel
Perlt
Sarna

Holsten
Knickerbocker
Lindner
Olson, M.

Economic Development, Infrastructure and Regulation Finance —

Rice, Chair
Mariani, Vice Chair
Farrell
Kalis
Lieder
Mahon
Mosel
Sarna
Solberg, ex officio
Steensma

Dempsey
Frerichs
Molnau
Waltman
Wolf

Education —

Carlson, Chair
Olson, K., Vice Chair
Bauerly
Bertram
Brown, C.
Dorn
Greiling
Hausman
Johnson, A.
Kahn
Kelley
Kelso
Kinkel
McCollum
Murphy
Orenstein
Pelowski
Rodosovich
Skoglund
Tomassoni
Tunheim
Vellenga

Bettermann
Dehler
Koppendrayer
Leppik
Limmer
Morrison
Ness
Ozment
Pawlenty
Seagren
Weaver

Higher Education Finance Division/Education

Rodosovich, Chair
Kinkel, Vice Chair
Bertram
Brown, C.
Carlson
Dorn
Kahn
Kalis, ex officio
Kelley
McCollum
Orenstein
Pelowski
Solberg, ex officio

Bettermann
Dehler
Limmer
Morrison
Pawlenty

K-12 Education Finance Division/Education

Vellenga, Chair
Bauerly, Vice Chair
Carlson
Greiling
Hausman
Johnson, A.
Kalis, ex officio
Kelso
Lasley
Olson, K.
Osthoff
Skoglund
Solberg, ex officio
Tomassoni
Tunheim

Koppendrayner
Leppik
Ness
Ozment
Seagren
Weaver

Environment and Natural Resources —

Munger, Chair
Hausman, Vice Chair
Battaglia
Dawkins
Dorn
Hasskamp
McCollum
Milbert
Orfield
Peterson
Rukavina
Sekhon
Trimble
Wagenius
Winter

Frerichs
Johnson, V.
Knight
Leppik
Limmer
Morrison
Ozment
Pauly
Waltman
Weaver
Wolf

Environment and Natural Resources Finance —

Battaglia, Chair
McGuire, Vice Chair
Hasskamp
Kalis, ex officio

Commers
Johnson, V.
Lynch
Pauly

Environment and Natural Resources Finance — (Continued)

Munger	Swenson
Peterson	
Pugh	
Sekhon	
Solberg, ex officio	
Trimble	
Wenzel	

Ethics —

Olson, E., Chair	Bettermann
Pauly, Vice Chair	Bishop
Asch	Davids
Clark	Johnson, V.
Kelso	Knickerbocker
Orfield	Leppik
Pugh	
Tunheim	

Member Conduct Division/Ethics

Olson, E., Chair	Bishop
Pauly, Vice Chair	Leppik
Kelso	
Tunheim	

Financial Institutions and Insurance —

Reding, Chair	Abrams
Bertram, Vice Chair	Davids
Asch	Girard
Carlson	Gruenes
Farrell	Onnen
Greenfield	Stanius
Huntley	Worke
Jennings	
Lourey	
Osthoff	
Peterson	
Wenzel	
Winter	

General Legislation, Veterans Affairs and Elections —

Lieder, Chair	Abrams
Pelowski, Vice Chair	Commers
Bergson	Gutknecht
Bertram	Haukoos
Cooper	Knight
Delmont	Seagren
Hasskamp	Waltman
Johnson, R.	
Lasley	
McCollum	
Opatz	
Orfield	
Ostrom	

Governmental Operations and Gambling —

Kahn, Chair
Johnson, R., Vice Chair
Beard
Bergson
Evans
Greiling
Jefferson
Kinkel
Krueger
Mosel
Opatz
Osthoff
Reding
Tomassoni

Dehler
Dempsey
Haukoos
Knickerbocker
Krinkie
Olson, M.
Seagren
Van Dellen

State Government Finance Division/Governmental Operations and Gambling

Krueger, Chair
Jefferson, Vice Chair
Beard
Evans
Johnson, R.
Kahn
Kalis, ex officio
Kinkel
Opatz
Solberg, ex officio

Haukoos
Knickerbocker
Krinkie
Olson, M.
Van Dellen

Health and Human Services —

Simoneau, Chair
Cooper, Vice Chair
Anderson, R.
Asch
Brown, K.
Clark
Garcia
Greenfield
Huntley
Jennings
Klinzing
Lourey
Luther
Neary
Nelson

Davids
Gruenes
Gutknecht
Lindner
Onnen
Stanis
Tompkins
Van Engen
Vickerman
Worke

Health and Housing Finance Division/Health and Human Services

Anderson, R., Chair
Lourey, Vice Chair
Asch
Brown, K.
Clark
Greenfield
Kalis, ex officio
Klinzing
Nelson
Simoneau
Solberg, ex officio

Lindner
Onnen
Tompkins
Worke

Human Services Finance Division/Health and Human Services

Greenfield, Chair
 Jennings, Vice Chair
 Anderson, R.
 Cooper
 Garcia
 Huntley
 Kalis, ex officio
 Luther
 Neary
 Simoneau
 Solberg, ex officio

Davids
 Gruenes
 Gutknecht
 Stanius
 Van Engen
 Vickerman

Housing —

Clark, Chair
 Dawkins, Vice Chair
 Brown, K.
 Dauner
 Evans
 Garcia
 Klinzing
 Luther
 Mariani
 Olson, K.
 Rest
 Tomassoni
 Wejcman

Davids
 Finseth
 Koppendrayner
 Olson, M.
 Pawlenty
 Smith
 Workman

Judiciary —

Skoglund, Chair
 Orenstein, Vice Chair
 Bergson
 Brown, C.
 Carruthers, ex officio
 Dawkins
 Delmont
 Mariani
 McGuire
 Murphy
 Perl
 Pugh
 Solberg
 Wejcman

Bishop
 Finseth
 Holsten
 Limmer
 Lynch
 Macklin
 Rhodes
 Smith
 Swenson
 Van Engen

Judiciary Finance Division/Judiciary

Murphy, Chair
 Pugh, Vice Chair
 Delmont
 Kalis, ex officio
 McGuire
 Orenstein
 Perl
 Skoglund
 Solberg
 Wejcman

Bishop
 Finseth
 Holsten
 Macklin
 Rhodes
 Smith
 Swenson

Labor-Management Relations —

Beard, Chair
Rukavina, Vice Chair
Battaglia
Farrell
Huntley
Johnson, A.
Murphy
Perl
Rice
Sarna
Sekhon
Wenzel

Bettermann
Goodno
Leppik
Ness
Rhodes
Vickerman
Wolf

Local Government and Metropolitan Affairs —

Brown, C., Chair
Delmont, Vice Chair
Bergson
Cooper
Dorn
Greiling
Kelley
Klinzing
Mahon
Mariani
Nelson
Orenstein
Orfield
Pugh
Wagenius
Wejman

Finseth
Johnson, V.
Lynch
Macklin
Molnau
Pawlenty
Swenson
Tompkins
Van Engen
Weaver

Regulated Industries and Energy —

Jacobs, Chair
Kelso, Vice Chair
Anderson, R.
Hausman
Jennings
Kelley
Mahon
Neary
Olson, E.
Osthoff
Pelowski
Sarna
Tunheim

Dempsey
Erhardt
Goodno
Gruenes
Lindner
Onnen
Ozment
Vickerman
Worke

Rules and Legislative Administration —

Carruthers, Chair
Greenfield, Vice Chair
Anderson, I.
Bauerly
Carlson
Delmont

Abrams
Gutknecht
Hugoson
Knickerbocker
Koppendrayner
Lynch

Rules and Legislative Administration — (Continued)

Jacobs
Kahn
McGuire
Milbert
Munger
Olson, K.
Pugh
Rest
Rice
Rukavina
Simoneau
Solberg
Trimble
Vellenga

Pauly
Sviggum

Taxes —

Rest, Chair
Winter, Vice Chair
Anderson, I.
Carruthers
Dauner
Dawkins
Jacobs
Jaros
Lasley
Long
Milbert
Olson, E.
Orfield
Osthoff
Ostrom
Peterson
Rukavina
Solberg, ex officio
Wagenius

Abrams
Erhardt
Girard
Goodno
Hugoson
Krinkie
Macklin
Sviggum
Van Dellen
Workman

Transportation and Transit —

Osthoff, Chair
Lasley, Vice Chair
Brown, K.
Dauner
Garcia
Jefferson
Johnson, A.
Kelso
Lieder
Long
Mariani
McCollum
Neary
Olson, E.
Olson, K.
Ostrom
Steensma
Wagenius

Frerichs
Hugoson
Johnson, V.
Krinkie
Morrison
Pauly
Rhodes
Tompkins
Workman

Ways and Means —

Solberg, Chair
Jacobs, Vice Chair
Anderson, I.
Anderson, R.
Battaglia
Carlson
Carruthers
Greenfield
Kahn
Kalis
Krueger
Long
Murphy
Rest
Rice
Rodosovich
Simoneau
Skoglund
Vellenga

Abrams
Bishop
Frerichs
Gutknecht
Pauly
Stanius
Sviggum
Weaver

ADJOURNMENT

Carruthers moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 14, 1994. The motion prevailed.

Carruthers moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 14, 1994.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

